

Remote Right-to-Know Access – Town Council 4/22/2020

DUE TO THE COVID-19/CORONAVIRUS CRISIS AND IN ACCORDANCE WITH GOVERNOR SUNUNU'S EMERGENCY ORDER #12 PURSUANT TO EXECUTIVE ORDER 2020-04, TOWN COUNCIL IS AUTHORIZED TO MEET ELECTRONICALLY

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, all members of the Council will be given the means to communicate contemporaneously during this meeting through the **Zoom Software platform**.

The public may access the meeting as it's ongoing through the following methods:

1. **Dialing one of the following phone numbers: (1) 877 853 5247 US Toll-free, (1) 888 788 0099 US Toll-free, +1 312 626 6799 US (Chicago), +1 929 436 2866 US (New York), 1 253 215 8782 US, 1 301 715 8592 US, 1 346 248 7799 US (Houston) 1 669 900 6833 US (San Jose)**
2. **Entering the following Meeting ID: 957-5157-0892**
3. **Entering in the following passcode #: 2245**

You can also "join" this meeting by following this link and using the same Meeting ID and Passcode:

<https://zoom.us/j/95751570892?pwd=UXhyM0FyTnpLVldZUEc2MlFGUWRUZz09>

...Or watch/listen with a delay at: http://hooksett.granicus.com/ViewPublisher.php?view_id=2

This access notice was posted on www.hooksett.org/town-council and physically posted at the main Entrances at 35 Main Street in Hooksett. Up to 24 hours prior, any updates to these instructions will be posted in the same location and clearly marked as updates

During the Meeting:

- If anybody has a problem, please call 603-485-8472 Ext. 1 or email at ngermain@hooksett.org.
- In the event the public is unable to access the meeting, the meeting will adjourn and be rescheduled. **Telephonic access using the method found under a. will be considered the primary public access method in accordance with the Emergency Order.**
- All votes that are taken during this meeting shall be done by Roll Call vote, and the meeting will commence by taking a Roll Call attendance.
- When each member states their presence, they will also state whether there is anyone in the room with them during this meeting, which is required under the Right-to-Know law.
- **Public Input** will be conducted at the discretion of Town Council through methods of its choosing, and no communication by the public will be permitted until or unless authorized. Participants that violate this tenant will be muted or removed, and non-public sessions will trigger removal of all participants save Council and their designees.



AGENDA

Town of Hooksett Town Council

Wednesday, April 22, 2020 at 6:00 PM

A meeting of the Town Council will be held Wednesday, April 22, 2020 in the Hooksett Municipal Building commencing at **6:00 PM**.

Page

1. THIS MEETING IS A VIRTUAL MEETING - SEE 1.1 FOR DETAILS ON PARTICIPATION

- 1.1. This meeting is open to the public, however this will be a **virtual Zoom software platform** meeting to comply with Governor's orders regarding COVID-19 social-distancing & no scheduled gatherings of 10 or more individuals. See cover sheet to this agenda for instructions on how to participate in this **Zoom** meeting.

Also, the Public is encouraged to send their comments about items on this agenda to the Town Council via dfitzpatrick@hooksett.org until Noon on April 22, 2020.

On behalf of the Hooksett Town Council and Town Administration, we thank you for your patience and understanding during these challenging times.

2. CALL TO ORDER

3. PROOF OF POSTING

4. ROLL CALL

5. PLEDGE OF ALLEGIANCE

6. AGENDA OVERVIEW

7. PUBLIC HEARINGS - VIRTUAL MEETING (SEE STEP 1 ABOVE FOR PARTICIPATION DETAILS)

- 7.1. Public hearing to accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from Lamontagne Builders (Stinson Hills, LLC) (not in lieu of Impact Fees) per RSA 31:95-b, III (a). (tabled at 03/11/2020 Town Council Meeting).

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[Staff Report - SR-20-058 - Pdf](#)

- 7.2. Public Hearing to discuss the proposed Storm Water Management Program Ordinance #2020-1.

11 - 15

[Staff Report - SR-20-059 - Pdf](#)

8. SPECIAL RECOGNITION

- 8.1. Hooksett Municipal Employee - New Hire

9. SCHEDULED APPOINTMENTS

- 9.1. Appointment with Judy Mason

17 - 18

[Staff Report - SR-20-065 - Pdf](#)

- 9.2. David Boutin, Chair - Town of Hooksett Tax Increment Finance (TIF) Advisory

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

10. CONSENT AGENDA

- 10.1. Accept donation of (1) 2011 Pace open utility trailer from SAU 15 valued at \$450.00 to the Town of Hooksett for the DPW Parks & Recreation Division per RSA 31:95-e, II. 19
[Staff Report - SR-20-060 - Pdf](#)
- 10.2. Motion to accept donation money totaling \$363.85 from the Hooksett Police Association and a miscellaneous donation to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III(b) and return that amount to the Police Departments, K9 Trust Fund. 21
[Staff Report - SR-20-070 - Pdf](#)
- 10.3. Motion to accept the donation of a black aluminum pole valued at approximately \$50.00 from Blue Ribbon Company, of Hooksett, NH, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:II. 23
[Staff Report - SR-20-071 - Pdf](#)
- 10.4. Motion to accept the terms of the 2018 Homeland Security Grant Program for EMS Warm Zone Equipment, as presented in the amount of \$6,000.00 to the Town of Hooksett for the Fire Rescue Department to purchase equipment for the department's active shooter response program per RSA 31:95-b III(b). 25 - 29
[Staff Report - SR-20-066 - Pdf](#)
[WarmZoneEMS-grant 2020\(1\)](#)
- 10.5. Bussiere Property #237 Londonderry Turnpike (Across from Zapora Dr.) Reduce Site Bond from \$220,000 to \$125,000 31 - 33
[Staff Report - SR-20-068 - Pdf](#)
- 10.6. Urgent Care Facility - #1228 Hooksett Road - Bond Release of \$23,745 35 - 36
[Staff Report - SR-20-046 - Pdf](#)
- 10.7. Site Bond Release - O'Reilly's Auto Parts - #1339 Hooksett Road - \$210,000 37 - 38
[Staff Report - SR-20-047 - Pdf](#)
- 10.8. Walnut Hill Avenue - Dion Subdivision Partial Bond Release of \$68,118.81 39 - 41
[Staff Report - SR-20-041 - Pdf](#)

11. TOWN ADMINISTRATOR'S REPORT

12. PUBLIC INPUT - 15 MINUTES - VIRTUAL MEETING (SEE STEP 1 ABOVE FOR PARTICIPATION DETAILS)

13. NOMINATIONS AND APPOINTMENTS

- 13.1. Nominations for Renewal of Health Officer - Matthew Lavoie and New Appointment of Deputy Health Officer Cpt. Joe Stalker 43 - 44
[Staff Report - SR-20-069 - Pdf](#)
- 13.2. Nominations and Appointments for April 2020 45 - 51
[Staff Report - SR-20-063 - Pdf](#)

14. BRIEF RECESS

15. OLD BUSINESS

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

15.1.	TIF District Sewer Final Design Amendment Tabled at March 11th Town Council Meeting Staff Report - SR-20-049 - Pdf	53 - 77
15.2.	Solid Waste/Recycling & Transfer Ordinance 00-31 Amendment (tabled at 02/26/2020 Town Council Meeting) Staff Report - SR-20-061 - Pdf	79 - 91
16.	NEW BUSINESS	
16.1.	Accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from Lamontagne Builders (Stinson Hills, LLC), (not in lieu of Impact Fees) per RSA 31:95-b, III (a). (tabled at 03/11/2020 Town Council Meeting.) Staff Report - SR-20-062 - Pdf	93 - 103
16.2.	Osborne's Agway - 1224 Hooksett Road - Update on Site Bond Release of \$346,363 (tabled at 03/11/20 Town Council Meeting) Staff Report - SR-20-050 - Pdf	105 - 107
16.3.	2020 MS-232 Report of Appropriations Actually Voted totaling \$21,502,637. Staff Report - SR-20-045 - Pdf	109 - 114
16.4.	COVID-19 - Request to Town Council to Ease Town Personnel Plan Sick Leave Policy prior to April 1, 2020 Staff Report - SR-20-067 - Pdf	115 - 116
16.5.	Classification Pay Plan - Maximum Levels Staff Report - SR-20-042 - Pdf	117 - 120
16.6.	Volunteer Appreciation Night Dinner Staff Report - SR-20-064 - Pdf	121 - 122
16.7.	Town of Hooksett, NH - Municipal Volunteers Staff Report - SR-20-043 - Pdf	123 - 126
16.8.	NHRS Certification Form - needed when new Police Patrol Officer (DOH 03/16/2020) fills a vacant slot (vs. replaces another Officer leaving) NHRS CERT FORM	127 - 128
17.	APPROVAL OF MINUTES	
17.1.	Public: 03/11/2020 TC Minutes 03112020	129 - 141
17.2.	Non-Public: 03/11/2020	
18.	SUB-COMMITTEE REPORTS	
19.	PUBLIC INPUT - 15 MINUTES - VIRTUAL MEETING (SEE STEP 1 ABOVE FOR PARTICIPATION DETAILS)	
20.	NON-PUBLIC SESSION NH RSA 91-A:3 II	
21.	ADJOURNMENT	
	PUBLIC INPUT	
1.	Two 15-minute Public Input sessions will be allowed during each Council Anyone requesting auxiliary aids or services is asked to contact the Administration Department five business days prior to the meeting.	

Meeting. Time will be divided equally among those wishing to speak, however, no person will be allowed to speak for more than 5 minutes.

2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.
4. Council members may request a comment be added to New Business at a subsequent meeting.
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: Public hearing to accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from Lamontagne Builders (Stinson Hills, LLC) (not in lieu of Impact Fees) per RSA 31:95-b, III (a).
Meeting: Town Council - 22 Apr 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

The Hooksett Town Council will be holding a public hearing on Wednesday, April 22, 2020 @ 6:00pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from Lamontagne Builders (Stinson Hills, LLC) (not in lieu of Impact Fees) per RSA 31:95-b, III (a). For documentation or questions contact the Hooksett Public Works Department at 603-668-8019.

FINANCIAL IMPACT:

Unanticipated revenue in the amount of \$58,178.00.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Open Public Hearing, listen to Public Hearing and close Public Hearing.

SUGGESTED MOTION:

Motion to open Public Hearing, listen to Public Hearing and close Public Hearing.

ATTACHMENTS:

[Donation 042220](#)

**TOWN OF HOOKSETT
PUBLIC HEARING NOTICE**

The Hooksett Town Council will be holding a public hearing on Wednesday, April 22, 2020 @ 6:00pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from Lamontagne Builders (Stinson Hills, LLC) (not in lieu of Impact Fees) per RSA 31:95-b, III (a). For documentation or questions contact the Hooksett Public Works Department at 603-668-8019.

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 31 POWERS AND DUTIES OF TOWNS

Miscellaneous

Section 31:95-b

31:95-b Appropriation for Funds Made Available During Year. –

I. Notwithstanding any other provision of law, any town or village district at an annual meeting may adopt an article authorizing, indefinitely, until specific rescission of such authority, the board of selectmen or board of commissioners to apply for, accept and expend, without further action by the town or village district meeting, unanticipated money from the state, federal or other governmental unit or a private source which becomes available during the fiscal year. The following shall apply:

(a) Such warrant article to be voted on shall read: "Shall the town (or village district) accept the provisions of RSA 31:95-b providing that any town (or village district) at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen (or commissioners) to apply for, accept and expend, without further action by the town (or village district) meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year?"

(b) If a majority of voters voting on the question vote in the affirmative, the proposed warrant article shall be in effect in accordance with the terms of the article until such time as the town or village district meeting votes to rescind its vote.

II. Such money shall be used only for legal purposes for which a town or village district may appropriate money.

III. (a) For unanticipated moneys in the amount of \$10,000 or more, the selectmen or board of commissioners shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the hearing is held.

(b) The board of selectmen may establish the amount of unanticipated funds required for notice under this subparagraph, provided such amount is less than \$10,000. For unanticipated moneys in an amount less than such amount, the board of selectmen shall post notice of the funds in the agenda and shall include notice in the minutes of the board of selectmen meeting in which such moneys are discussed. The acceptance of unanticipated moneys under this subparagraph shall be made in public session of any regular board of selectmen meeting.

IV. Action to be taken under this section shall:

(a) Not require the expenditure of other town or village district funds except those funds lawfully appropriated for the same purpose; and

(b) Be exempt from all provisions of RSA 32 relative to limitation and expenditure of town or village district moneys.

Source: 1979, 42:1; 1991, 25:1; 1993, 176:3, eff. Aug. 8, 1993; 1997, 105:1, eff. Aug. 8, 1997; 2005, 188:2, eff. Aug. 29, 2005; 2014, 237:1, eff. Sept. 19, 2014.

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 41 CHOICE AND DUTIES OF TOWN OFFICERS

Town Treasurer

Section 41:29

41:29 Duties of Elected and Appointed Town Treasurers. --

I. The town treasurer shall have custody of all moneys belonging to the town, and shall pay out the same only as follows:

- (a) Upon orders of the selectmen in a public meeting or by a nonseparately signed manifest signed by a majority of the board; or,
- (b) In the case of a conservation fund established pursuant to RSA 36-A:5, upon the order of the conservation commission; or
- (c) In the case of a heritage fund established pursuant to RSA 674:44-d upon the order of the heritage commission; or
- (d) In the case of fees held pursuant to RSA 673:16, II, upon the order of the local land use board or its designated agent; or
- (e) In the case of a recreation revolving fund established pursuant to RSA 35-B:2, upon the order of the recreation or park commission; or
- (f) In the case of fees deposited by the town clerk pursuant to RSA 41:25, upon the invoice of the town clerk, or other board or body designated by the town to expend such a fund.

II. The treasurer shall deposit all such moneys in participation units in the public deposit investment pool established pursuant to RSA 383:22 or in federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, except that funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:

- (a) United States government obligations;
- (b) United States government agency obligations; or
- (c) Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.

III. The town treasurer shall keep in suitable books provided for the purpose a fair and correct account of all sums received into and paid from town treasury, and of all notes given by the town, with the particulars thereof.

At the close of each fiscal year, the treasurer shall make a report to the town and to the department of revenue administration, giving a particular account of all his or her financial transactions during the year and account balances at year end. The treasurer shall furnish to the selectmen statements from the treasurer's books, and submit the books and vouchers to them and to the town auditors for examination, whenever so requested.

IV. Whenever the town treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the town treasurer shall invest the same in accordance with the investment policy adopted by the selectmen under RSA 41:9, VII. The treasurer may invest in the public deposit investment pool established pursuant to RSA 383:22, or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, or in obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type

Agenda Item #6.1.

investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations.

V. (a) The treasurer shall insure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall make available at the time of such deposit or investment an option to have such funds secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 383-B:3-301(c) shall be eligible to be pledged as collateral.

(b) As an alternative to the option of collateralization for excess funds provided in subparagraph (a), the town treasurer may also invest public funds in interest-bearing deposits which meet all of the following conditions:

(1) The funds are initially invested through a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the state, selected by the treasurer.

(2) The selected bank arranges for the redeposit of funds which exceed the federal deposit insurance limitation of the selected bank in deposits in one or more federally insured financial institutions located in the United States, for the account of the treasurer.

(3) The full amount of principal and any accrued interest of each such deposit is covered by federal deposit insurance.

(4) The selected bank acts as custodian with respect to each such deposit for the account of the treasurer.

(5) On the same date that the funds are redeposited by the selected bank, the selected bank receives an amount of deposits from customers of other federally insured financial institutions equal to or greater than the amount of the funds initially invested through the selected bank by the treasurer.

VI. The treasurer may delegate deposit, investment, recordkeeping, or reconciliation functions to other town officials or employees provided such delegation is in writing and includes written procedures acceptable to the selectmen, or in the case of a town operating under RSA 37, to the town manager, and is agreeable to all parties involved. However any such delegation shall only be made to a town official or employee bonded in accordance with RSA 41:6 and rules adopted by the commissioner of revenue administration under RSA 541-A. Such delegation shall not eliminate the responsibility of the treasurer to comply with all statutory duties required by law.

VII. The treasurer shall ensure that all moneys remitted shall be deposited at least on a weekly basis, or daily whenever funds remitted from all departments collectively totals \$1,500 or more. Such deposit function may be delegated pursuant to paragraph VI. However, failure to ensure that funds are being deposited on a timely basis as required by this paragraph shall be cause for immediate removal from office pursuant to RSA 41:26-d. In any municipality where there is either no bank or other depository institution within the municipality the treasurer shall make deposits consisting of funds remitted from all departments and collectively totaling \$1,500 or more on a weekly basis or more frequently as directed by the board of selectpersons in the investment policy adopted pursuant to RSA 41:9, VII.

Source: 1969, 26:2-4; GL 40:8, 1983, 111:1; PS 43:20; PL 47:24, 1931, 177:3; 1939, 170:2; RL 59:24; RSA 41:29, 1959, 197:3; 1971, 158:1; 1973, 490:1; 1977, 139:1; 1987, 318:3; 1991, 268:8; 377:6; 383:9; 1992, 64:3; 1993, 161:2; 1996, 209:10; 1997, 208:8; 1998, 40:2; 2003, 160:2; 2007, 35:6; 246:3, 4; 2008, 120:25; 174:5; 2009, 14:1; 2010, 7:3, eff. July 3, 2010; 2013, 27:3, eff. Aug. 19, 2013; 124:1, eff. Aug. 24, 2013; 2015, 272:43, eff. Oct. 1, 2015.

Town Council
STAFF REPORT



To: Town Council
Title: Public Hearing to discuss the proposed Storm Water Management Program Ordinance #2020-1.
Meeting: Town Council - 22 Apr 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

The Hooksett Town Council will be holding a public hearing on Wednesday, April 22, 2020 @ 6:00pm at the Hooksett Town Hall – Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to discuss the proposed Storm Water Management Program Ordinance #2020-1. This notice is per Chapter 231:132-a of the NH Revised Statutes annotated, and section 3.6 of the Hooksett Town Charter. The full text of the proposed ordinance is available at the Town Clerk's office and Public Works Department and via www.hooksett.org for your inspection. Questions should be directed to the Hooksett Public Works Department at 603-668-8019 or the Office of the Town Clerk at 603-485-9534.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

The establishment of the Town's legal and administrative authority to regulate, respond and enforce illicit discharges in the community.

RECOMMENDATION:

Open Public Hearing, listen to public input, close Public Hearing.

SUGGESTED MOTION:

Motion to open Public Hearing, listen to public input, close Public Hearing.

ATTACHMENTS:

[Public Hearing Notice](#)
[Proposed Storm Water Management Program Ordinance](#)

**TOWN OF HOOKSETT
PUBLIC HEARING NOTICE**

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**STORM WATER MANAGEMENT PROGRAM
ORDINANCE # 2020-1**

SECTION I: PURPOSE

The purpose of this Ordinance is to mandate a storm water management program to reduce the discharge of pollutants from municipal storm water collection systems within the urbanized area of the Town of Hooksett, NH as mandated by the U.S. EPA Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Program.

SECTION II: AUTHORITY

This Ordinance has been enacted pursuant to the statutory authority granted to the Town of Hooksett by provisions of the Clean Water Act, 33 USC 1251, under 40 CFR part 122 EPA Administered Permit Programs: The National Pollutant Discharge Elimination System.

SECTION III: DEFINITIONS

Regulated Storm Water - Water from rain and /or melting snow or ice, which flows over paved or unpaved surfaces to a Town of Hooksett storm water collection system and migrates to a State of New Hampshire water resource.

Storm Water Conveyance System - A storm water collection mechanism and discharge point for storm water runoff.

Impaired Waters - Waters of the State of New Hampshire that are adversely affected by non-natural impacts of contamination and have been designated as such by the State.

Illicit Discharge - Non-storm water discharge or contaminated storm water, which is not authorized for discharge to a Hooksett storm water collection system.

Ms4 Plan - Municipal separate storm water sewer systems plan to control storm water pollution.

Control Measures - Required elements within the MS4 Plan.

SECTION IV: PROGRAM CONTROL MEASURES:

Each of the six mandated Control Measures, listed below have associated goals or "Best Management Practices (BMPs)", which shall be implemented during the term of the NPDES Permit and presented in detail in the Town's mandated MS4 Plan.

- A. Public Education and Outreach.
- B. Public Participation/Involvement.
- C. Illicit Discharge Detection and Elimination.
- D. Construction Site Runoff Control.
- E. Post-Construction Runoff Control.
- F. Pollution Prevention/Good Housekeeping.

SECTION V: RECORD KEEPING

Records will be kept public for period of 5 years. Records will be only submitted when requested by the permitting authority.

SECTION VI: ENFORCEMENT

The Town Council is hereby charged to carry out the enforcement of the provisions within this Ordinance and the provisions within the MS4 Plan this Ordinance represents by statute. The Town Council may delegate such powers to one or more designees with authority to bring actions to force compliance with this Ordinance and the MS4 Plan.

SECTION VII: PENALTIES

Any person(s) (including individuals, corporations, associations, etc.) who knowingly violate(s) the provisions of this Ordinance and its referenced MS4 Plan shall be subject to imposition of the following:

- A. Hooksett procedural rules regulating planning & development, construction, post-construction, and road maintenance are used in conjunction with the MS4 Plan. These rules include, but not limited to, Site Plan Regulations, Subdivision Regulations, and Zoning & Land Use Ordinance. Violations and penalties of the above regulations are levied through designated Town authorities.
- B. Penalties relating to illicit discharges or improper run-off controls as referenced in the Storm Water Plan and not under the jurisdiction of Hooksett Community Development Department or other regulating authority shall be levied by an agent of the Town Council. Penalties are as follows:
 - 1. Aforesaid persons shall receive a written notification to cease and desist discharging into Hooksett's storm water conveyance system and shall be required to take corrective measures to permanently eliminate the illicit discharge from entering Hooksett's storm water conveyance system and for correct the run-off controls within 10 days of the notification.
 - 2. Upon non-compliance of the cease and desist notification aforesaid persons shall be fined \$1000/day until illicit discharge is eliminated from the Hooksett storm water conveyance system.
 - 3. Upon 30 days of non-compliance, the New Hampshire Department of Environmental Services (NH DES) and the US EPA shall be notified for further enforcement actions.
 - 4. In addition to the monetary fines established by this policy, the Town further reserves the right to require with the assistance of NH DES and US EPA, aforesaid persons to remediate any infrastructure and/or environmental damages caused by the illicit discharge.

SECTION VIII: WAIVERS

The Hooksett Town Council reserves the right, for good cause shown, to make special exceptions and/or waive any portion of the regulations.

SECTION IX: SEVERABILITY

If any provision of these Regulations is held to be invalid, other provisions and sections shall not be affected, and to this end, the provisions and sections hereof are declared to be severable.

SECTION X - AMENDMENTS

These Regulations shall be adopted, and subsequent amendments shall be adopted from time to time by the Town Council, following a public hearing. notice of which shall be posted

pursuant to State and local laws in two (2) or more public places, or published in a newspaper of general circulation not less than ten (10) days prior to the public hearing.

SECTION XII -ADOPTION:

These Regulations shall take effect immediately upon adoption of the Town Council.

Adopted: Town Council Meeting Date

James Sullivan, Town Council Chair

Todd Rainier, Town Clerk

Town Council

STAFF REPORT



To:
Title: Appointment with Judy Mason
Meeting: Town Council - 22 Apr 2020
Department:
Staff Contact:

BACKGROUND INFORMATION:

Earlier in March, Judy Mason, Hooksett Coordinator for the "National Day of Prayer" organization, called the Administration Department requesting use of a plot of town property to hold an open air religious assembly. Plot of land in question is best described as the area around the flag pole in front of the Municipal Offices at 35 Main Street. This was more or less concurrent with declaration of New Hampshire's State of Emergency and various executive orders by the Governor with regards to assemblies and essential work. Ms. Mason didn't provide an estimate for the number of people who would be assembling.

As there isn't an established existing mechanism to provide the requested town property, staff provided Ms. Mason with the necessary documentation to request use of more traditional town property put aside for public use, such as those for the gym and fields. Staff also advised on the potential health consequences and state / local restrictions that were put in place and that would likely come in place.

Ms. Mason subsequently requested a Scheduled Appointment with Town Council at their latest meaning to consider the request.

To quote Ms. Mason's reasoning:

"...National Day of Prayer has been established since President Ronald Reagan made the first Thursday in May to be observed as National Day of Prayer every year. www.nationaldayofprayer.org This is the reason for May 7 request outside at the flag pole for keeping social distancing and expressing the needs for all in America for prayer. This isn't any thing political or a certain religion JUST PRAYER."

FINANCIAL IMPACT:

N/A

POLICY IMPLICATIONS:

-Hooksett Town Charter, Sec. 7.3. Private Use of Town Property and Personnel. No elected or appointed officer or employee shall devote any Town property or labor to private use except as may be provided by authority of the Council.

-As of the typing of this staff report, New Hampshire's State of Emergency and the Governor's various Executive Orders governing COVID-19 are in effect and staff can't guarantee either the orders would expire in time for May 7th or the public health risk associated with public gatherings would be alleviated

RECOMMENDATION:

Listen to Ms. Mason's request

SUGGESTED MOTION:

N/A

TOWN ADMINISTRATOR'S RECOMMENDATION:

I agree that Council should listen to Ms. Mason request. If she can assure the Council that she will abide by the Governor's Order limiting groups of 10 persons or less, then the Council can vote accordingly.

Town Council
STAFF REPORT



To: Town Council
Title: Accept donation of (1) 2011 Pace open utility trailer from SAU 15 valued at \$450.00 to the Town of Hooksett for the DPW Parks & Recreation Division per RSA 31:95-e, II.
Meeting: Town Council - 22 Apr 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

A donation of (1) 2011 Pace open utility trailer from SAU 15 valued at \$450.00 to the Town of Hooksett for the DPW Parks & Recreation Division per RSA 31:95-e, II.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Accept donation of (1) 2011 Pace open utility trailer from SAU 15 valued at \$450.00 to the Town of Hooksett for the DPW Parks & Recreation Division per RSA 31:95-e, II.

SUGGESTED MOTION:

Motion to accept donation of (1) 2011 Pace open utility trailer from SAU 15 valued at \$450.00 to the Town of Hooksett for the DPW Parks & Recreation Division per RSA 31:95-e, II.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council

STAFF REPORT



To: Town Council
Title: Motion to accept donation money totaling \$363.85 from the Hooksett Police Association and a miscellaneous donation to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III(b) and return that amount to the Police Departments, K9 Trust Fund.
Meeting: Town Council - 22 Apr 2020
Department: Police Department
Staff Contact: Jake Robie, Captain

BACKGROUND INFORMATION:

On April 25, 2018, the Town Council approved accepting donations to fund the K9 Program. As of March 25, 2020, the Hooksett Police Department has received an additional \$362.85 from the Hooksett Police Association (t-shirt sales) and a miscellaneous \$1.00, totaling \$363.85.

FINANCIAL IMPACT:

None

SUGGESTED MOTION:

Motion to accept donation money totaling \$363.85 from the Hooksett Police Association and a miscellaneous donation to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III(b) and return that amount to the Police Departments, K9 Trust Fund.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council

STAFF REPORT



To: Town Council
Title: Motion to accept the donation of a black aluminum pole valued at approximately \$50.00 from Blue Ribbon Company, of Hooksett, NH, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:II.
Meeting: Town Council - 22 Apr 2020
Department: Police Department
Staff Contact: Jake Robie, Captain

BACKGROUND INFORMATION:

Blue Ribbon Company, of Hooksett, NH offered to donate one 16' black aluminum pole to the Hooksett Police Department. The Donation of the pole will be used to hang the solar speed sign in Hooksett.

FINANCIAL IMPACT:

None

SUGGESTED MOTION:

Motion to accept the donation of a black aluminum pole valued at approximately \$50.00 from Blue Ribbon Company, of Hooksett, NH, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:II.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council

STAFF REPORT



To: Town Council
Title: Motion to accept the terms of the 2018 Homeland Security Grant Program for EMS Warm Zone Equipment, as presented in the amount of \$6,000.00 to the Town of Hooksett for the Fire Rescue Department to purchase equipment for the department's active shooter response program per RSA 31:95-b III(b).
Meeting: Town Council - 22 Apr 2020
Department: Fire and Rescue
Staff Contact: Joseph Stalker, Captain

BACKGROUND INFORMATION:

In 2017, the Hooksett Fire Rescue Department (HFRD) created an active shooter response program in response to the increase of active shooter incidents occurring across the country. This program aimed at training, preparing and equipping our first responders to respond to such an event. A large portion of this program was grant funded by a federal Homeland Security Grant. As of this date, there was still additional funds available in this grant. As our department has sought to expand our program, we reapplied for the grant and were subsequently awarded an additional \$6,000.00 from this grant. The department intends to use these funds to purchase additional personal protection equipment (PPE) and medical supplies to support our program.

FINANCIAL IMPACT:

Grant award of \$6,000.00; no financial impact on town.

POLICY IMPLICATIONS:

N/A

RECOMMENDATION:

Accept the terms of the grant.

SUGGESTED MOTION:

Motion to accept the terms of the 2018 Homeland Security Grant Program for EMS Warm Zone Equipment, as presented in the amount of \$6,000.00 to the Town of Hooksett for the Fire Rescue Department to purchase equipment for the department's active shooter response program per RSA 31:95-b III(b)

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[WarmZoneEMS-grant_2020\(1\)](#)

State of New Hampshire

ROBERT L. QUINN
COMMISSIONER OF SAFETY



RICHARD C. BAILEY, JR.
PERRY E. PLUMMER
ASSISTANT COMMISSIONERS

DEPARTMENT OF SAFETY

James H. Hayes Safety Building, 33 Hazen Drive, Concord, NH 03305
Tel: (603) 223-3889
Speech/Hearing Impaired
TDD Access Relay NH 1-800-735-2964

March 3, 2020

Captain Joseph Stalker
Town of Hooksett Fire Dept
15 Legends Drive
Hooksett, NH 03106

Re: 2018 Homeland Security Grant Program Award – EMS Warm Zone Equipment

Dear Captain Stalker,

It is my pleasure to inform you that upon review of your 2018 Homeland Security Grant Application, the Town of Hooksett Fire Dept has been awarded \$6,000. These funds are awarded under the State Homeland Security Program (SHSP) portion of the 2018 Homeland Security Grant Program (HSGP) for the purchase of the equipment listed on the attached Approved Item Checklist.

These grant awards are subject to federal program requirements and special conditions. Enclosed are your Sub-Recipient Information Reporting Form, federal grant terms and conditions, special conditions requirements, lobbying certification, and acceptance of audit requirement forms. All signature forms must be returned to the Grants Management Unit within fifteen (15) days of the date of this letter. Special conditions requirements must be responded to within thirty (30) days of the date of this letter. Failure to meet these requirements will result in a delay in reimbursement or cancellation of your grant award.

We, at the Department of Safety, look forward to this opportunity to work diligently with local first responders, public safety officials, and other local and state officials and agencies to prepare and protect our citizens. It is our hope that we will never have to apply these skills, or use this equipment; however, we will work together to ensure that our ability to do so will be keen.

Sincerely,

Pamela Urban-Morin
Grants Administrator

State of New Hampshire

ROBERT L. QUINN
COMMISSIONER OF SAFETY



RICHARD C. BAILEY, JR.
PERRY E. PLUMMER
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Sincerely,

Pamela Urban-Morin
Grants Administrator

Town Council
STAFF REPORT



To: Town Council
Title: Bussiere Property #237 Londonderry Turnpike (Across from Zapora Dr.) Reduce Site Bond from \$220,000 to \$125,000
Meeting: Town Council - 22 Apr 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

Please be advised that a portion of the work on the referenced site has been completed, therefore I recommend reducing the \$220,000 to the amount of \$125,000. The difference of \$95,000 should be released to the developer.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Recommendation to reduce bond of the Bussiere Property #237 Londonderry Turnpike \$220,000 to the amount of \$125,000. The difference of \$95,000 should be released to the developer, All State Builders, Inc..

SUGGESTED MOTION:

Motion to reduce bond of the Bussiere Property #237 Londonderry Turnpike from \$220,000 to the amount of \$125,000 and release the difference of \$95,000 to the developer All State Builders, Inc.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Memo to reduce bond Bussiere](#)

**Town of Hooksett
Community Development**

Memo

To: Files

From: Bruce A. Thomas, P.E., Town Engineer *BAT*

Cc:

Date: April 9, 2020

Re: Bussiere Commercial Property
#237 Londonderry Turnpike – TM 32, Lot 25 (Property across from
Zapora Drive)

Please be advised that a portion of the work on the referenced site has been completed, therefore I recommend reducing the \$220,000 to the amount of \$125,000. The difference of \$95,000 should be released to the developer.

Town of Hooksett, NH Project Estimate Worksheet 4/8/2020 - B.A.T. BUSSIERE PROPERTY #237 Londonderry Turnpike						
Project Name - Commercial Site Plan Map/Lot 32 \ 25						
Item	Unit	Quantity	Unit Price	Price	Quantity Remaining	Price Remaining
Site						
Erosion Control	Ac	4	\$4,350	\$17,400	2	\$8,700
Clearing & Grubbing	Ac	4	\$7,250	\$29,000	0	\$0
Common Excavation	C.Y.	28382	\$9	\$255,438	16450	\$148,050
Common Borrow/Embankment	C.Y.	3776	\$8	\$28,320	0	\$0
Bank Run Gravel	C.Y.	2955	\$19	\$56,145	1713	\$32,547
Crushed Gravel	C.Y.	1477	\$27	\$39,141	856	\$22,684
Paving, Binder Course (2.5" minimum)	S.Y.	8259	\$9	\$74,331	4444	\$39,996
Tack Coat	S.Y.	5000	\$0	\$2,250	5000	\$2,250
Paving Prepwork & Cleaning	L.S.	1	\$2,500	\$2,500	1	\$2,500
Paving, Wearing Course (1.5" minimum)	S.Y.	8059	\$5	\$40,295	8059	\$40,295
Bituminous Curb	L.F.	2620	\$4	\$11,135	1350	\$5,738
Loam & Seed	S.Y.	8750	\$4	\$30,625	6000	\$21,000
12" RCP	L.F.	370	\$48	\$17,760	0	\$0
15" RCP	L.F.	417	\$50	\$20,850	125	\$6,250
18" RCP	L.F.	190	\$65	\$12,350	0	\$0
24" RCP	L.F.	92	\$80	\$7,360	0	\$0
Catch Basin / Inlets	EA	10	\$2,200	\$22,000	1	\$2,200
Drain Manholes	EA	1	\$1,625	\$1,625	0	\$0
Riprap & Filter Material	C.Y.	250	\$45	\$11,250	125	\$5,625
Inlet / Outlet Structures	EA	1	\$2,500	\$2,500	0	\$0
End Sections	EA	2	\$560	\$1,120	0	\$0
Asbuilt Plans (1 Mylar & 2 Sets Blue Prints)	Sheet	1	\$800	\$800	1	\$800
Guard Rail	L.F.	250	\$21	\$5,250	250	\$5,250
General Clean Up	L.S.	1	\$5,000	\$5,000	0.5	\$2,500
Stop Sign	EA	1	\$150	\$150	1	\$150
Stop Bar 12"	L.F.	12	\$5	\$60	12	\$60
Erosion Control Blanket	SY	1780	\$2	\$3,560	1780	\$3,560
Subtotal				\$698,215		\$350,155
Contingencies (15%)				\$34,911		\$52,523
Grand Total				\$733,125		\$402,678
30%				219,938		120,803
use:				220,000		125,000

Town Council
STAFF REPORT



To: Town Council
Title: Urgent Care Facility - #1228 Hooksett Road - Bond Release of \$23,745
Meeting: Town Council - 22 Apr 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The work on the project has been completed to my satisfaction, and I therefore recommend that the bond of \$23,745 be released. Note that a Landscape Bond of \$18,000 will remain in place.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Recommend the release of \$23,745 surety to the developer.

SUGGESTED MOTION:

To approve the release of the Urgent Care Facility - #1228 Hooksett Road surety in the amount of \$23,745 to the Cincinnati Insurance Company.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Memo to release bond Urgent Care](#)

**Town of Hooksett
Community Development**

Memo

To: Files

From: Bruce A. Thomas, P.E., Town Engineer

Cc:

Date: March 11, 2020

Re: Urgent Care Center Bond Release
#1228 Hooksett Road

BAT

Please be advised that the work on the referenced site has been completed, therefore I recommend that the current bond of \$23,745 be released to the developer. Note that a Landscape Bond of \$18,000 will remain in place.

Town Council
STAFF REPORT



To: Town Council
Title: Site Bond Release - O'Reilly's Auto Parts - #1339 Hooksett Road - \$210,000
Meeting: Town Council - 22 Apr 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

Please be advised that the work on the referenced site has been completed, therefore I recommend that the current bond of \$210,000 be released to the developer. Note that a Landscape Bond of \$16,400 will remain in place.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Recommend the release of \$210,000 surety to the developer.

SUGGESTED MOTION:

To approve the release of the O'Reilly's Auto Parts - #1339 Hooksett Road surety in the amount of \$210,000 to the Hartford Fire Insurance Company.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Memo to release bond - O'Reilly](#)

**Town of Hooksett
Community Development**

Memo

To: Files

From: Bruce A. Thomas, P.E., Town Engineer *BAT*

Cc:

Date: March 11, 2020

Re: O'Reilly's Auto Parts Bond Release

Please be advised that the work on the referenced site has been completed, therefore I recommend that the current bond of \$210,000 be released to the developer. Note that a Landscape Bond of \$16,400 will remain in place.

Town Council **STAFF REPORT**



To: Town Council
Title: Walnut Hill Avenue - Dion Subdivision Partial Bond Release of \$68,118.81
Meeting: Town Council - 22 Apr 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

Dan Dion the developer of the Walnut Hill Road subdivision off Goffstown Road, has requested a partial release of Surety being held on the subdivision.

The current road bond is \$147,440.06. I recommend reducing the bond to \$79,321.25, returning \$68,118.81 to the developer. The bulk of the work remaining is the final pavement wearing course, property marker installation, loaming and seeding of some areas of the site and as-built drawings. The attached spreadsheet further defines what has been completed and what remains to be completed.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Recommend the release of the \$68,118.81 surety to the developer.

SUGGESTED MOTION:

To approve the Walnut Hill Avenue release of surety in the amount of \$68,118.81 to the developer of the Dion Subdivision.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Memo to Release Bond & Spreadsheet 600 dpi BOLD](#)

**Town of Hooksett
Community Development**

Memo

To: Files

From: Bruce A. Thomas, P.E., Town Engineer

Cc:

Date: March 9, 2020

Re: Dion Subdivision Partial Bond Release

Dan Dion the developer of the Walnut Hill Road subdivision off Goffstown Road, has requested a partial release of Surety being held on the subdivision.

The current road bond is \$147,440.06. I recommend reducing the bond to \$79,321.25, returning \$68,118.81 to the developer. The bulk of the work remaining is the final pavement wearing course, property marker installation, loaming and seeding of some areas of the site and as-built drawings. The attached spreadsheet further defines what has been completed and what remains to be completed.

Please be advised that I recommend that \$68,118.81 of the current bond be partially released to the developer.

Don/Walnut Hill Avenue (off Goffstown Road) Bond Partial Release Road Bond Cancellation, B.A.T. 3-9-20							
Item	Initial Escrow Value	Release 1	Value After Release 1	Release 2	Value After Release 2	Release 3	Value After Release 3
Clearing and Grubbing	\$21,000.00	\$21,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Excavation	\$24,000.00	\$16,000.00	\$8,000.00	\$0.00	\$8,000.00	\$7,000.00	\$1,000.00
Sand Base (1.8")	\$59,580.00	\$59,580.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Gravel (1.8")	\$79,440.00	\$79,440.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Crushed Gravel (9")	\$42,750.00	\$42,750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Hot Bit. Pavement (2.5") Binder	\$47,730.00	\$42,957.00	\$4,773.00	\$0.00	\$4,773.00	\$0.00	\$4,773.00
Hot Bit. Pavement (1.5") - Wearing Course	\$28,860.00	\$0.00	\$28,860.00	\$0.00	\$28,860.00	\$0.00	\$28,860.00
12" HDPE Pipe	\$15,120.00	\$7,560.00	\$7,560.00	\$0.00	\$0.00	\$0.00	\$0.00
18" HDPE Pipe	\$3,600.00	\$3,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Rip Rap	\$1,680.00	\$1,680.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
12" Headwall	\$3,600.00	\$3,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
18" Headwall	\$3,600.00	\$3,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6" Underdrain	\$42,900.00	\$42,900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
12" RCP End Section	\$320.00	\$0.00	\$320.00	\$320.00	\$0.00	\$0.00	\$0.00
Concrete Bounds/Pins	\$11,500.00	\$0.00	\$11,500.00	\$0.00	\$11,500.00	\$0.00	\$11,500.00
Erosion Control	\$8,500.00	\$4,250.00	\$4,250.00	\$0.00	\$4,250.00	\$0.00	\$4,250.00
Leam and Seed	\$21,908.75	\$0.00	\$21,908.75	\$0.00	\$21,908.75	\$11,908.75	\$10,000.00
Construction Entrance	\$2,500.00	\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
As-Built	\$1,550.00	\$0.00	\$1,550.00	\$0.00	\$1,550.00	\$0.00	\$1,550.00
Traffic Signs	\$125.00	\$0.00	\$125.00	\$0.00	\$125.00	\$125.00	\$0.00
Stop Bars (18")	\$42.00	\$0.00	\$42.00	\$0.00	\$42.00	\$0.00	\$42.00
Culvert	\$80,000.00	\$0.00	\$80,000.00	\$70,000.00	\$10,000.00	\$10,000.00	\$0.00
Treatment Swales	\$14,000.00	\$0.00	\$14,000.00	\$0.00	\$14,000.00	\$10,000.00	\$4,000.00
Detention Basins	\$15,000.00	\$0.00	\$15,000.00	\$0.00	\$15,000.00	\$13,000.00	\$2,000.00
Outlet Structure	\$7,200.00	\$0.00	\$7,200.00	\$0.00	\$7,200.00	\$7,200.00	\$0.00
Subtotal:	\$537,905.75		\$206,088.75	\$77,880.00	\$128,208.75	\$59,238.75	\$68,975.00
Engineering/Contingencies (15%):			\$30,913.31	\$11,692.00	\$19,221.31	\$8,885.06	\$10,345.25
Total:			\$237,002.06	\$89,572.00	\$147,430.06	\$68,113.81	\$79,321.25

Town Council
STAFF REPORT



To: Matthew Lavoie and Cpt. Joe Stalker
Title: Nominations for Renewal of Health Officer - Matthew Lavoie and New Appointment of Deputy Health Officer Cpt. Joe Stalker
Meeting: Town Council - 22 Apr 2020
Department: Community Development
Staff Contact: Kathy Lawrence, Community Development Clerk

BACKGROUND INFORMATION:

Mathew Lavoie acting Hooksett Health Officer for 6 years, consisting of 2, three (3) yr terms.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Per RSA 128 A Recommendation to renew the appointment of Matthew Lavoie for a 3rd term consisting of three (3) years to the position of Hooksett Health Officer and for the new appointment of Hooksett Deputy Health Officer Cpt. Joe Stalker also an appointment term of three (3) years and which shall run concurrently with their Health Officer's term.

SUGGESTED MOTION:

Motion to Per RSA 128 A Recommendation to renew the appointment of Matthew Lavoie for a 3rd term consisting of three (3) years to the position of Hooksett Health Officer and for the new appointment of Hooksett Deputy Health Officer Cpt. Joe Stalker also an appointment term of three (3) years and which shall run concurrently with their Health Officer's term.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Health Officer Nomination Form](#)

HEALTH OFFICER AND/OR DEPUTY NOMINATION FORM**Application Information**

Health Officer (HO) _____ New Appointment X Renewal
 Deputy Health Officer (DHO) X New Appointment _____ Renewal



Please complete the form as completely as possible, including cell phones and email. The information requested is required per New Hampshire State Law [RSA 128](#) and ensures the ability of the New Hampshire Division of Public Health Services (DPHS) to communicate with Health and Deputy Health Officers during local or statewide emergencies.

If the health officer position is temporarily vacant, please identify one (1) person on the Board of Selectmen (BOS) to serve as the contact with DPHS. Please list that person's mobile phone number and email in case of health emergencies.

Per RSA 128 an appointment term is three years and Deputy Health Officer terms shall run concurrently with their Health Officers term.

Town Information Town: <u>Hooksett</u> Town Manager/Admin. Name: <u>Andre Garron</u> Email: <u>AGarron@Hooksett.ORG</u>	Board of Selectmen Information Mailing Address: <u>35 Main St</u> City/State/Zip: <u>Hooksett NH</u> Phone: <u>485-4117</u> Fax: <u>485-4118</u> Email: <u>AGarron@Hooksett.ORG</u>
Health Officer Information Name: <u>Matthew Lavoie</u> Municipal Mailing Address: <u>35 Main St Hooksett NH 03106</u> Home Mailing Address: <u>26 Hale Ave Hooksett NH 03106</u> Preferred Mailing Address: Municipal <input checked="" type="checkbox"/> Home <input type="checkbox"/> Public Phone: <u>485-4117</u> Daytime Phone: _____ Cell Phone: <u>315-5520</u> Fax: _____ Email: <u>MLavoie@Hooksett.ORG</u> Date of Birth: <u>07/27/1981</u> Town has performed a background check: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Town has indemnified this position: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deputy Health Officer Information (if applicable) Name: <u>Joe Stalker</u> Municipal Mailing Address: <u>82 Blackwater Rd Concord, NH 03303</u> Home Mailing Address: <u>same</u> Preferred Mailing Address: Municipal <input type="checkbox"/> Home <input checked="" type="checkbox"/> Public Phone: <u>603-315-7777</u> Daytime Phone: <u>603-623-7272</u> Cell Phone: <u>603-315-7777</u> Fax: <u>603-626-6742</u> Email: <u>jstalker@hooksettfire.org</u> Date of Birth: <u>07/26/83</u> Town has performed a background check: Yes <input type="checkbox"/> No <input type="checkbox"/> Town has indemnified this position: Yes <input type="checkbox"/> No <input type="checkbox"/>
Primary Occupation (circle or bold) MD PA Nurse/NP Police Fire EMT/Paramedic Welfare Town Adm./Manager <u>Code Enforcement/Building Inspector</u> Board of Selectmen Health Officer/DHO Only Other _____ Town Position Type: (circle one) <u>Full Time</u> Part-time Per Diem Volunteer Signature of Health Officer: <u>[Signature]</u> Date: <u>4/9/2020</u> Signature of Board of Selectmen: _____	Deputy Occupation - (circle or bold) MD PA Nurse/NP Police <u>Fire</u> <u>EMT/Paramedic</u> Welfare Town Adm./Manager Code Enforcement/Building Inspector Board of Selectmen Health Officer/DHO Only Other _____ Town Position Type: (circle one) Full Time Part-time Per Diem Volunteer Signature of Deputy: <u>[Signature]</u> Date: <u>4/9/2020</u>

Print Name: _____ Signature: _____
 Print Name: _____ Signature: _____
 Print Name: _____ Signature: _____

YOU MAY RETURN FORM VIA Email, Post or Fax:

EMAIL: matthew.cahillane@dhhs.nh.gov

POSTAL SERVICE: Matt Cahillane, Health Officer Liaison. NH DHHS,
 Bureau of Public Health Protection, 29 Hazen Drive / Concord, NH
 03301-6504 FAX: 603-271-8705 - Phone: 603-271-4072

Do not write in this box — For State Office Use Only		
Appointment Date:	Expiration Date:	New/Renew

Last Revision Date: August 2019

Town Council

STAFF REPORT



To: Town Council
Title: Nominations and Appointments for April 2020
Meeting: Town Council - 22 Apr 2020
Department: Administration
Staff Contact: André Garron, Town Administrator

BACKGROUND INFORMATION:

Town Council recently endorsed the creation of a committee to help plan and organize Bicentennial celebrations in the town. To limit public exposure to the present health crisis, an initial organizing meeting in March was cancelled and will take place at a future date. Staff are still accepting applications to join the committee, however, and currently there is one application for Town Council to consider.

Cassandra Brown is an Attorney and lifelong resident of NH. She previously lived on the Hooksett line in Manchester, but moved to Hooksett proper in 2019. Her intention for joining the Committee is to get more involved with her community and provide it with something truly enjoyable.

-

Furthermore, there was a resignation on the Planning Board of an Alternate. Stated reason is that the individual had to move suddenly.

-

-

I would like to take this opportunity to remind Council members that there are a number of openings on appointed town boards or committees. It would be a great help to the town if members could actively promote and recruit volunteers to participate on these entities. If you have any questions about particular boards or committees that would help in this effort, you should feel free to ask. Staff already advertise through natural, existing channels regularly, but it is evident this may not be enough.

Attached to this staff report is also the present list of openings as understood by the Administration Department.

FINANCIAL IMPACT:

none

POLICY IMPLICATIONS:

none

RECOMMENDATION:

Nominate Cassandra Brown to the Bicentennial Committee

SUGGESTED MOTION:

Motion to nominate Cassandra Brown to the Bicentennial Committee

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. I appreciate Ms. Brown stepping up to volunteer to serve on the committee

ATTACHMENTS:

[Available Appointed Town Positions](#)

[April 2020 Nominations and Appointments
committee app](#)

[SKM_C25820031713460](#)



Published on *Hooksett NH* (<https://www.hooksett.org>)

[Home](#) > Available Appointed Town Positions

Available Appointed Town Positions

Entity	Assigned Councilor	Available Positions	Expiration	Contact Town Staff
<u>Heritage Commission</u>	<u>James Sullivan</u>	<u>(x2) Commissioner</u>	6/30/2021	<u>Administration</u>
		<u>(x2) Alternate</u>	6/30/2021	<u>Administration</u>
<u>Bicentennial Committee</u>	<u>James Sullivan</u>	<u>(TBD) Member</u>	6/30/2023	<u>Administration</u>
<u>Town Hall Preservation Committee</u>	<u>James Sullivan</u>	<u>(x4) Committee Member</u>	6/30/2021	<u>Administration</u>
<u>Planning Board</u>	<u>Robert Duhaime</u>	<u>(2) Alternate Member</u>	6/30/2022	<u>Community Development</u>
<u>Parks and Recreation Adviosry Board</u>	<u>Alex Walczyk</u>	<u>1 Member</u>	6/30/2022	<u>Public Works</u>
<u>Zoning Board of Adjustment</u>	<u>James Levesque</u>	<u>(1) Alternate</u>	6/30/2021	<u>Community Development</u>
				Last updated 4/7/2020

April 2020 Nominations

Cassandra Brown – Bicentennial Committee – Term expiring June 30th 2023

April 2020 Appointments

None



Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: 3/6/2020

Name: Cassandra A. Brown Phone: 603-533-0018

Address: **18A Merrimack St., Hooksett, NH 03106**

Email Address: **cabrown.bbrlaw@gmail.com**

Signature: 

1. 凡在本行开立存款账户并持有本行借记卡的客户，均可申请开通本行借记卡快捷支付功能。

Return completed form to: Town of Hooksett, 35 Main Street, Hooksett NH 03106,

Attn: Administration Department or email to NGermain@hooksett.org

I am willing to serve on the following Town Boards/Committees/Commissions. I understand if appointed, I am required to attend the regular meetings.

BOARDS, COMMISSIONS & COMMITTEES

Role Preference

Alternate, Regular, or None?

☐ Conservation Commission
☐ Economic Development Advisory Committee
☐ Heritage Commission
☐ Parks & Recreation Advisory Board
☐ Planning Board
☐ Recycling & Transfer Advisory Committee
☐ Town Hall Preservation Committee
☐ Zoning Board of Adjustment
☒ Other (Please specify.) Bicentennial Committee

2

How long have you been a resident of Hooksett?

I've lived in Hooksett since March of 2019. I'm a lifelong resident of NH and previously lived in Manchester on the Hooksett town line.

Why are you seeking this position?

I really enjoy living in Hooksett and I want to get more involved in the town activities. I admittedly don't know too much about the history of the town, so I'm also interested to learn more about the topic. I am also looking to volunteer my time for a non-legal organization to enjoy a better work - private life balance.

Do you have any specific goals or objectives?

I'd like to assist in planning a celebration for the town for the residents to enjoy, and to meet more of my civic minded neighbors in the process.

Please list special skills, talents or experience pertinent to the position sought:

I'm an attorney. I practice mostly child protection defense litigation right now but I was in general practice for two years at the beginning of my career. I don't mind public speaking, I'm detail oriented, I have good time management skills and am comfortable interacting and negotiating with people.

Please list any potential conflicts of interest you may have if appointed for a board or commission:

My only areas of conflict would be work related (e.g. if I represented someone's ex spouse in a divorce, and that individual was on the committee or involved in planning) but I don't foresee that being a problem. I haven't represented many people in the district, as my office is in Concord.

Please list any work, volunteer, and/or educational experience you would like to have considered:

I am presently on a rulemaking committee for the Lawyer Referral Service through the NH bar and I am comfortable working in a committee atmosphere. I have also served on the Board for the Family Law Practice Section of the Bar for which I volunteered to design and run educational and networking events for family law legal professionals in NH. I served as the clerk and vice chair over two years for that position.

Please list any current/prior Town board membership and the dates of service:

None, N/A.

Town of Hooksett

35 Main Street
Hooksett, NH 03106

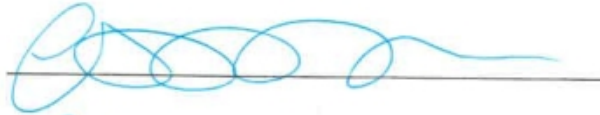
FRAUD POLICY

Recognition & Awareness Form

Acknowledgement:

My signature signifies that I have read the Town of Hooksett's Fraud Policy and that I understand my responsibilities related to the prevention, detection and reporting of suspected misconduct and dishonesty.

Signature: _____



Print Name: _____

Cassandra A. Bane

Date Signed: _____

March 17, 2020

Department Head Signature: _____

Town Council STAFF REPORT



To: Town Council
Title: TIF District Sewer Final Design Amendment Tabled at March 11th Town Council Meeting
Meeting: Town Council - 22 Apr 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The purpose of meeting with the Town Council is to address their concerns raised at their March 11th meeting primarily regarding the extension of the sewer on Cross Road outside the defined TIF area. The information below and the attachments are duplicate information of what was provided at that meeting.

Underwood Engineering has submitted a proposal for the final design of the sewer and water in the TIF District. The proposal is in the form of an amendment to their existing contract. The amendment changes the amount of the contract as follows:

Current Contract Amount:	\$431,800 (for the Engineering Study and Preliminary Design)
Proposed Amendment:	\$807,200 (for the Final Design)
Revised Contract Amount:	\$1,239,000

Remaining engineering costs will include construction monitoring costs to be determined at a later date.

The following is attached.

- Proposed Amendment
- Financial Summary
- Overview Plan
- Project Schedule

The proposed scope of work is as discussed at the January 22, 2020 Town Council Meeting where the Town Council approved of the Design Scope summarized as follows:

Phase 1 and 2:

- Phases 1 and 2 will take place in the Exit 10 area. These phases include:
 - A new pump station in the Kimball Drive area and a second river crossing to connect the proposed sewer to the Martins Ferry Road pump station.
 - Upgrades to the Martins Ferry Road pump station.

- Phase 1 will require gravity sewer from the new pump station on Kimball Drive to Route 3A at the intersection of Goonan Road.
- Phase 2 will require gravity sewer from the new pump station on Kimball Drive to Route 3A just north of the self-storage facility.

Phase 3

- Phase 3 takes place in the Tri-Town Arena area and services the Supreme Industries development, the Bayview Terrace neighborhood and ultimately Cross Street.
- Included under Phase 3,
 - The Tri-Town Pump Station (TTPS) would be constructed.
 - A new Gravity Sewer and water main would be installed from TTPS south to Cross Road.
 - Supreme Industries would install the sewer and water from Rt 3A westerly on Cross Road and then north through two State owned properties and across their property to a designated point on Hackett Hill Road. Easements will be required from the State to cross their properties.

Phase 4

- Phase 4 includes the Palazzi property, and other properties in the area of Exit 11.

Phase 5

- Included under Phase 5 is a new Gravity Sewer along Rte 3A from Meadowbrook Lane to 124 West River Road (Rte 3A), and;
- Also included is a new water main to connect the Manchester Water Works system near Dunkin Donuts to the Hooksett Village Precinct's water system near Sunrise Boulevard.

UPDATED INFORMATION:

The cost for final design of the small piece of sewer and water design (that exits and re-enters the TIF District) along Cross Road and then cross-country to the Supreme Industries lot has been broken out. This is only 3,420 feet out of the total project which covers 32,600 feet plus the pumping station and 1,200 foot force main under the river.

The total final design budget previously provided was \$807,200. Deleting the 3,420 foot piece from the contract would reduce the proposed budget by \$34,400 to \$772,800.

Note that doing this work now will be less costly due to economy of scale. It is important to note that if this work is added back in at a later date as a stand-alone project the cost would double to \$70,000.

ALSO UPDATED:

Underwood's contract has been set up to do the Engineering Study/Preliminary Design first, and then negotiate the price for Final Design once we know what will be included. And when the Final Design is complete, to negotiate the price for Inspection and Construction Administration (again, once we know what will be included). The first five pages of the contract shows this and is attached.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Approve of the Town Administrator signing Amendment No. 1 of Underwood Engineering's contract with the Town.

SUGGESTED MOTION:

Motion to approve of the Town Administrator signing Amendment No. 1 of Underwood Engineering's contract with the City to increase the existing contract by \$807,200 for a new contract amount of \$1,239,000.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur- the proposed contract amendment is consistent with the next phase of the TIF 3A infrastructure project moving from study to design.

ATTACHMENTS:

[01a TIF Contract Amendment 600 dpi](#)

[01b TIF Contract Amendment 600 dpi](#)

[02 TIF Funding Summary](#)

[03 TIF Plan](#)

[Underwood Contract First Five Pages](#)

Amendment No. 1

**Engineering Contract Phase II – Final Design
Contract for Professional Services
for
Treatment Works
Town of Hooksett, New Hampshire**

WHEREAS, an AGREEMENT made and entered into at Hooksett, New Hampshire, on the 17th day of June, 2019, by and between the Town of Hooksett, NH, hereinafter called the OWNER, and Underwood Engineers, Inc. hereinafter called the ENGINEER for engineering work required for the Design of the Route 3A Sewer Extension Project, and

WHEREAS, the scope of work now requires Final Design of the Project, as further defined in "Attachment A" – **Final Design Phase Engineering Assistance**, and

WHEREAS, an amendment is needed to modify the scope of work and fee.

NOW, THEREFORE, in consideration of the agreement an amendment is hereby agreed to by the OWNER and the ENGINEER as follows:

- A. Change Section III Time of Completion, Paragraph A., on Page 2 from 210 consecutive calendar days to **930 consecutive calendar days**.
- B. That the dollar amount in Section IV, Paragraph A.2, on Page 3 be amended to read:
 " , a fee not to exceed one million, two hundred thirty-nine thousand dollars **(\$1,239,000.00)**". (Previous fee = \$431,800.00; **plus Amendment No. 1 increase = \$807,200.00**).
- C. That the dollar amount in Section IV, Paragraph B.1 (Design), on Page 3 be amended to read:
 " , a fee not to exceed nine hundred thirty-three thousand, six hundred dollars **(\$933,600.00)**". (Previous fee = \$303,000.00; **plus Amendment No. 1 increase = \$630,600.00**).
- D. That the dollar amount in Section IV, Paragraph B.2 (Survey), on Page 3 be amended to read:
 " , a fee not to exceed one hundred ninety-one thousand, eight hundred dollars **(\$191,800.00)**". (Previous fee = \$77,200.00; **plus Amendment No. 1 increase = \$114,600.00**).

Page 2 of 2

E. That the dollar amount in Section IV, Paragraph B.3 (Subsurface), on Page 3 be amended to read:

“, a fee not to exceed one hundred thirteen thousand, six hundred dollars (**\$113,600.00**)”.
(Previous fee = \$51,600.00; **plus Amendment No. 1 increase = \$62,000.00**).

The OWNER and the ENGINEER hereby agree to this Amendment.

ENGINEER: Underwood Engineers, Inc.

OWNER: Town of Hooksett, NH

By: Keith A. Pratt, P.E., President
Date: _____

By: Andre Garron, Town Administrator
Date: _____

APPROVED: Department of Environmental Services
Water Division

By: Dennis J. Greene, P.E.
Date: _____

**It is understood that as an act in furtherance of its statutory authority to approve engineering agreements for sewerage facilities, the DIVISION's approval does not impose any contractual obligation or liability on the State of New Hampshire, the Department of Environmental Services or the DIVISION.

Approved as to form:

Legal Counsel

*Signatures should be supported by appropriate document.

N2803

ATTACHMENT 'A'
Town of Hooksett, NH
RFP 19-06 Sewer Expansion
Engineering Contract Phase II – Final Design Phase – Engineering Assistance

Scope of Services
February 26, 2020

Background:

This proposal represents Phase II of the original contract for Professional Services dated June 17th, 2019 between the Town of Hooksett, NH, the New Hampshire Department of Environmental Services, and Underwood Engineers of Portsmouth, New Hampshire. The Town wishes to construct water and sewer utilities along the Route 3A corridor from the Manchester/Hooksett town line to the Route 3A/Hackett Hill intersection near the Rte. 93 Exit 11 exchange. No sewer currently exists along Route 3A through this section. Manchester Water Works supplies water on the southern end and the Hooksett Village Water Precinct supplies water on the northern end with a gap in service in between.

Underwood Engineers recently completed a Final Planning Stage Technical Memorandum dated January 22, 2020 which contained recommendations for the new water and sewer utilities to be constructed in this area which were unanimously accepted by the TIF Advisory Board (TAB) and the Town Council.

Underwood Engineers is currently preparing 30% Preliminary Design Drawings for the proposed Rte. 3A corridor water and sewer utilities under Part 1 of the contract.

The purpose of this scope is to establish a final design scope and fee now that the project has been fully defined.

It should be noted that the Town has requested that all areas recommended for new municipally owned sewer and water expansion (per 1/22/20 Final Planning Stage Technical Memorandum) be designed under this portion of the contract with the understanding that construction of the new utilities will be phased over time as available funding allows. This portion of the contract assumes that four (4) separate sets of bid documents will be created: (1) Phase 1 and Phase 2 together; (2) Phase 3; (3) Phase 4; and (4) Phase 5 (refer to attached Workplans for Phases). Future design updates may be necessary under separate contracts if phasing is beyond a year or two out.

Scope of Services:

Underwood Engineers proposes to perform the following Final Design Phase Scope of Services (per 1/22/20 Final Planning Stage Technical Memorandum) based on approx. 32,600 linear feet of new gravity sewer main (solid pink, purple and green lines) and 10,850 linear feet of new

water main (dashed blue and pink lines) as shown on the attached workplan drawings 1-3, one new submersible pumping station on Kimball Drive including new double barrel force main directionally drilled under the Merrimack River, and wet well/pump/electrical/instrumentation upgrades to the existing Martins Ferry Pumping Station.

Task 1 – Additional Survey

Under the previously authorized 30% Preliminary Design Phase, topographic maps have been created for all of the proposed work areas utilizing aerial photography, with the exception of the pump station sites and the river crossing which were ground surveyed. The goal of this scope will be to conduct ground survey through the aerial photography areas to pick up key details and add them to the existing plans, as well as pick up topography in areas that were obstructed by tree cover. Further, easement documents and recordable easement plans for sewer/water main crossings on up to twenty (20) individual lots will be created, including two on NHDOT owned lots.

Deliverables

- Updated topographical base plans for up to 32,600 linear feet of project
- Up to twenty (20) sets of easement documents including recordable easement plans for Town Council review and Town execution and recording

Task 2 – Additional Subsurface Exploration

Under the 30% Preliminary Design Phase, soil borings to 30 feet deep or refusal were performed along the entire route of all proposed utility work areas. Because the work area expanded from 26,750 linear feet to 32,600 linear feet, the pumping station borings and the 25 ledge probes could not be completed within the available budget. Under this scope, two soil borings will be performed at the proposed Kimball Drive Pumping Station site, three soil borings will be performed along the proposed Kimball Drive Pumping Station force main route under the Merrimack River (via barge), 1 soil boring will be performed on the Martins Ferry Pumping Station side of the river crossing, and up to 40 ledge probes will be performed along Rte. 3A and Technology Drive. Note: An observation well will be installed in one of the two borings at the Kimball Drive Pumping Station site.

Deliverables

- Updated geotechnical report for up to 32,600 linear feet of project with foundation and pipe installation recommendations
- Geotechnical report section specific to Merrimack River crossing

Task 3 – Final Design and Bid Document Preparation

Final Design tasks are proposed as follows:

- Final civil drawings depicting the proposed sewer and water alignment plan and profile, as well as roadway reconstruction or repair, will be developed for each of the four sets of bid documents to be produced. Note: The water main on the Tri-Town Ice Arena lot will be brought to the north side of the building as a full-sized main to be extended out to Rte 3A under the pumping station project which is a separate contract.
- For both wastewater pumping stations, final site layout/site grading/site yard piping plan(s) will be developed.
- Final drawings will be developed for the construction of the new wastewater pumping station building. These will include architectural, structural, process, mechanical (HVAC), electrical and instrumentation plans.
- Final drawings will be developed for the construction of the upgrades to the Martins Ferry wastewater pumping station building. These will include process, electrical and instrumentation plans.
- Final drawings will be developed for a below grade pressure reducing/meter vault at the interconnection point between the MWW and HVWP water systems to include structural, process, mechanical (HVAC), electrical and instrumentation plans.
- Detail sheets will be prepared for process details, water details, sewer details, stormwater details, roadway details, and erosion control details for each of the four sets of bid documents to be produced.
- Traffic control plans will be developed and included in the Appendix of each of the four sets of bid documents to be produced.
- Project specifications will be prepared to include the contractual front-end documents as well as the pertinent technical specifications. Specifications will be prepared utilizing CSI document format and will include documents appropriate for funding eligibility with the funding agencies that are pursued. One set will be produced for each of the four sets of bid documents.
- Two copies of all plans and specifications will be submitted to the Town at the 60% completion point for review and comment.
- Attend and facilitate a 60% design review meeting with the Town.
- Two copies each of all 90% complete documents will be provided to the Town and NHDES (wastewater and water) and one copy to NHDOT, HSC, HVWP, and MWW for review and comment. A copy will also be provided to each additional funding partner at this stage (up to two assumed).
- Attend and facilitate a 90% design review meeting with all stakeholders.
- Review comment edits will be made and two sets each of the final P.E.-stamped documents shall be submitted to the Town and NHDES (wastewater and water) and one copy to NHDOT, HSC, HVWP and MWW. A copy will also be provided to each additional funding partner (up to two assumed).
- A final design engineer's opinion of probable construction cost for the new facilities will be provided based on the bid tabulations prepared for each of the four sets of bid documents.

- The proposed location of all new proposed utilities will be exported from AutoCAD to ArcGIS and provided to the Town.

Deliverables

- Draft 60% bid documents
- Draft 90% bid documents
- Final 100% bid documents
- Final Engineer's Opinion of Probable Project Cost
- GIS layers for all proposed new utilities

Task 4 – Permitting Assistance

For this portion of the contract, it has been assumed that the only permits that will be necessary will be a Minor Wetlands Permit, a Shoreland Protection Permit, a NHDOT Long Form Trench Permit, and a NHDOT Use and Occupancy Agreement. Work includes completing an archeological Phase 1B assessment in accordance with the findings of the Preliminary Engineering Phase 1A report.

NOTE: Additional permits may be required. If so, additional scope and fee will be required for those permits.

Deliverables

- Minor Wetlands Permit Application
- Shoreland Protection Permit Application
- NHDOT Long Form Trench Permit Application
- NHDOT submission to support a Use and Occupancy Agreement along Rte. 3A
- Archeological Phase 1B Report

Task 5 – Funding Assistance

For this portion of the contract, it has been assumed that funding will be obtained from the NHDES CWSRF, NHDES DWSRF, and the NHDES DWGTF. NOTE: Additional funding may be available. If so, additional scope and fee will be required for assistance with those programs.

Deliverables

- Two CWSRF Loan Pre-applications
- Two full CWSRF Loan Applications
- One DWSRF Loan Pre-application
- One full DWSRF Loan Application
- One full DWGTF Funding Application

Task 6 – Meetings and Coordination

For this portion of the contract, it has been assumed that multiple coordination meetings will be required to provide design updates and coordinate the progression of the four sets of bid documents with the multiple parties involved as well as with potential service connection customers. It is also assumed that attendance and presentations will be needed at multiple Warrant Article meetings as follows:

- Up to twenty (20) meetings with entities such as Town Council, Economic Development Committee, TIF Advisory Board, Hookset Sewer Commission, Hooksett Village Water Precinct, Manchester Water Works, NH Department of Transportation, and Liberty Utilities
- Conduct site visits to up to 100 homes/buildings to determine the location of existing water and septic services both outside and within the basement to coordinate the location and depth of new municipal water and sewer services
- Set up and facilitate one (1) public meeting to present the final design and traffic control plans for all four sets of bid documents to the public and solicit feedback.
- Develop a tri-fold flyer for the 2021 Phase 1 and Phase 2 Warrant Article project for duplication and mailing by the Town.
- Attend and present on the 2021 Phase 1 and Phase 2 Warrant Article at a Town Council Meeting
- Attend and present on the 2021 Phase 1 and Phase 2 Warrant Article at a Budget Committee Meeting
- Attend and present on the Phase 1 and Phase 2 Warrant Article at the February 2021 Deliberative Session

Deliverables

- Meeting Agendas and Minutes
- Up to 100 building lot sketches showing existing water and sewer utilities general location
- Tri-fold brochure for 2021 Phase 1 and Phase 2 Warrant Article project
- PowerPoint presentations for Public Information Meeting and for 2021 Phase 1 and Phase 2 Warrant Article Meetings

Task 7 – Technical Assistance

Under this portion of the contract, the Town of Hooksett is requesting a \$25,000.00 allowance for on-call assistance for engineering services to support the Rte. 3A project that are not included in the above Tasks 1-6. These services are undefined at this point and will vary in size and scope. The assistance may include a phone call discussion, meeting attendance, and/or the development of a technical memo or letter report. The assistance is intended to rely on the Engineer's expertise and skills to assist with decisions as the Town of Hooksett navigates design completion of this project. Work will only be performed under this task after receipt of a written request from the Town authorizing the new scope item and an acceptable amount to be billed for that item.

COST OR PRICE SUMMARY FORMAT FOR SUBAGREEMENTS UNDER NH SAG & SRF				Form Approved DES 11/00	
PART I - GENERAL					
1. GRANTEE / LOANEE Town of Hooksett, Hooksett, NH				2. GRANT/LOAN NO.	
3. NAME OF CONTRACTOR OR SUBCONTRACTOR Underwood Engineers, Inc.				4. DATE OF PROPOSAL February 26, 2020	
5. ADDRESS OF CONTRACTOR OR SUBCONTRACTOR (Include ZIP) 99 North State Street, Concord, New Hampshire 03301				6. TYPE OF SERVICE TO BE FURNISHED Engineering Services - Fnl Design Phase	
PART II - COST SUMMARY					
7. DIRECT LABOR (Specify labor categories)	HOURS	HOURLY RATE	ESTIMATED COST	TOTALS	
Principal	46	\$64.52	\$2,967.92		
Senior Project Manager	338	\$54.50	\$18,421.00		
Project Manager	368	\$47.00	\$17,296.00		
Senior Project Engineer	871	\$43.00	\$37,453.00		
Project Engineer	1119	\$33.00	\$36,927.00		
Technician	1084	\$33.00	\$35,772.00		
Resident Engineer	0	\$35.00	\$0.00		
Clerical	521	\$24.50	\$12,764.50		
DIRECT LABOR TOTAL:				\$161,601.42	
8. INDIRECT COSTS (Specify indirect cost pools)	RATE	x BASE =	ESTIMATED COST		
	1.76	\$161,601.42	\$284,418.50		
INDIRECT COST TOTAL:					
9. OTHER DIRECT COSTS					
a. TRAVEL			ESTIMATED COST		
(1) TRANSPORTATION			\$920.00		
(2) PER DIEM			\$0.00		
TRAVEL COSTS TOTAL:			\$920.00		
b. EQUIPMENT, MATERIALS, SUPPLIES (Specify categories)			ESTIMATED COST		
phone, postage, fax, misc. (allowance)			\$1,655.46		
EQUIPMENT SUBTOTAL:			\$1,655.46		
c. SUBCONTRACTS			ESTIMATED COST		
Survey, Subsurface, Architectural, Structural, Mechanical			\$185,000.00		
Elect/Instru, Archaeological, Bldg Inspect, Outside Duplication			\$102,500.00		
			\$0.00		
SUBCONTRACTS SUBTOTAL:			\$287,500.00		
d. OTHER (Specify categories)			ESTIMATED COST		
copies, prints			\$0.00		
			\$0.00		
OTHER SUBTOTAL:			\$0.00		
e. OTHER DIRECT COSTS TOTAL:				\$290,075.46	
10. TOTAL ESTIMATED COST				\$736,095.38	
11. PROFIT				\$71,104.62	
12. TOTAL PRICE				\$807,200.00	

Page 1 of 2

PART III - PRICE SUMMARY													
13. COMPETITOR'S CATALOG LISTINGS, IN-HOUSE ESTIMATES, PRIOR QUOTES (Indicate basis for price comparison)										MARKET PRICE(S)		PROPOSED PRICE	
PART IV - DIRECT LABOR BY CATEGORY													
14. INSERT THE APPROPRIATE WORK CATEGORY IN THE TABLE BELOW. WORK CATEGORIES WOULD INCLUDE BUT NOT BE LIMITED TO THOSE CATEGORIES SHOWN IN THE CONTRACT DOCUMENTS SUCH AS DESIGN, SURVEY, SUBSURFACE, CADASTRAL, O&M MANUAL, ADMINISTRATION, INSPECTION, RECORD DWGS , START-UP, SPECIAL SERVICES, ETC.													
TASK ➔										Total Hours	Rate	Cost	
	Surv	Subs	FD	Per	Fund	Meet	Tech						
Principal	2	1	27	0	2	6	8			46	\$64.52	\$2,967.92	
Sr. Project Manager	18	8	176	18	22	64	32			338	\$54.50	\$18,421.00	
Project Manager	0	0	332	0	2	10	24			368	\$47.00	\$17,296.00	
Sr Project Engineer	62	34	572	64	19	80	40			871	\$43.00	\$37,453.00	
Project Engineer	84	34	756	90	77	38	40			1119	\$33.00	\$36,927.00	
Technician	58	16	916	50	4	16	24			1084	\$33.00	\$35,772.00	
Resident Engineer										0	\$35.00	\$0.00	
Clerical	28	4	356	28	25	60	20			521	\$24.50	\$12,764.50	
TOTAL										4347			
												\$161,601.42	

PROPOSED FEE FOR STUDY AND PRELIMINARY DESIGN SERVICES

**Final Design Services
RFP 19-06 Sewer Expansion
Hooksett, New Hampshire**

2/26/2020

4/26/2020

LABOR BUDGET		Budgeted Hour per Employee Classification							TOTAL HOURS
Task	Activity	Principal	Sen. Proj. Manager	Project Manager	Sen. Proj. Engineer	Project Engineer	CADD Technician	Office Admin.	
1	Additional Survey								
1.1	Coordinate with Doucet		8		8	8		8	32
1.2	Receive Doucet drawings		2		4	4	12		22
1.3	Field check drawings		1		16	16	4		37
1.4	Provide feedback to Doucet		1		2	4	2		9
1.5	Review NHDOT/Power/Gas dwrgs	1	1		8	8			18
1.6	Review Water dwrgs	1	1		4	4			10
1.7	Create 20 easement docs/dwrgs		4		20	40	40	20	124
TASK SUB-TOTAL		2	18	0	62	84	58	28	252
2	Additional Subsurface Exploration								
2.1	Coordinate with RWG		4		4	4		4	16
2.2	Field paint explor		1		8	8	2		19
2.3	Receive Doucet explor locations		1		2	2	8		13
2.4	Field locate explor w/ GPS		1		16	16	2		35
2.5	Review rpt and provide feedback	1	1		4	4	4		14
TASK SUB-TOTAL		1	8	0	34	34	16	4	97
3	Final Design								
3.1	title/index/general notes (3x4)		4	4	8	8	24		48
3.2	Site layout/grading/yard piping plans (4)		2	8	8	8	24		50
3.3	Coord/review archit		2	2	16	24	24	2	70
3.4	Coord/review struc		2	2	16	24	24	2	70
3.5	Coord/review mech		2	2	8	24	24	2	62
3.6	Coord/review elec		2	2	8	24	24	2	62
3.7	Coord/review instr		2	2	8	24	24	2	62
3.8	Process plans & details (6)		8		40	60	100		208
3.9	Road plan/profile (33)		4	100	200	50	350		704
3.10	Traffic Control Plans (4)		4	16	16	32	48		116
3.11	Wtr/Sewer/Drain/Road details (4x4)		8	32	48	48	64		200
3.12	Specs (4)	4	8	16	48	120		120	316
3.13	Front end (4)	4	8	16	48	120		120	316
3.14	60% Submittal and Meeting		12	16	16	16	16	16	92
3.15	Revisions		8		16	24	80	16	144
3.16	90% Submittal and Meeting		12	16	16	16	16	16	92
3.17	Revisions		4		8	24	40	4	80
3.18	100% Submittal		2	4	4	8	8	8	34
3.19	Final cost opinions (4)	6	12	16	16	30			80
3.20	Monthly In-house Meetings		24	24	24	24	24		120
3.21	Monthly Progress Rpts		6			12		12	30
3.22	QA/QC and Design Review	8		40					48
3.23	Draft 20 ease for Legal Review	4		10		20		20	54
3.24	Apply for 2 NHDOT easements	1		4		16	2	2	25
3.25	ProMan/QA/QC		40					12	52
TASK SUB-TOTAL		27	176	332	572	756	916	356	3135
4	Permitting Assistance								
4.1	Prepare Wet App		2		8	24	32	8	74
4.2	Respond to Comments on Wet App		2		2	8	4	4	20
4.3	Prepare Shoreland App		1		16	8	4	2	31
4.4	Respond to Comments on Shore App		1		2	4	2	2	11
4.5	NHDOT Use and Occupancy		2		8	12	4	2	28
4.6	Meeting		2		8	12		2	24
4.7	NHDOT Long Form Trench Permit		4		8	16	4	4	36
4.8	DHR Meeting		2		8	2			12
4.9	Arch coord		2		4	4		4	14
TASK SUB-TOTAL		0	18	0	64	90	50	28	250
5	Funding Assistance								
5.1	CWSRF Pre-Applications (2)		4		2	6		2	14
5.2	CWSRF Applications (2)		4		8	24		8	44
5.3	DWSRF Pre-Application (1)		2		1	3		1	7
5.4	DWSRF Application (1)		2		4	12		4	22
5.5	DWIGTF Application (1)	2	4		4	24	4	8	46
5.6	Consult meeting with DWIGTF		4			8			12
5.7	Assist with refinancing of \$2.5M loan		2	2				2	6
TASK SUB-TOTAL		2	22	2	19	77	4	25	151

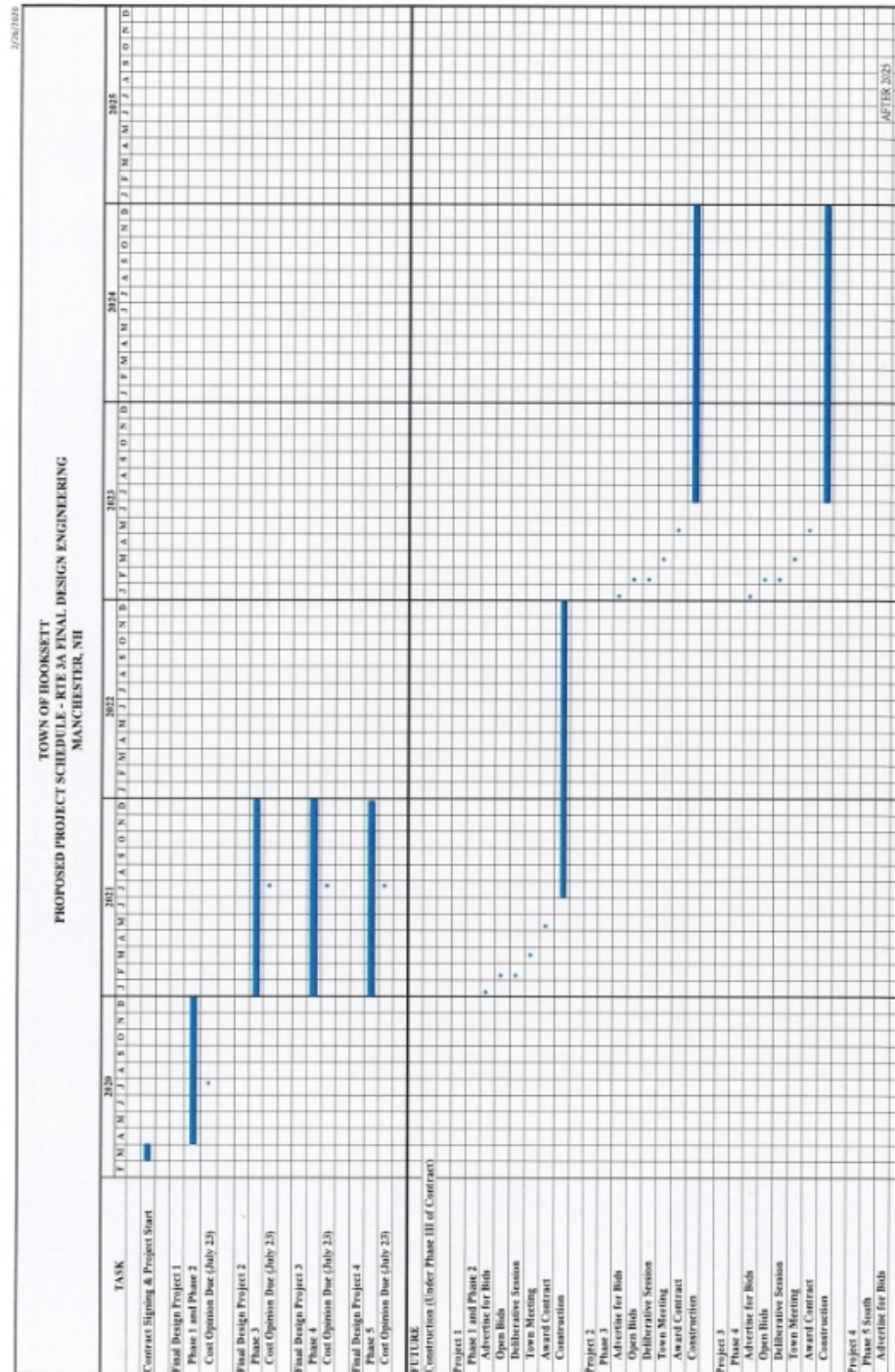
6	Meetings and Coordination						
6.1	20 Meetings		40		60	20	40
6.2	Coord w/ Building Inspectors		4	3		8	4
6.3	Tri-fold Brochure	2	2	2	2	2	4
6.4	Public Meeting (1)	4	8		8	9	8
6.5	Three Warrant Article Meetings		10		10		4
	TASK SUB TOTAL	6	64	10	80	38	60

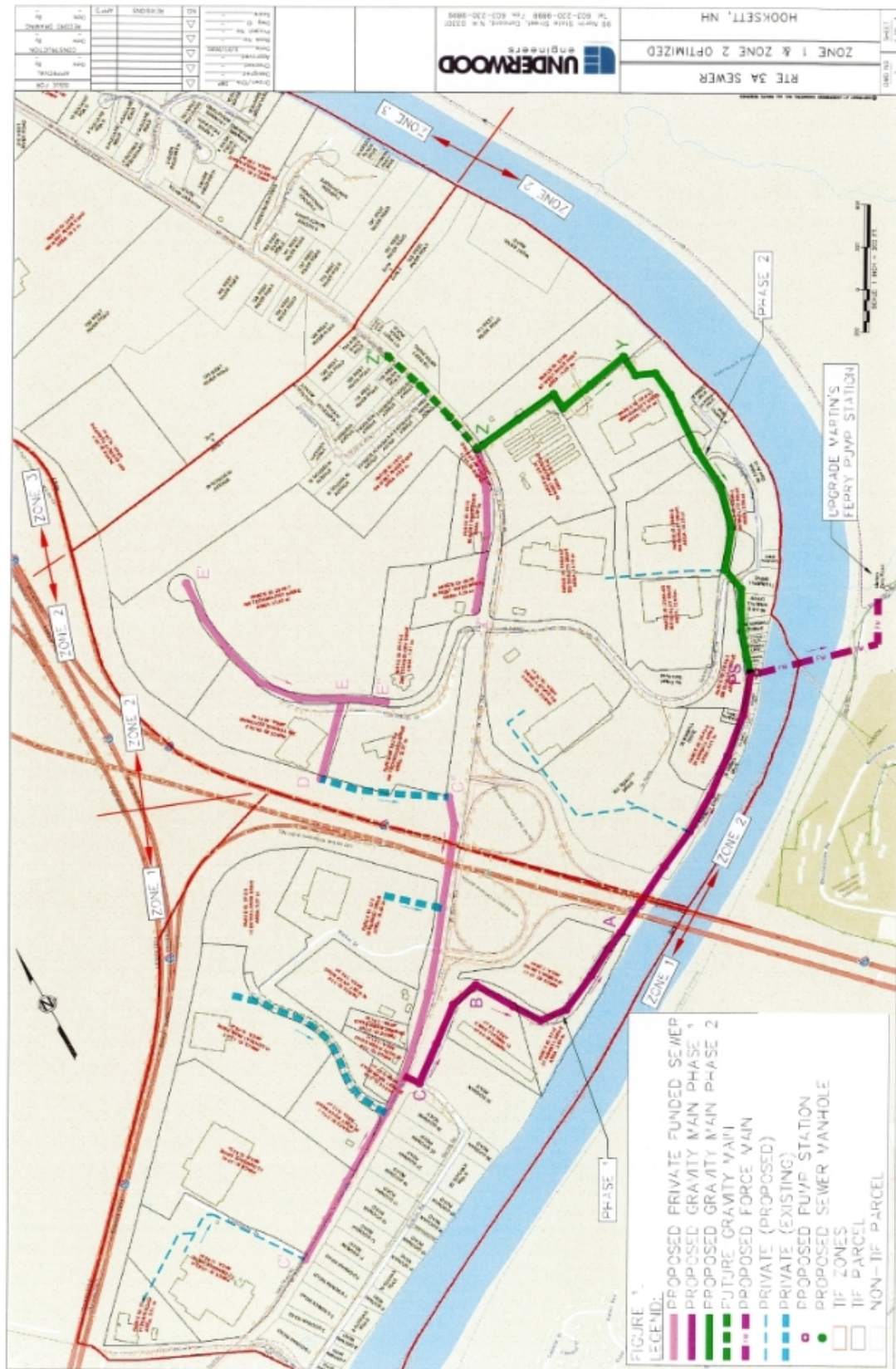
7	Technical Assistance								
7.1	On Call Tech Assist	0	32	24	40	40	24		188
	TASK SUB-TOTAL	0	12	24	40	40	24	20	188

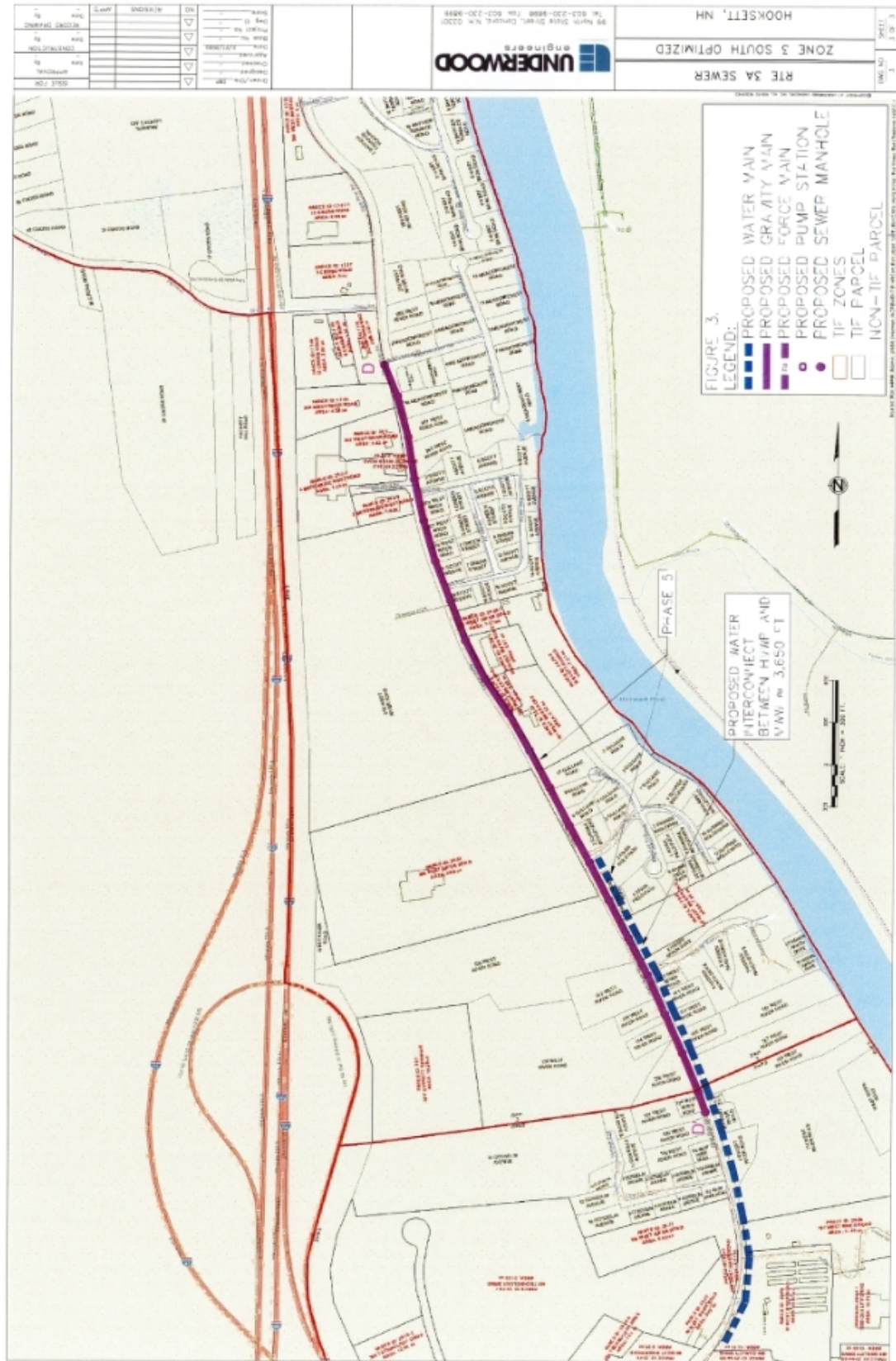
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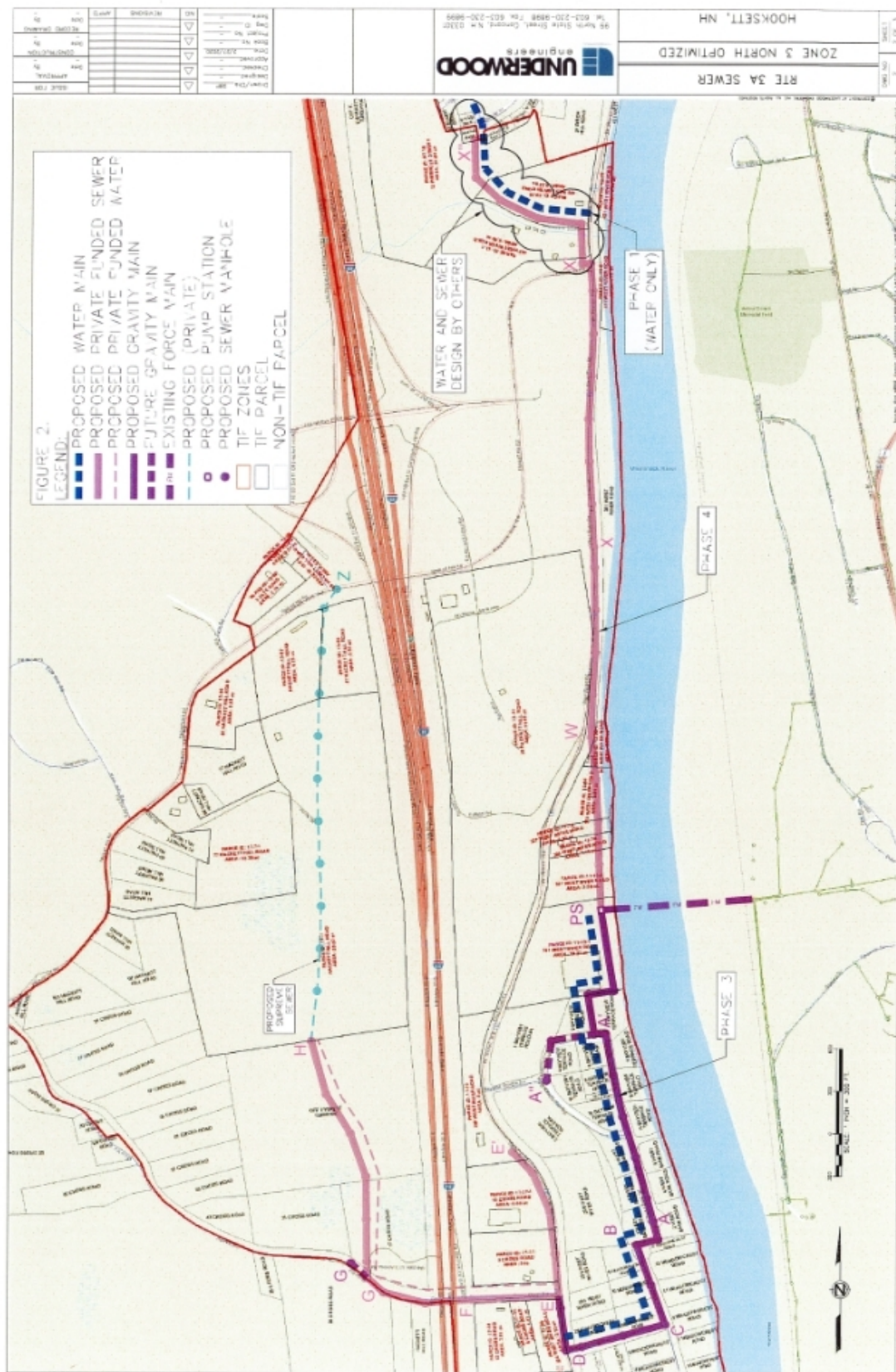
EXPENSE BUDGET				
Description	Unit Cost	Unit	Quantity	Cost
Mileage	\$2.575	each	1,000	\$2,575.00
Postage	\$450.00	Unit	1	\$450.00
Phone	\$1.45	Unit	4,145	\$7,995.00
Photocopying (b/w)	\$6.28	each	0	\$0.00
Photocopying (color)	\$20.30	each	0	\$0.00
Drawings	\$1.50	each	0	\$0.00
Miscellaneous	\$369.96	each	1	\$369.96
Sub Consultants				
Survey	\$85,000	Unit	1	\$85,000.00
Subsurface	\$50,000	Unit	1	\$50,000.00
Architectural	\$15,000	Unit	1	\$15,000.00
Struct	\$25,000	Unit	1	\$25,000.00
Elect	\$10,000	Unit	1	\$10,000.00
Elect/Instru	\$40,000	Unit	1	\$40,000.00
Archaeological	\$40,000	Unit	1	\$40,000.00
Building Inspectors	\$12,000	Unit	1	\$12,000.00
Out of Duplication	\$4,000	Unit	1	\$4,000.00
EXPENSE SUBTOTAL				\$290,075.46

TOTAL PROPOSED COST	\$607,200.00
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TIF District Funding Summary

Total Estimated Costs:

Phase 1:	\$6,710,000
Phase 2:	\$1,770,000
Phase 3 & 4:	\$6,740,000
Phase 5:	\$5,850,000
 Total Costs:	 \$21,070,000

Existing Estimated Funding:

- \$1,200,000 from Hooksett Sewer Commission
- \$2,250,000 from TIF - \$450K per year for 5 years (2018-2022)
- \$2,500,000 CWSRF Loan (2.0 % anticipated) = \$153,000 per year. This can be paid with annual TIF income with first payment in 2023.

Proposed Estimated Funding:

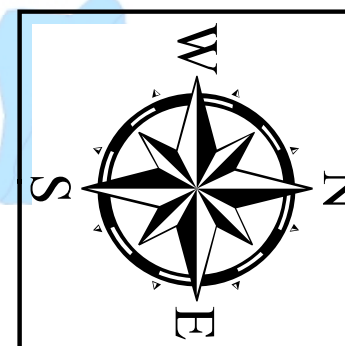
- \$4,850,000 CWSRF Loan (2.0% interest for 20 years.
- \$10,270,000 from tax base

Total Funding: \$21,070,000

In addition to the above, we are working with the Sewer Commission to investigate the increase of sewer connection fees that could yield over \$3,000,000.

ROUTE 3A TIF DISTRICT

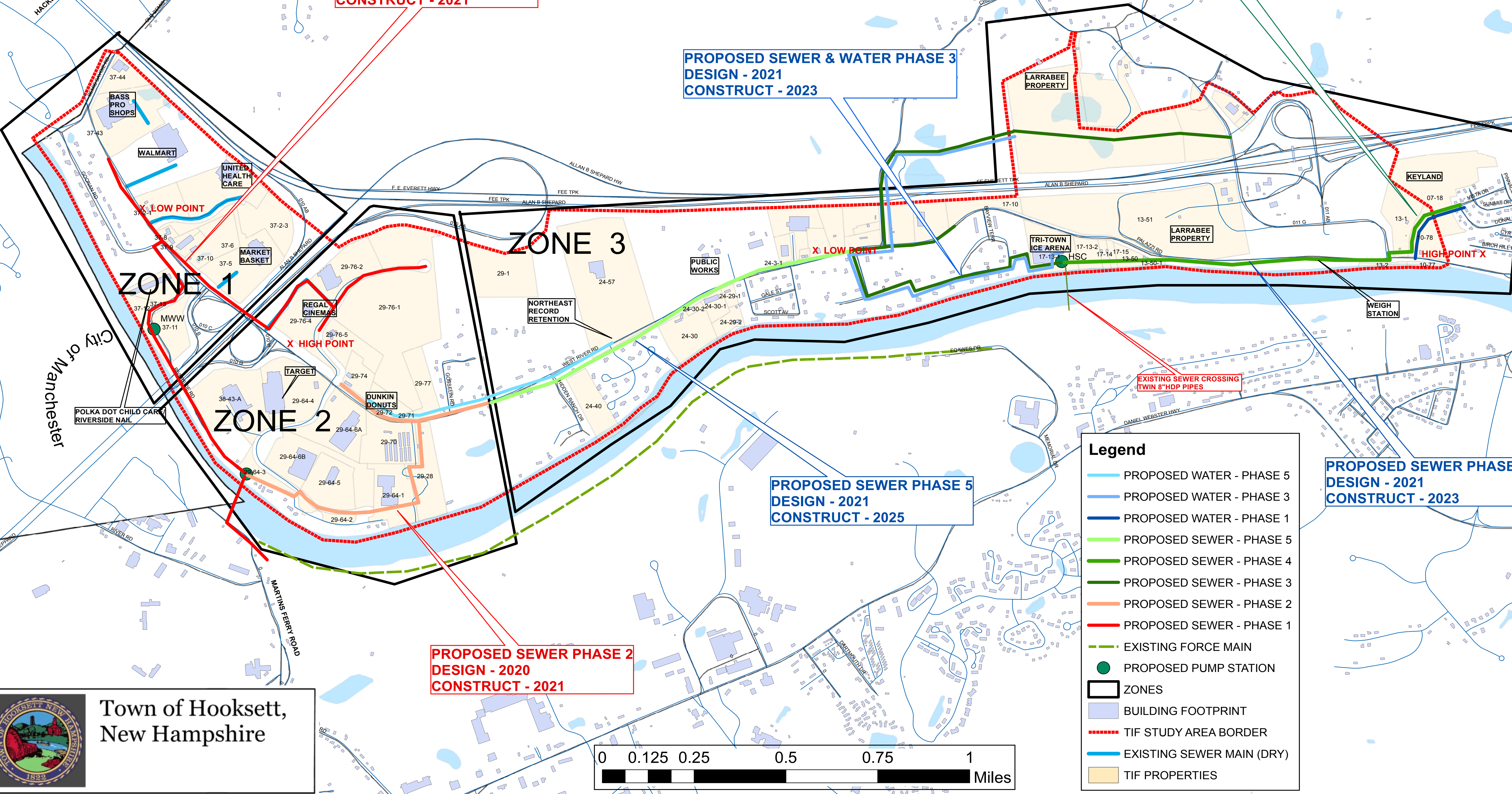
Town of Hooksett



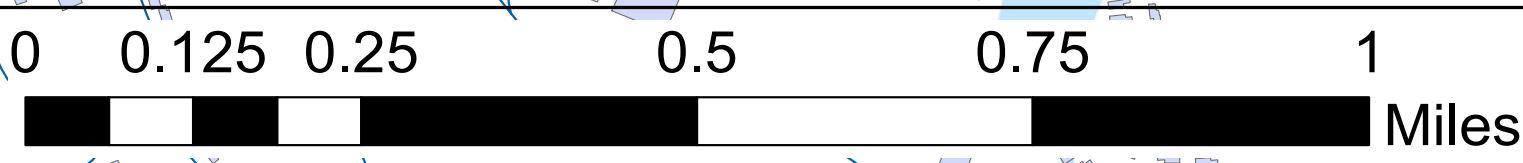
PROPOSED SEWER PHASE 1
DESIGN - 2020
CONSTRUCT - 2021

PROPOSED SEWER & WATER PHASE 3
DESIGN - 2021
CONSTRUCT - 2023

PROPOSED SEWER & WATER FUTURE PHASE
SEWER DESIGN - TO BE COMPLETED BY OTHERS
WATER DESIGN - COMPLETE
CONSTRUCT - 2024



Town of Hooksett,
New Hampshire



- Legend**
- PROPOSED WATER - PHASE 5
 - PROPOSED WATER - PHASE 3
 - PROPOSED WATER - PHASE 1
 - PROPOSED SEWER - PHASE 5
 - PROPOSED SEWER - PHASE 4
 - PROPOSED SEWER - PHASE 3
 - PROPOSED SEWER - PHASE 2
 - PROPOSED SEWER - PHASE 1
 - EXISTING FORCE MAIN
 - PROPOSED PUMP STATION
 - ZONES
 - BUILDING FOOTPRINT
 - TIF STUDY AREA BORDER
 - EXISTING SEWER MAIN (DRY)
 - TIF PROPERTIES

PROPOSED SEWER PHASE 4
DESIGN - 2021
CONSTRUCT - 2023

PROPOSED SEWER PHASE 5
DESIGN - 2021
CONSTRUCT - 2025

**ENGINEERING DESIGN PHASE
CONTRACT FOR PROFESSIONAL SERVICES
FOR
TREATMENT WORKS**

TOWN OF HOOKSETT, NEW HAMPSHIRE

This AGREEMENT made and entered into at Merrimack County, New Hampshire, this 17th day of June 2019, by and between the Town of Hooksett, Hooksett, New Hampshire, hereinafter called the OWNER, and Underwood Engineers, Inc., hereinafter called the ENGINEER.

WITNESSETH:

WHEREAS, the OWNER intends to construct Treatment Works _____

RFP 19-06 Sewer Expansion:

- **Phase I – Study and Preliminary Design Engineering Assistance**
- **Phase II – Final Design (Future)**
- **Phase III – Construction Engineering (Future)**

as defined in Attachment A – Scope of Services

hereinafter called the PROJECT, and

WHEREAS, professional sanitary engineering services will be required for the preparation of plans and specifications and contract documents, and

WHEREAS, such services are of a distinct professional nature and hence not subject to the bidding process,

NOW THEREFORE, in consideration of these premises and of the mutual covenants herein set forth, the OWNER hereby employs the ENGINEER to furnish the following engineering services in connection with the proposed PROJECT; and it is agreed by and between the OWNER and the ENGINEER as follows:

EXECUTED

ENGINEERING DESIGN PHASE CONTRACT
For Professional Services for Treatment Works

Page 2 of 6

I. Services to be Performed by the ENGINEER

A. Upon execution of this AGREEMENT, the ENGINEER agrees to proceed with all engineering, surveying, drafting, calculations, borings, and other work as required and necessary to develop and produce final plans, specifications, and associated contract documents involved in the construction of treatment works for:

RFP 19-06 Sewer Expansion: Phase I – Study and Preliminary Design Engineering Assistance;
Phase II – Final Design (Future); and
Phase III – Construction Engineering (Future)

as recommended in an Engineering Report dated N/A and/or modified by a Report dated N/A. The ENGINEER further agrees that said services shall include, but shall not necessarily be limited to:

1. Plans, Specifications, and Contract Documents

a. The preparation of detailed plans, specifications, and contract documents in accordance with the rules and regulations of the New Hampshire Department of Environmental Services, Water Division, hereinafter called the DIVISION, ready for the receipt of bids and the award of construction contracts for said construction; the work shall also include the preparation of estimates of the cost of construction based on the contract documents. Prepare applications with supporting and associated documents for Federal, State and other grant or loan programs. Assists the OWNER in securing grants or loans by State, Federal and other agency.

b. The furnishing of all the necessary subsurface investigations and field surveys required for the preparation and completion of approved plans, specifications, and contract documents.

c. The furnishing of ten (10) copies of the final plans, specifications, and contract documents to the OWNER, three (3) copies of which are to be submitted to the DIVISION. Additional copies to be available at cost to the OWNER.

2. Site Acquisitions

a. Assistance to the OWNER including preparation of documents for the acquisition of lands, easements, and rights-of-way essential to the construction of the PROJECT.

II. The OWNER'S Responsibilities

A. Assist the ENGINEER by placing at his disposal all available information pertinent to the PROJECT, including previous reports and other data relative to the reports.

B. Make provisions for the ENGINEER to enter upon public and private lands, municipal facilities and industrial establishments as required to perform work under this AGREEMENT.

C. The OWNER also agrees to comply with DIVISION and Federal requirements (where applicable) and further agrees to acquire with the assistance of the ENGINEER all the necessary easements, options or outright purchases of land for the locations of said treatment works as shown on the contract plans. The provisions of this section shall be satisfied prior to submission of documents referred to in III (A) below. It is also understood that no approvals of reports or plans and specifications or other associated documents will be made by the DIVISION without fulfillment of this requirement.

III. Time Of Completion

A. The ENGINEER agrees that he will submit to the DIVISION for approval after modification or revision as recommended by the DIVISION and agreed to by the ENGINEER, the completed final plans, specifications, contract, and associated documents in compliance with the current issue of the DIVISION's standards of design within 210 consecutive calendar days following the execution of this AGREEMENT, and deliver same to the OWNER within 30 calendar days following the date of final approval by the DIVISION.

B. It is agreed by the parties to this contract that failure by the ENGINEER to complete the work within the time stipulated under III, A, above may be considered sufficient basis for the debarment of the ENGINEER from the DIVISION'S Roster of Prequalified Engineers as provided for under New Hampshire Code of Administrative Rules Env-Ws 601.08, or the Assessment of liquidated damages as provided for under RSA 485 A: 4, XII.

ENGINEERING DESIGN PHASE CONTRACT
For Professional Services for Treatment Works

Page 3 of 6

IV. Compensation to be Paid the ENGINEER

A. Method of Payments - Amounts of Fees

1. Payment to the ENGINEER, for services rendered, shall be according to the following schedule:

Monthly billing based on hours and rates by labor category with mark-up and incidental expenses in accordance with the attached fee schedule.

2. The OWNER agrees to pay and the ENGINEER agrees to accept for all services under this AGREEMENT, a fee not to exceed Four Hundred Thirty-One Thousand, Eight Hundred and 00/100----- Dollars **(\$431,800.00).**

3. If separate documents are required for additional construction contracts on this PROJECT, an additional fee as approved by the DIVISION shall be paid to the ENGINEER.

4. Prior to formal approval of contract documents by the DIVISION, the ENGINEER shall make such revisions in them as recommended by the DIVISION and agreed to by the ENGINEER without additional compensation. After formal approval, if it becomes necessary to revise the contract documents for reasons beyond the control of the ENGINEER, payment for such revision or revisions shall be made to the ENGINEER subject to approval by the DIVISION.

B. Limits of All Payments

1. The ENGINEER hereby assures the OWNER and agrees that the following fee for his services (exclusive of surveys, borings, and certain special services which follow) in connection with the preparation of final plans, specifications, and contract documents and other work as generally described under I(A) is adequate to complete the assignment and shall not exceed

Three Hundred Three Thousand, and 00/100----- Dollars **(\$303,000.00).**

2. It is also agreed that payment to the ENGINEER for services in relation to engineering surveys, including layout and logging of borings, probings or seismic surveys, together with plats and project related special services shall be at actual cost. Actual cost shall include compensation to the ENGINEER for his work performed on these services. The ENGINEER further agrees that the work proposed under this item is enough to satisfactorily complete the contract documents and that the moneys to be paid under this item are adequate for the work proposed and shall not exceed

Seventy-Seven Thousand, Two Hundred and 00/100----- Dollars **(\$77,200.00).**

3. It is again agreed that payment to the ENGINEER for services in relation to subsurface exploration, including borings, probings or seismic surveys, shall be at actual cost as defined in IV (B) 2. The ENGINEER further agrees that the work proposed under this item is enough to satisfactorily complete the contract documents and that the moneys to be paid under this item are adequate for the work proposed and shall not exceed

Fifty-One Thousand, Six Hundred and 00/100----- Dollars **(\$51,600.00).**

4. It is also agreed that payment to the ENGINEER for services in relation to cadastral surveys and other work associated with the acquisition of lands, easements, and rights-of-way essential to the construction of the PROJECT shall be at actual cost as defined in IV (B) 2. The ENGINEER further agrees that the work proposed under this item is enough to provide adequate sites, easements, and rights-of-way to permit the unencumbered construction, operation, and maintenance of the completed project without interference in any way. The ENGINEER also assures the OWNER that the moneys to be paid under this item are adequate for the work proposed and shall not exceed

N/A----- Dollars **(\$-----).**

ENGINEERING DESIGN PHASE CONTRACT
For Professional Services for Treatment Works

Page 4 of 6

5. Costs for the Final Design shall be determined after completion of the Preliminary Design and Contract Amendment will be drafted at that time. Further, costs for Construction Engineering shall be determined after completion of the Final Design and a Construction Phase Contract will be drafted at that time.

V. Additional Covenants

A. The ENGINEER agrees to provide in active charge of this PROJECT for the life of the contract a Project Engineer who is a permanent employee of the ENGINEER and who is a "qualified sanitary engineer" as defined under the DIVISION'S "Rules and Regulations for the Prequalification of Consulting Engineers." The Project Engineer shall be*

David J. Mercier, P.E., Underwood Engineers
(name and address)

99 North State Street, Concord, NH 03301

* *Resume clearly describing the candidate's qualifications for the assignment is appended for convenience of reference*

Any proposed change in identity of the Project Engineer on the PROJECT shall first be approved by the DIVISION before transfer of responsibility is made. Failure of the ENGINEER to abide by the above covenant may be considered basis for debarment of the ENGINEER from the DIVISION'S Roster of Prequalified Consulting Engineers as provided for under New Hampshire Code of Administrative Rules Env Wq 603.08.

B. The ENGINEER agrees to be solely responsible for all bills or claims for payment for services rendered by others and for all services and materials employed in his work, and to indemnify and save harmless the OWNER, and all of the OWNER'S officers, agents and employees against all suits, claims or liability of every name and nature arising out of or in consequence of the negligent acts or failures to act of the ENGINEER or others employed by him in the performance of the work covered by this AGREEMENT.

C. The ENGINEER further agrees to procure and maintain at his expense such workmen's compensation insurance as is required by the statutes and public liability insurance in amounts adequate to provide reasonable protection from claims for bodily injury, death or property damage which may result from his performance and the performance of his employees under this AGREEMENT.

D. All documents, including original drawings, design calculations, work sheets, field notes, estimates, and other data shall remain the property of the OWNER, and shall be transmitted to the OWNER in clean and orderly condition on demand; however, these may be left in the possession of the ENGINEER at the OWNER'S discretion.

E. The ENGINEER shall not subcontract, assign or transfer any part of the ENGINEER'S services or obligations (except surveys and borings and other special services) under this AGREEMENT without the prior approval and written consent of the OWNER.

F. It is further agreed that the ENGINEER will assist the OWNER or his authorized agent in providing the DIVISION with clear documentation certifying that the necessary easements, options or outright purchases of land have been secured to provide for location of treatment works and other associated structures and equipment as shown on the contract plans or described in the specifications. Similar documentation will be submitted on approvals from the State Department of Transportation and/or other state agencies regarding location of treatment works within rights-of-way and other lands under their jurisdiction.

VI. Termination

A. The OWNER shall have the right at any time for any reason whatsoever to interrupt or terminate any part of or all of the work required of the ENGINEER under this AGREEMENT, with a seven (7) day written notice of such interruption or termination transmitted to the ENGINEER by the OWNER. In the event of termination of any part of or all of this AGREEMENT, without fault on the part of the ENGINEER, the ENGINEER shall be entitled to compensation for all work performed to the satisfaction of the DIVISION and the OWNER, and pursuant to this AGREEMENT. In order that the ENGINEER shall receive payment under termination notice of any part of the work, all plans, drawings, tracings, field notes, estimates, specifications, proposals, sketches, diagrams, and calculations, together with all other materials and data collected or prepared in connection with the PROJECT shall be transmitted to the OWNER in a form acceptable to the OWNER and DIVISION.

ENGINEERING DESIGN PHASE CONTRACT
For Professional Services for Treatment Works

Page 5 of 6

IN WITNESS WHEREOF, the parties hereto have affixed their hand and seals at ~~Worcester~~ County, New Hampshire, the day, month, and year first above written.

ENGINEER: Union Road Engineers, Inc.

By: Keith A. Pratt, P.E., President
(Authorized Representative*)

Date: 6/13/19

By: W. Steven Clifton, Vice President
(Authorized Representative*)

Date: 6-13-2019

OWNER: Town of Hopkiss, Hopkiss, NH

By: Andre Garron, Town Administrator
(Authorized Representative*)

Date: 6/17/19

APPROVED:**

DEPARTMENT OF ENVIRONMENTAL SERVICES
Water Division

By: Dennis Green, P.E., Design Review Supervisor

Date: 6/17/19

* Signatures should be supported by appropriate stamp.
** It is agreed that as an act in the absence of its statutory authority to approve engineering agreements for treatment works, the DIVISION's approval does not impose any contractual obligation or liability on the State of New Hampshire, the Department of Environmental Services or the Division.

Town Council

STAFF REPORT



To: Town Council
Title: Solid Waste/Recycling & Transfer Ordinance 00-31 Amendment
Meeting: Town Council - 22 Apr 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

At the last Town Council meeting, a proposal to combine and amend the Solid Waste and Recycling & Transfer Ordinances was presented. The documents were combined and updated to reflect current Recycling & Transfer policies including minor housekeeping.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

To schedule a Public Hearing at the next Town Council meeting.

SUGGESTED MOTION:

Motion to schedule a Public Hearing at the next Town Council meeting.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[R&T Ordinance 00-31 Final](#)

**RECYCLING & TRANSFER
ORDINANCE # 00-31**

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

INTRODUCTION

An Ordinance is hereby created establishing control of solid waste in the Town of Hooksett (Town), implementing rules and regulations for the operation of the Transfer and Recycling and Transfer Center (Center), curbside collection of trash and setting fees for the use of the facilities thereof.

Whereas, the control and regulation of solid waste will serve the public interest, protect the health and safety of Town residents, and conserve our natural resources, and,

Whereas the Town has authority pursuant to State law and the Town Charter to establish rules and regulations for the control of solid waste, to establish permit regulations, and to prescribe penalties for the violations thereof, and,

Whereas it is necessary to establish the rules and regulations for the acceptance of solid waste, therefore be it ordained by the Town of Hooksett, the County of Merrimack, and the State of New Hampshire, that a solid waste ordinance is hereby established setting forth regulations governing the use of the Center and requiring that permits be obtained and fees paid.

SECTION I
DEFINITIONS AND WORD USAGE

As used in this Ordinance, the following terms shall have the following meanings:

ACCEPTABLE WASTE – Household garbage, trash, rubbish and refuse originating within the boundaries of the Town, normally collected or disposed of as a result of residential pickups or deliveries.

AUTOMATED COLLECTION – Shall mean a method of collecting refuse and recycling through the use of mechanical collection equipment and special carts issued for the storage and collection of rubbish and recyclables.

AUTOMATED COLLECTION CART – Shall mean a specially designed cart with wheels and town seal, issued by the town of Hooksett to be used for the storage of acceptable refuse or recyclables in the automated collection operation.

CENTER - The Town of Hooksett Transfer and Recycling and Transfer Center situated off Route 3A.

COMMERCIAL - Any and all nonresidential activities.

COMMERCIAL RESIDENTS – Residential abode with more than 3 units.

CONDOMINIUM - Individually owned multi-family units

CONSTRUCTION DEBRIS - Non-putrescible waste building materials and rubble.

CURB LINE – shall mean the area directly behind or adjacent to the curb; in the absence of a curb, the area adjacent to the edge of pavement or road within 5 feet traveled portion of roadway.

CURBSIDE COLLECTION – Shall mean the pickup of acceptable trash and recyclables at certain residences in the Town.

CUSTOMER – Shall mean any resident who delivers waste to the facility or receives trash and or recycling service from the Town.

DEMOLITION WASTE - See Construction Debris.

DESIGNATED COLLECTION POINT – Shall mean the place where the automated cart shall be placed for service, as determined by the Recycling and Transfer Department.

DISPOSAL - The discharge, deposit, injection, dumping, spilling, leaking, or placement of any solid waste into or onto any land or water so that such solid waste or any constituent of it may enter the environment, be emitted into the air, or be discharged into any water, including groundwater.

EXTRA REFUSE – Shall mean any refuse placed on, or around automated collection cart in excess capacity of the automated cart.

HAZARDOUS WASTE - Any material which has been identified as hazardous waste by the New Hampshire Department of Environmental Services. Such wastes include, but are not limited to, those which are ignitable, irritants, or strong sensitizers, or which generate pressure through decomposition, heat, or other means. Such term also encompasses any solid, semisolid, liquid or contained gaseous waste, or any combination of these wastes which, because of either quantity, concentration, or physical, chemical or infectious characteristics may: a) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating reversible illness; and/or b) pose a present or potential threat to humans or the environment when improperly treated, stored, transported, disposed of, or otherwise mismanaged.

HOUSEHOLD HAZARDOUS WASTE – Hazardous waste generated from non-commercial usage by persons in their living abodes.

INFECTIOUS WASTE - Any waste which, because of its infectious nature, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

HOUSEHOLD HAZARDOUS WASTE - Hazardous waste generated from non-commercial usage by persons in their living abodes.

MANDATORY – Officially required.

METAL GOODS (METAL) - Metal goods include household appliances, air conditioners, aluminum lawn chairs, aluminum windows, outside grills, hot water tanks, and other metallic items that can be readily recycled and marketed.

MOTOR VEHICLE WASTE - Used motor oil, motor vehicle batteries, antifreeze, and tires from motorized vehicles.

MULTI-FAMILY RESIDENTIAL PROPERTY – Shall mean more than one (1) but not more than three (3) dwelling units in a building.

RECYCLABLES - Any item within the Town recycling program which can be recycled with the intent of reusing that item.

RECYCLING - The collection, storage processing, and redistribution of separated solid waste so as to return material to the marketplace.

REFUSE - Any solid waste product which is composed wholly or partly of such materials as garbage, swill, sweepings, cleanings, trash, rubbish, litter, industrial solid wastes, organic wastes, and domestic solid wastes.

RESIDENT - A person who is domiciled or has a place of abode in the Town of Hooksett and who has, through all of his or her actions, demonstrated a current intent to designate that place of abode as his or her principal place of physical presence for the indefinite future to the exclusion of all others.

SOLID WASTE - Any matter consisting of putrescible material, refuse, and other discarded or abandoned material. It includes solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. For the purposes of this Ordinance, it does not include hazardous waste as defined in RSA 147A:2, infectious waste as defined in this Section, solid or dissolved materials and irrigation return flows, or municipal and industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended, or source special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended. Solid waste includes municipal solid waste (MSW) as defined in State Solid Waste Rule ENV-Wm 103.23.

USER FEE - A charge usually by a municipality to users of a service.

YARD WASTE - Leaves, grass clippings, weeds, hedge clippings, garden waste, and twigs.

SECTION II

CURBSIDE AUTOMATED COLLECTION

Currently any recyclable materials (see current list at hooksett.org) that can be removed from the waste stream at the curb and recycled at the CENTER, will help in waste and cost avoidance. The reason for separation is to help control the costs associated with the disposal and management of solid waste by diverting as many recyclables from the solid waste stream as possible. The listing of acceptable materials will be available at the Recycling and Transfer Center, or online at www.hooksett.org under the Recycling and Transfer Department.

1. The purpose of this section is to establish minimum standards for the storage, collection, transportation and disposal of solid waste and recycling, utilizing an automated collection program to promote the health, safety, and welfare of the Town's residents, employees and environment, and to minimize the amount of trash generated in the Town.
2. The Crew Chief shall have the direct responsibility for the administration of this section subject to the direction and control of the Town Administrator and the Town Council.
3. The Town will provide curbside collection of residential solid waste from municipal buildings, single family dwellings, multi-family dwellings (3 units or less).
4. Two automated collection carts, one for trash, one for recycling, and instructions for use will be distributed for residents who receive collection services from the Town. Currently the town does not do curbside recycling, the recycling cart may be used for normal trash until curbside recycling is resumed.
5. It will be the resident's responsibility to assure that automated collection carts are placed in the appropriate location designated by the Town, by 7:00 am on collection day. The Crew Chief or his/her designee shall have the authority to review and approve or disapprove placement of the collection carts. Alternative sites may be necessary to safeguard public safety and minimize risk of damage to public or private property during the collection process.
6. It is the resident's responsibility to remove the automated cart from the curb line by the end of the collection day.
7. It is prohibited to overload automated carts in a manner that is likely to cause damage to the collection vehicle, the automated cart or to create a litter condition or to impede collection. It shall be an infraction to place or deposit any refuse whatsoever in or around an automated cart owned or provided for the use of another customer without that customer's approval.
8. The Town shall not be responsible for collection if there are any infractions of any section of this policy, or if there are any circumstances that are beyond the control of the Town. Infractions or circumstances include, but are not limited to, automated cart overload, unacceptable materials, improperly loaded automated cart, blocked access, automated cart inaccessibility, improper carts or dangerous situations.
9. Automated Carts:
 - a) All automated carts are the property of the Town of Hooksett and are not to be removed from the property even in the event of a change in ownership or resident status. All automated carts will be assigned to a street address and have an imprinted number for identification purposes. One cart shall be used for trash and one cart for mixed recyclables.
 - b) Any repairs to the containers will be performed by the Town. The property owner/customer shall contact the Recycling and Transfer office to report damage and request a repair. Containers damaged beyond repair will be replaced by the Town. If the containers are subject to neglect or other preventable damage as determined by the Crew Chief, the Crew Chief will require a charge for the

replacement. The property owners are the ultimate party responsible for all damages or removed containers by tenants. The owner shall pay the cost of \$50.00 for any replacement containers. The owner should work to educate the household members on the proper use and maintenance of the containers.

- c) All trash and recyclables shall be placed into the appropriate containers so that the lid can be securely shut. No trash placed on the ground or in any unapproved containers shall be picked-up by the town. The containers shall not be overfilled or arranged in any manner that will prevent the lid from remaining closed at all times to prevent water from filling the container, and access by animals. In the event of overflow, residents may bring the extra material to the facility or must wait till the next scheduled collection day.

10. Placement of Carts - It shall be the duty of each customer to place the carts as follows:

- a) Within two (2) feet of the curb line not more than 5 feet from traveled portion of roadway or where directed by the Town.
- b) At least five (5) feet away from all objects such as fences, mailboxes, and utility poles, and clear of overhanging vegetation, utility wires, etc. to allow for the unimpeded operation of collection vehicles.
- c) So that the automated cart handle is facing the dwelling unit.
- d) At least two (2) feet from the other cart.
- e) At least ten (10) feet away from parked vehicles.

11. Approved Materials for Automated Curbside Collection

- a) All household trash must be bagged before placing into the trash container for the automated curbside program.
- b) ONLY household trash will be collected at the curb. All other material for disposal must be brought to the Recycling and Transfer Center at 210 West River Rd.

12. Enforcement - Collection

It is the intention of the Department to educate residents as to the value of recycling and the appropriate procedures for doing so. If, however, a resident or tenant violates any provision of this section (Section II) it may result in the issuance of notices, warnings and possible loss of services.

First Violation – A courtesy notice will be issued. If the violation is the disposal of any unacceptable material, the cost of disposal (user fee) will be incurred.

Second Violation – A written warning will be issued. If the violation is the disposal of any unacceptable material the cost of the disposal (user fee) will be incurred.

Third Violation – A third violation will result in the loss of collection privileges, for an amount of time determined by the Crew Chief, with approval by the Town Administrator. The violator shall have the right to appeal to the Town Council.

SECTION III **CONDOMINIUMS**

Condominiums will be required to provide for the collection and disposal of domestic trash within their communities. The Town will reimburse tonnage at a maximum of 21 pounds per unit per week at the Town budgeted rate (for trash disposal), paid semi-annually, upon submission and verification of paid invoices by the condominium association. The Town may rescind or amend this section at any time.

SECTION IV **RECYCLING AND TRANSFER CENTER**

The Center is operated and maintained in accordance with RSA 149-M:17 solely to receive, transport, and dispose of authorized solid waste generated within the geographical boundaries of the Town.

These regulations have been recommended by the Recycling and Transfer Advisory Committee and adopted by the Town Council pursuant to the authority granted the Council by RSA 149-M:17, II and 31:39, I (f). These regulations are intended to:

1. Prevent unauthorized entrance into and/or use of the Center;
2. Prohibit the disposal of illegal and/or unacceptable waste;
3. Control the disposal of authorized solid waste to facilitate compliance with operating standards, improve efficiency and productivity, require recycling and reuse of our resources, and maximize the life of the Center; and
4. Establish permit procedures.
5. The Crew Chief of the Center is authorized to promulgate additional regulations subject to the approval of the Town Council which may include, but are not limited to, the following subjects:
 - a) Separation of solid wastes and other materials;
 - b) Inspection procedures;
 - c) Hours of operation; and,
 - d) Establishing fees.

SECTION V **USE OF CENTER**

It is mandatory, that residents, who use the facility to drop off material, will separate all designated recyclable materials from the solid waste stream and dispose of them in the approved recycling containers. The reason for separation is to help control the costs associated with the disposal and management of solid waste by diverting as many recyclables from the solid waste stream as possible. The listing of acceptable materials will be available at the Recycling and Transfer Center, or online at www.hooksett.org under the Recycling and Transfer Department.

1. Permit Required.
 - a) Permits will be issued for all residents who use the facility if the vehicle is registered in Hooksett.
 - b) Permits will not be issued to residents who do not have a registered vehicle. Access will be granted with proof of residency in the way of a bill or license with Hooksett address.
 - c) Contractors working for Hooksett residences or businesses, must present letter documentation from property/business owners they are working for. Documentation must contain name, address, phone number, signature and current date for each trip to the CENTER. Charges and all rules will apply.
2. Removal of material: No material shall be removed from the Center without authorization.
3. Designated Areas: Solid Waste shall be disposed of only in the designated areas.
4. Unauthorized Entry: No person shall enter or attempt to enter the Center at times other than during the posted operating hours.
5. Acceptable Solid Waste
Solid waste which is allowed to be received at the Center includes refuse, recycling, construction debris and demolition waste, motor vehicle waste, yard waste, appliances, and scrap metal. Not all Commercial solid waste is acceptable, please call ahead for approval. User fees may apply. See website at www.hooksett.org or call facility at 603-669-5198.
 - a) Clean demolition, wood, sheetrock (kept separate), asphalt shingles (kept separate and free of trash)
 - b) Furniture
 - c) Metal items and appliances will be accepted. Appliances with freon will be kept separately
 - d) Yard Waste (grass clippings, garden waste, leaves and branches no larger than 3" in diameter) must be brought to the designated area (compost pile). Yard

waste brought in plastic bags must be emptied. No brush clearing will be accepted.

- e) Some household hazardous wastes may be brought to the facility. Residents need to contact the facility to determine if it can be accepted.

6. Unacceptable Solid Waste

Materials which will not be accepted at the Center shall include, but not be limited to, the following:

- a) Hazardous waste. Hazardous waste or material which the Town considers to be detrimental to the operation of the Center or which require special handling or disposal procedures.
- b) Other. Infectious, pathological and biological waste, radioactive materials, oil sludges, hazardous refuse of any kind, or other substances which are now or are hereafter considered harmful, inflammable, hazardous, or toxic, or which would pose a threat to health or safety, or which may cause damage to or adversely affect the operation of the Center.
- c) Tires on rims.
- d) Stumps, logs, and branches greater than three inches in diameter or three feet in length.

7. ENFORCEMENT

Use of Recycling and Transfer Facility

It is the intention of the Department to educate residents as to the value of recycling and the appropriate procedures for doing so. If, however, a resident, tenant or Hooksett Commercial Business violates any provision of this section it may result in the issuance of notices, warnings and possible loss of privileges at the facility.

SECTION VI **RECYCLING**

The policy of the Center is to promote and encourage recycling within the Town. The recycling program is intended to facilitate the reuse of resources, reduce operating costs through avoidance of tipping fee rates, and provide additional income to the Town (when applicable). Residents, who use the facility, will be required to recycle cardboard. Cardboard is easily accepted in an area clearly marked. The recycling of other materials is strongly encouraged.

SECTION VII **PERMIT PROCEDURES**

In General, Permits may be obtained during normal business hours at the Center, 210 West River Road, Hooksett, New Hampshire. All permits shall be nontransferable. Each vehicle intended for transport of solid waste to the Center must be permitted. Permits must be

prominently displayed on the window of the passenger side of the vehicle, which is bearing solid waste to be disposed of at the Center.

1. Residential.

- i. Any person applying for a permit must present a vehicle registration showing residence in the Town.
- ii. Permits are issued free of charge.

2. Commercial.

- i. Any commercial entity must call the office for permission to enter the premises and has proper identification of legal Hooksett address.
- ii. Permits will not be issued.
- iii. Hooksett commercial entities may use the facility only to bring in solid waste that is generated in Hooksett.

3. Revocation of Permit:

The Crew Chief may revoke the permit of any holder when a written finding is made that the holder of the permit or the holder's agent has violated any provisions of these regulations or any regulations promulgated hereunder. The Crew Chief will provide written notice of the revocation to the holder of the permit by certified mail. Any person with such notice of revocation may request a hearing before the Town Administrator within fifteen (15) days of the receipt of such notice. The Town Administrator will affirm, reverse, or modify the action of the Crew Chief. The revocation of the permit will be stayed during the pendency of the appeal.

SECTION VIII
VIOLATIONS AND PENALTIES

Any person or commercial entity violating any provision of this ordinance or any regulation adopted pursuant to this Ordinance shall:

1. Be subject to a civil penalty not to exceed \$3, 000 for each act constituting a violation of this Ordinance or the regulations adopted pursuant hereto;
2. Be subject to revocation of permission to use the Center;
3. Be liable for all costs incurred by the Town resulting from the violation and enforcement of this Ordinance, including attorney's fees; and,
4. Be liable for all costs of removal of solid waste improperly disposed of and all costs incurred by the Town resulting from the improper disposal of waste at the Center.

SECTION IX
FEES

The following disposal fees (user fees) are designed to defray some of the expense incurred by the Town in administering and operating the Center. The Town reserves the right to update these fees. Current Disposal Fees can be obtained by calling the office at 603-669-5198 or checking the website at www.hooksett.org, Recycling and Transfer Division page.

The following charges and restrictions are in effect as of 3/25/2020.

For Hooksett Residents

No mixed loads. Must be placed in proper location.

Construction/demolition debris - \$100.00 per ton/\$.05 per pound; \$2.00 minimum load (wood, insulation, bathroom fixtures, cabinets, siding, flooring, roofing, etc.) No asbestos or hazardous material will be accepted.

Vinyl Siding / plastic pipe must be kept separate and under 4' in length.

Asphalt Shingles must be kept separate and clean no wood, trash or metal.

Sheetrock must be kept separate.

Large plastic and fiberglass items must be cut up to be less than 4' x 4'.

Concrete – Bricks – Asphalt – etc. \$10.00 per pickup load.

Furniture - \$100.00 per ton (\$.05 per pound)

Twin/full mattresses \$3.00	Recliner \$5.00	Queen mattresses \$4.00
Stuffed chair \$4.00	Office chair \$2.00	Loveseat \$5.00
King mattresses \$5.00	Sleep sofa \$7.00	Sofa W/ recliners \$5.00
	Sofa \$6.00	per recliner

Carpet - \$100.00 per ton \$.05 per pound. (Must be cut into 3-4' square sections)

Metal - Units with FREON (refrigerators, freezers, A/C's, dehumidifiers)
\$11.00 per unit. DOORS MUST BE REMOVED

White goods - washers, dryers, dishwashers, stoves, hot water heaters, \$5.00 per unit. No charge other metal (oil, gas and antifreeze must be removed)

Electronics – Please refer to website or Center for current rate per pound.

Small computer drive \$2.00, personal printer \$2.00, 13"computer monitor \$5.00, laptop \$2.00, 17"computer monitor \$7.00, 19"TV \$9.00, 13"TV \$4.00, (Electronics to include: copy machines, fax machines.) All flat monitors less than 20" \$4.00. For TVs and monitors over 19" fee based per pound. Call facility for other electronic fees.

Propane Tanks - 20lb., \$4.00 each; 30lb, \$6.00; 100lb., \$20.00; 1 lb., no charge

Recycling - No charge.

Tires - No charge for the first four tires per year per Hooksett registered vehicle. Thereafter, a charge of \$2.00 for each tire. Must be off rims.

Yard Waste - No charge for leaves and grass.

No land clearing, no tree cutting. See attendant for list of place to go with larger loads, stumps, logs. INVASIVE PLANTS must be kept separate. SEE ATTENDANT. No stumps will be accepted

Any resident bringing material from outside Hooksett will have their permit revoked.

For Commercial Users

Construction/demolition debris - \$100.00 per ton/\$.05 per pound; \$2.00 minimum load. (wood, insulation, bathroom fixtures, cabinets, siding, flooring, roofing, etc.) No asbestos or hazardous material will be accepted.

Vinyl siding / plastic pipe must be kept separate and under 4' in length.

Asphalt Shingles must be kept separate and clean no wood, trash or metal.

Sheetrock must be kept separate.

Large plastic and fiberglass items must be cut up to be less than 4' x 4'.

Solid Waste/trash - \$100 per ton

Furniture - \$100.00 per ton \$.05 per pound. All solid wood furniture \$100.00 per ton.

Carpet - \$100.00 per ton \$.05 per pound. Must be cut into 3-4' square sections.

Metal - Units with FREON (refrigerators, freezers, A/C's, dehumidifiers)
20.00 per unit. DOORS MUST BE REMOVED

White goods - washers, dryers, dishwashers, stoves, hot water heaters, \$5.00 per unit (oil, gas and antifreeze must be removed)

Electronics - Please refer to website or Center for current rate per pound.

Florescent tubes - \$.25 per foot, compact lights \$1 Each, Ballast \$2 each

Propane Tanks - 20lb, \$4.00 each; 30lb, \$6.00; 100lb, \$20.00; 1 lb, no charge

Recycling - Cardboard No Charge; Paper/glass, \$45 per ton.

Tires - Not accepted from commercial

Yard Waste - \$15 per load (Based on 1 ton truck).

Hazardous materials are not accepted from commercial accounts.

No stumps will be accepted

Any businesses bringing materials from outside Hooksett will have their dumping privileges revoked.

Adopted: 6/11/1997
Amended: 3/10/2010
Amended: 10/8/2014
Amended: Town Council Meeting Date

James Sullivan
Town Council Chair

Todd Rainier
Town Clerk

FINAL DRAFT

Town Council

STAFF REPORT



To: Town Council

Title: Accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from Lamontagne Builders (Stinson Hills, LLC), (not in lieu of Impact Fees) per RSA 31:95-b, III (a).

Meeting: Town Council - 22 Apr 2020

Department: Public Works

Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

Earlier, the Town Council held a Public Hearing to accept an unanticipated revenue in the amount of \$58,178 from LaMontagne Builders. When Beaver Brook Development (now Brookview) was approved by the Planning Board, there were two (2) stipulations. The first stipulation was for the developer to assist with the payment of a lease for a street sweeper in the amount of \$30,178.00. At the time Hooksett was in the process of leasing a street sweeper. No payment was received. That sweeper lease had since been bought out and this year replaced by the combination Basin Cleaner/Sweeper unit. The second stipulation was for the developer to assist with recreation improvements in the amount of \$28,000.00. There were no requirements as to what improvements were to be. It is recommended to use \$28,000.00 to update the bathroom facilities at Donati Field to be ADA compliant.

FINANCIAL IMPACT:

An unanticipated revenue in the amount of \$58,178.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Accept the donation of \$58,178.00, \$30,178.00 of which, to be used to offset the purchase cost of the combination Basin Cleaner/Sweeper unit delivered earlier this year and \$28,000.00 to be used to update the bathroom facilities at Donati Field to be ADA compliant per RSA 31:95-b, III (a).

SUGGESTED MOTION:

Motion to accept the donation of \$58,178.00, \$30,178.00 of which, to be used to offset the purchase cost of the combination Basin Cleaner/Sweeper unit delivered earlier this year and \$28,000.00 to be used to update the bathroom facilities at Donati Field to be ADA compliant per RSA 31:95-b, III (a).

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. I recommend that Town Council accept the funds in accordance with the condition of approval set by the Planning Board. The intended use of the funds for parks and recreation and street sweeper purposes, is consistent with the conditions set by the Planning Board.

ATTACHMENTS:

[Donation from Lamontagne Bldrs](#)

[Donation_042220](#)

**Town of Hooksett
Community Development**

Memo

To: Nicholas Williams, Town Planner
From: Bruce A. Thomas, P.E., Town Engineer *BAK*
Cc: Leanne Fuller, Administrative Assistant
Date: November 27, 2019
Re: Brookview Subdivision – Checks for Street Sweeper and Recreation Fees

Attached are two checks that Robert Lamontagne of Lamontagne Builders delivered for the referenced project as required on page 6 of the Brookview Development plans (see attached).

Town of Hooksett Cash Receipts

[illegible]

	Cash	\$ -
checks	Checks	\$ 58,178.00
	Total Deposit	<u>\$ 58,178.00</u>

Remitted By: Evelyn Horn

Remitted To:

Date:

Stinson Hills LLC

H00002

Town of Hooksett

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	PAID AMOUNT	BALANCE
11-26-19	BVRECCONT	Recreation Dpt Contrib	28000.00	.00	28000.00
CHECK DATE	11-27-19	CHECK NUMBER	1413	TOTAL >	28000.00
					.00
					28000.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

Stinson Hills LLC
317 South River Rd.
Bedford NH 03110
603 668-7933

TD Bank
141 South River Rd.
Bedford, NH 03110

54-77114 98

1413

DATE 11/27/2019

Pay: *****Twenty-eight thousand dollars and no cents

\$ ***28,000.00

TO Town of Hooksett
THE 35 Main Street
ORDER Hooksett, NH 03106-1831
OF

Recreation Dpt Contribution

⑈000001413⑈ ⑆01140007⑆ 9241048374⑈



Stinson Hills LLC

H00002

Town of Hooksett

DATE	INVOICE NO	DESCRIPTION	AMOUNT DUE	DEBIT	TOTAL
11-26-19	BVSWEPPER	Roadway Maint Fee/Swee	30178.00	.00	30178.00
CHECK DATE	11-27-19	CHECK NUMBER	1412	TOTAL >	30178.00
					.00
					30178.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

Stinson Hills LLC
317 South River Rd.
Bedford NH 03110
603 668-7933

TD Bank
141 South River Rd.
Bedford, NH 03110

54-7/114 98

1412

DATE 11/27/2019

Pay:*****Thirty thousand one hundred seventy-eight dollars and no cents

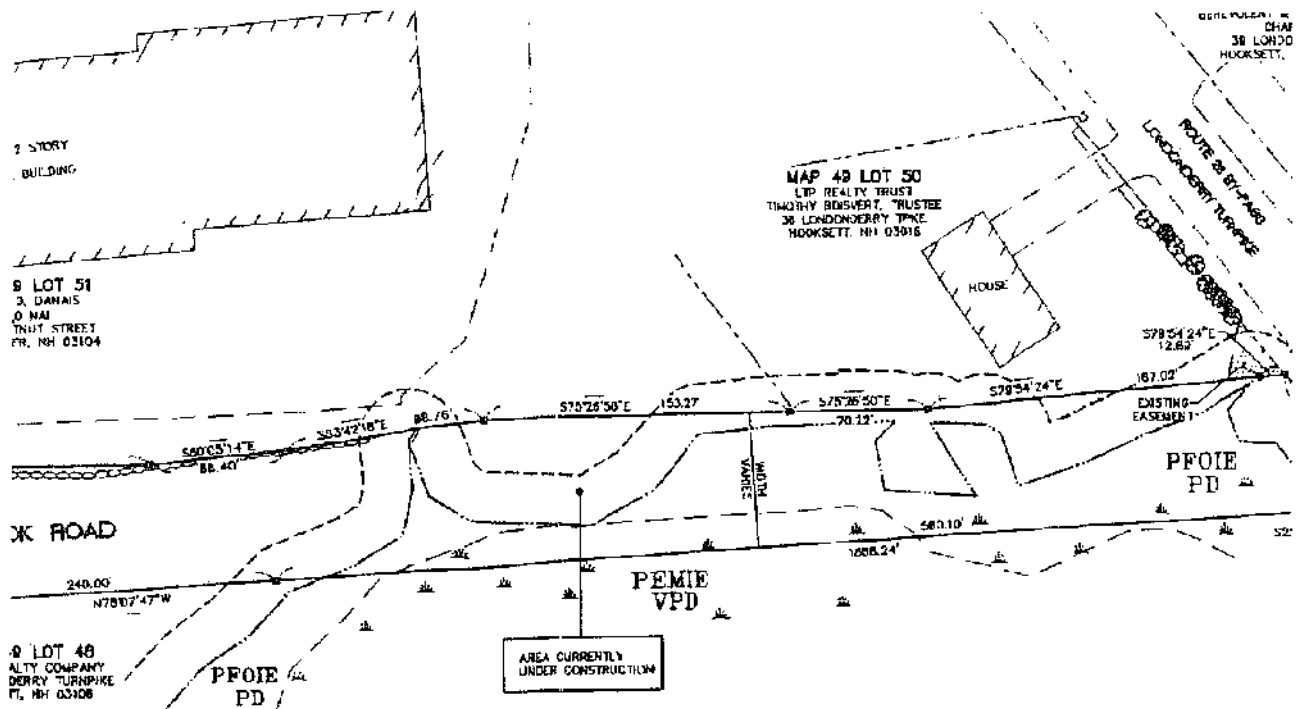
\$ ****30,178.00

TO Town of Hooksett
THE 35 Main Street
ORDER Hooksett, NH 03106-1631
OF

Caroline R. Ricketts

Paid Under Protest - Funds for Roadway Maintenance Fee. Intended for Street Improvements

⑈000001412⑈ ⑆011400071⑆ 9241048374⑈



- PAGE 251
- PAGE 252
- THE "CONVENTIONAL" SINGLE FAMILY E PLATTING OF 87 CLUSTER 8-25, 26-28 THROUGH 58-41 AND 7 OPEN SPACES.
- ENTIAL DISTRICT.
- 8) JURISDICTIONAL WETLANDS SHOWN ON THIS PLAN WERE DELINEATED BY SCHAUER ENVIRONMENTAL CONSULTANTS, LLC OF LOUDON, NH IN THE MONTH OF NOVEMBER 2005 IN ACCORDANCE WITH THE STANDARDS OF THE U.S. ARMY CORP OF ENGINEERS WETLAND DELINEATION MANUAL TECHNICAL REPORT (1987).
- 9) TOTAL CONTIGUOUS SITE AREA TO BE DISTURBED BY PLANNED CONSTRUCTION ACTIVITIES EXCEEDS 100,000 SF THEREFORE, A NHDES SITE SPECIFIC PERMIT IS REQUIRED FOR THIS PROJECT.
- 10) ALL UTILITIES (ELECTRIC, TELEPHONE & CATV) SHALL BE INSTALLED UNDERGROUND IN ACCORDANCE WITH THE SPECIFICATIONS OF THE TOWN OF HOOKSETT AND EACH APPLICABLE UTILITY PROVIDER.
- 11) THE CON-SPAN BRIDGE AND RETAINING WALL DESIGN AND SHOP DRAWINGS MUST BE SUBMITTED FOR ENGINEERING REVIEW AND APPROVAL BY THE TOWN AND ITS ENGINEERING CONSULTANT AT OR PRIOR TO THE PRE-CONSTRUCTION MEETING. THE FOLLOWING IS A LIST OF THE DESIGN CRITERIA:
- DESIGN CALCULATIONS STAMPED BY A QUALIFIED PE LICENSED IN NH.
 - STABILITY CALCULATIONS (INCLUDING BEARING CAPACITY, GLOBAL STABILITY, OVER TURNING & SLIDING).
 - GEORND (IF PROVIDED) PULLOUT AND OTHER PERTINENT DATA AND EVALUATIONS.
 - LATERAL EARTH PRESSURE COEFFICIENT.
 - OVERCHARGE LOADING AND EMBEDMENT DEPTH.
 - BUTTH PLANS AND SECTIONS OF EACH WALL SECTION AND BRIDGE WITH TOP AND BASE ELEVATIONS.

- 12) THE DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR A TOWN OF HOOKSETT ROADWAY MAINTENANCE FEE OF \$30,778.00 TO BE PAID PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE FEE IS INTENDED FOR A LEASE PAYMENT OF THE TOWN STREET SWEEPER AND IS NOT IN LIEU OF IMPACT FEES.
- 13) THE DEVELOPER IS RESPONSIBLE FOR A TOWN OF HOOKSETT RECREATION DEPARTMENT CONTRIBUTION OF \$28,000. THE CONTRIBUTION SHALL BE MADE AT THE START OF PHASE II (CONSTRUCTION OF COLLEEN CIRCLE). THE CONTRIBUTION IS INTENDED FOR THE TOWN OF HOOKSETT RECREATION IMPROVEMENTS AND IS NOT IN LIEU OF IMPACT FEES.
- 14) DRIVEWAY SLOPES FOR PROPOSED ROADS SHALL NOT EXCEED 10%. SLOPE SHALL BE APPROPRIATELY ANNOTATED TO SHOW DRIVEWAY SLOPE RESTRICTION.

THROUGH 58-41, AND 58-43

STRICT, CLUSTER HOUSING IS

8. VIA THE MANCHESTER WATER

SEAL SYSTEMS

CREAS

10% FOR ROADS AND UTILITIES, LESS

ET TRACT AREA = 6,088,225 S.F. -

IBLIC WATER AND ON SITE SEWAGE

S.F. FOR LOT = 92.82 LOTS

CROSS TRACT AREA = 0.25(6,088,225

ACRES

55 AREA OF COMMON LAND PROVIDED,

ENTS

AC

WD = 50% OF MINIMUM COMMON LAND

MD = 24.613 ACRES

MD = 82.248 - 24.613 = 57.635

HOUSING SUBDIVISION SHALL CONTAIN

MD = 314.75

T AREA PROVIDED = 6,088,225 S.F. OR

3

20 S.F.

2 LOTS

- 15) PROJECT PERMITS OBTAINED:
- | PERMIT | DATE | DATE |
|--------------------------------------|-------------|----------|
| BEAVER BROOK ALTERATION OF TERRAIN | WPS-7978A | 9/25/00 |
| JACOB AVENUE ALTERATION OF TERRAIN | AOT-0385 | 04/06/02 |
| BEAVER BROOK WETLAND PERMIT | 2006-D1209 | 10/18/07 |
| JACOB AVENUE WETLAND PERMIT | 2013-D1098 | 5/31/13 |
| N.H.D.E.S. SEPTIC SUBDIVISION PERMIT | 52007006384 | 12/12/07 |
| N.H.D.E.S. PERMIT | 225-08-02 | 03/25/08 |
- 16) THE CONSERVATION EASEMENT AREA DEPICTED ON THE CONSERVATION EASEMENT PLAN TO BE RECORDED INCLUDES A CERTAIN FIFTY (50) FOOT WIDE STRIP OF LAND EXTENDING FROM THE COLLEEN CIRCLE TO THE SOUTHERN BOUNDARY LINE OF THE SOUTHERN BOUNDARY LINE (SHEET 12 OF 82) TO THE NORTHERN BOUNDARY LINE APPROXIMATELY TWO HUNDRED NINETY (290) FEET IN LENGTH. THIS STRIP IS INCLUDED IN AND SUBJECT TO THE CONSERVATION EASEMENT, WHICH EASEMENT WILL CONTROL ANY PRESENT OR FUTURE USES OF THE CONSERVATION EASEMENT AREA.
- 17) WAIVERS HAVE BEEN GRANTED BY THE HOOKSETT PLANNING BOARD AT THE MARCH 17, 2008 MEETING AS FOLLOWS:
- WAVNER 1: SECTION 11.08 "DRIVEWAYS" DRIVEWAYS SHALL SLOPE AWAY FROM THE FINISH ROADWAY ELEVATIONS AT A GRADE OF 2% FOR 20-FEET FROM THE EDGE OF PAYEMENT.
- WAVNER 2: SECTION 11.12.08 "DRAINAGE DESIGN AND RUNOFF CONTROL" MINIMUM COVER OVER CULVERTS MEASURED BETWEEN THE PIPE CROWN AND FINISH GRADE SHALL BE 3-FEET UNDER ROADS. WAVNER 2 OCCURS BETWEEN 0817H AND 0817H ONLY.
- 18) LOTS 58-10 & 58-16 ARE SUBJECT TO ENV-W.S. 38.47(R)(5) IN WHICH LOTS WITHIN 300-FEET OF THE WATERS OF LAKE MASSABESIC OR ANY TRIBUTARY, POND, RESERVOIR, OR STREAM SHALL NOT EXCEED 10% IMPERVIOUS COVER OR 2,500 S.F., WHICHEVER IS GREATER.

GRA

FROM PAGE 6 of

Goodview Development

Plans

LAND SURVEYOR'S

THIS SUBDIVISION PLAT WAS I

OTHERS UNDER MY DIRECT S.

FIELD WORK PERFORMED IN T

PLAT HAS A LINEAR ERROR (

THAN ONE FOOT IN TEN THO.

**TOWN OF HOOKSETT
PUBLIC HEARING NOTICE**

The Hooksett Town Council will be holding a public hearing on Wednesday, April 22, 2020 @ 6:00pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from Lamontagne Builders (Stinson Hills, LLC) (not in lieu of Impact Fees) per RSA 31:95-b, III (a). For documentation or questions contact the Hooksett Public Works Department at 603-668-8019.

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 31 POWERS AND DUTIES OF TOWNS

Miscellaneous

Section 31:95-b

31:95-b Appropriation for Funds Made Available During Year. —

I. Notwithstanding any other provision of law, any town or village district at an annual meeting may adopt an article authorizing, indefinitely, until specific rescission of such authority, the board of selectmen or board of commissioners to apply for, accept and expend, without further action by the town or village district meeting, unanticipated money from the state, federal or other governmental unit or a private source which becomes available during the fiscal year. The following shall apply:

(a) Such warrant article to be voted on shall read: "Shall the town (or village district) accept the provisions of RSA 31:95-b providing that any town (or village district) at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen (or commissioners) to apply for, accept and expend, without further action by the town (or village district) meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year?"

(b) If a majority of voters voting on the question vote in the affirmative, the proposed warrant article shall be in effect in accordance with the terms of the article until such time as the town or village district meeting votes to rescind its vote.

II. Such money shall be used only for legal purposes for which a town or village district may appropriate money.

III. (a) For unanticipated moneys in the amount of \$10,000 or more, the selectmen or board of commissioners shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the hearing is held.

(b) The board of selectmen may establish the amount of unanticipated funds required for notice under this subparagraph, provided such amount is less than \$10,000. For unanticipated moneys in an amount less than such amount, the board of selectmen shall post notice of the funds in the agenda and shall include notice in the minutes of the board of selectmen meeting in which such moneys are discussed. The acceptance of unanticipated moneys under this subparagraph shall be made in public session of any regular board of selectmen meeting.

IV. Action to be taken under this section shall:

(a) Not require the expenditure of other town or village district funds except those funds lawfully appropriated for the same purpose; and

(b) Be exempt from all provisions of RSA 32 relative to limitation and expenditure of town or village district moneys.

Source: 1979, 42:1; 1991, 25:1; 1993, 176:3, eff. Aug. 8, 1993; 1997, 105:1, eff. Aug. 8, 1997; 2005, 188:2, eff. Aug. 29, 2005; 2014, 237:1, eff. Sept. 19, 2014.

Agenda Item #6.1.

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 41 CHOICE AND DUTIES OF TOWN OFFICERS

Town Treasurer

Section 41:29

41:29 Duties of Elected and Appointed Town Treasurers. --

I. The town treasurer shall have custody of all moneys belonging to the town, and shall pay out the same only as follows:

- (a) Upon orders of the selectmen in a public meeting or by a nonseparately signed manifest signed by a majority of the board; or,
 - (b) In the case of a conservation fund established pursuant to RSA 36-A:5, upon the order of the conservation commission; or
 - (c) In the case of a heritage fund established pursuant to RSA 674:44-d upon the order of the heritage commission; or
 - (d) In the case of fees held pursuant to RSA 673:16, II, upon the order of the local land use board or its designated agent; or
 - (e) In the case of a recreation revolving fund established pursuant to RSA 35-B:2, upon the order of the recreation or park commission; or
 - (f) In the case of fees deposited by the town clerk pursuant to RSA 41:25, upon the invoice of the town clerk, or other board or body designated by the town to expend such a fund.
- II. The treasurer shall deposit all such moneys in participation units in the public deposit investment pool established pursuant to RSA 383:22 or in federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, except that funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:
- (a) United States government obligations;
 - (b) United States government agency obligations; or
 - (c) Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.

III. The town treasurer shall keep in suitable books provided for the purpose a fair and correct account of all sums received into and paid from town treasury, and of all notes given by the town, with the particulars thereof. At the close of each fiscal year, the treasurer shall make a report to the town and to the department of revenue administration, giving a particular account of all his or her financial transactions during the year and account balances at year end. The treasurer shall furnish to the selectmen statements from the treasurer's books, and submit the books and vouchers to them and to the town auditors for examination, whenever so requested.

IV. Whenever the town treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the town treasurer shall invest the same in accordance with the investment policy adopted by the selectmen under RSA 41:9, VII. The treasurer may invest in the public deposit investment pool established pursuant to RSA 383:22, or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, or in obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type

Agenda Item #6.1.

investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations.

V. (a) The treasurer shall insure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall make available at the time of such deposit or investment an option to have such funds secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 383-B:3-301(c) shall be eligible to be pledged as collateral.

(b) As an alternative to the option of collateralization for excess funds provided in subparagraph (a), the town treasurer may also invest public funds in interest-bearing deposits which meet all of the following conditions:

(1) The funds are initially invested through a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the state, selected by the treasurer.

(2) The selected bank arranges for the redeposit of funds which exceed the federal deposit insurance limitation of the selected bank in deposits in one or more federally insured financial institutions located in the United States, for the account of the treasurer.

(3) The full amount of principal and any accrued interest of each such deposit is covered by federal deposit insurance.

(4) The selected bank acts as custodian with respect to each such deposit for the account of the treasurer.

(5) On the same date that the funds are redeposited by the selected bank, the selected bank receives an amount of deposits from customers of other federally insured financial institutions equal to or greater than the amount of the funds initially invested through the selected bank by the treasurer.

VI. The treasurer may delegate deposit, investment, recordkeeping, or reconciliation functions to other town officials or employees provided such delegation is in writing and includes written procedures acceptable to the selectmen, or in the case of a town operating under RSA 37, to the town manager, and is agreeable to all parties involved. However any such delegation shall only be made to a town official or employee bonded in accordance with RSA 41:6 and rules adopted by the commissioner of revenue administration under RSA 541-A. Such delegation shall not eliminate the responsibility of the treasurer to comply with all statutory duties required by law.

VII. The treasurer shall ensure that all moneys remitted shall be deposited at least on a weekly basis, or daily whenever funds remitted from all departments collectively totals \$1,500 or more. Such deposit function may be delegated pursuant to paragraph VI. However, failure to ensure that funds are being deposited on a timely basis as required by this paragraph shall be cause for immediate removal from office pursuant to RSA 41:26-d. In any municipality where there is either no bank or other depository institution within the municipality the treasurer shall make deposits consisting of funds remitted from all departments and collectively totaling \$1,500 or more on a weekly basis or more frequently as directed by the board of selectpersons in the investment policy adopted pursuant to RSA 41:9, VII.

Source: 1969, 26:2-4; GL 40:8, 1983, 111:1; PS 43:20; PL 47:24, 1931, 177:3; 1939, 170:2; RL 59:24; RSA 41:29, 1959, 197:3; 1971, 158:1; 1973, 490:1; 1977, 139:1; 1987, 318:3; 1991, 268:8; 377:6; 383:9; 1992, 64:3; 1993, 161:2; 1996, 209:10; 1997, 208:8; 1998, 40:2; 2003, 160:2; 2007, 35:6; 246:3, 4; 2008, 120:25; 174:5; 2009, 14:1; 2010, 7:3, eff. July 3, 2010; 2013, 27:3, eff. Aug. 19, 2013; 124:1, eff. Aug. 24, 2013; 2015, 272:43, eff. Oct. 1, 2015.

Town Council

STAFF REPORT



To: Town Council
Title: Osborne's Agway - 1224 Hooksett Road - Update on Site Bond Release of \$346,363
Meeting: Town Council - 22 Apr 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

This bond release request was brought before the Town Council on March 11, 2020. An issue was brought before the Board by a private citizen who believes that there may be issues regarding groundwater affecting the foundation and possibly the pavement at the south east corner of the building. Bruce Thomas will be investigating this and reporting to the Town Council at their March 25, 2020 meeting. Assuming there are no issues, the information/request below applies.

A site work surety bond is currently being held for Osborne's Agway in the amount of \$346,363.00. The work is complete and acceptable, therefore it is recommended that the bond be returned to Osbornes Agway.

Please note that there is some erosion along Cinemagic Drive and a very small amount of loam that needs to be added around a hydrant along the north parking lot. However, the areas are small, and the owner has promised that he will take care of these items early in the spring. This owner has done a good job on this property and has a landscape bond in place, so I am very comfortable allowing the

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Release site work letter of credit.

SUGGESTED MOTION:

Motion to release the site work letter of credit for the Osborne's Agway site -1224 Hooksett Road of \$346,363.00 to Farm Credit East,ACA.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Osbornes Agway Bond Release Memo](#)



Town of Hooksett

COMMUNITY DEVELOPMENT DEPARTMENT
Bruce A. Thomas, P.E., Town Engineer

Memo

To: File
From: Bruce A. Thomas, P.E., Town Engineer
Cc:
Date: February 27, 2020
Re: Osborne's Agway Site Bond
#1158 Hooksett Road

Please be advised I have inspected the referenced site and found that the site work is completed and acceptable and recommend that the site work bond in the amount of \$346,363 be released to Farm Credit East,ACA.

Town Council

STAFF REPORT

To: Town Council
Title: 2020 MS-232 Report of Appropriations Actually Voted totaling \$21,502,637.
Meeting: Town Council - 22 Apr 2020
Department: Finance
Staff Contact: Christine Soucie, Finance Director

BACKGROUND INFORMATION:

The Town is required to complete the State Form MS-232 Report of Appropriations Actually Voted. This report informs the State on the gross appropriations that were passed at town meeting. Revenues are reported to the State in the fall.

#	Warrant	Passed	Failed
3	Sewer Asset Management	30,000	
5	Operating Budget		
	Town	17,639,112	
	Wastewater	2,299,482	
6	CR Fund - Fire Apparatus	250,000	
7	CR Fund - Public Works' Vehicles	200,000	
8	R&T Truck Tractor (Solid Waste Disposal SR)	150,000	
9	DPW Salt Storage	115,000	
10	Fire Union Contract (\$96,266 Tax dollars & \$14,985 Ambulance SR)	111,251	
12	Non-Union Wages	106,068	
13	CR Fund - Town Building Maintenance	100,000	
14	Police Union Contract	94,186	
16	Town Pavilion (P&R Impact fees & P&R CR)	93,390	
17	CR Funds - Fire (\$25K Air Packs; \$35K Tools & Equipment; \$20K Cistern)	80,000	
18	CR Fund- Emergency Radio Communications	50,000	
19	CR Fund - Drainage Upgrades	50,000	
20	Full-time R&T Administrative Assistant	39,148	
21	CR Fund - Automated Collection Equipment	30,000	
22	CR Fund - Revaluation	30,000	
23	CR Fund - Parks & Recreation Facilities Development	25,000	
24	CR Fund - Improvements of Conservation Land	10,000	
25	Petition - Private Water Hydrants \$52,000		52,000
	Totals	\$ 21,502,637	\$ 52,000

FINANCIAL IMPACT:

Estimated tax town share of the tax rate for 2020 is \$6.12. This is 63 cents more than the 2019 town share of \$5.49. The estimated tax rate impact is simply an estimate based on the information we have today. Revenues and the Town's property assessments will be revised in the fall prior to setting the tax rate.

SUGGESTED MOTION:

Motion to sign the "2020 MS-232 Report of Appropriations Actually Voted" totaling \$21,502,637.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[2020 MS 232](#)



New Hampshire
Department of
Revenue Administration

2020
MS-232

Report of Appropriations Actually Voted
Hooksett

For the period beginning July 1, 2020 and ending June 30, 2021
Form Due Date: **20 Days after the Annual Meeting**

GOVERNING BODY CERTIFICATION

This is to certify that the information contained in this form, appropriations actually voted by the town/city meeting, was taken from official records and is complete to the best of our knowledge and belief. Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

Name	Position	Signature
James Sullivan	At Large Chair	
Robert Duhaime	District 2, Vice Chair	
James Levesque	District 3	
John Durand	District 4	
Alex Walczyk	At Large	
Timothy Tsantoulis	District 1	
Clark Karolian	District 5	
Cliff Jones	At Large	
Avery Comai	District 6, Secretary	

This form must be signed, scanned, and uploaded to the Municipal Tax Rate Setting Portal:
<https://www.proptax.org/>

For assistance please contact:
NH DRA Municipal and Property Division
(603) 230-5090
http://www.revenue.nh.gov/mun_prop/



New Hampshire
Department of
Revenue Administration

2020
MS-232

Appropriations

Account	Purpose	Article	Appropriations As Voted
General Government			
4130-4139	Executive	05,12	\$462,465
4140-4149	Election, Registration, and Vital Statistics	05,12	\$46,191
4150-4151	Financial Administration	05,12	\$708,597
4152	Revaluation of Property	05,12	\$189,622
4153	Legal Expense	05	\$98,000
4155-4159	Personnel Administration	05,10,14	\$206,880
4191-4193	Planning and Zoning	05,12	\$382,592
4194	General Government Buildings	05,12	\$517,136
4195	Cemeteries	05	\$11,011
4196	Insurance	05	\$231,188
4197	Advertising and Regional Association	05	\$15,000
4199	Other General Government	05	\$1
General Government Subtotal			\$2,866,983
Public Safety			
4210-4214	Police	05,12,14	\$4,834,781
4215-4219	Ambulance		\$0
4220-4229	Fire	05,10,12	\$4,393,620
4240-4249	Building Inspection	05,12	\$99,359
4290-4299	Emergency Management	05	\$7,551
4299	Other (Including Communications)		\$0
Public Safety Subtotal			\$9,335,311
Airport/Aviation Center			
4301-4309	Airport Operations		\$0
Airport/Aviation Center Subtotal			\$0
Highways and Streets			
4311	Administration	05,12	\$249,886
4312	Highways and Streets	05,12	\$1,931,547
4313	Bridges	05	\$1
4316	Street Lighting	05	\$65,000
4319	Other	05,12	\$230,170
Highways and Streets Subtotal			\$2,475,604
Sanitation			
4321	Administration	05,12,20	\$165,398
4323	Solid Waste Collection	05	\$288,134
4324	Solid Waste Disposal	05,12	\$786,617
4325	Solid Waste Cleanup		\$0
4325-4328	Sewage Collection and Disposal		\$0
4329	Other Sanitation		\$0
Sanitation Subtotal			\$1,240,149



New Hampshire
Department of
Revenue Administration

2020
MS-232

Appropriations

Water Distribution and Treatment

4331	Administration		\$0
4332	Water Services		\$0
4335-4339	Water Treatment, Conservation and Other		\$0
Water Distribution and Treatment Subtotal			\$0

Electric

4351-4352	Administration and Generation		\$0
4353	Purchase Costs		\$0
4354	Electric Equipment Maintenance		\$0
4359	Other Electric Costs		\$0
Electric Subtotal			\$0

Health

4411	Administration	05	\$2,000
4414	Pest Control		\$0
4415-4419	Health Agencies, Hospitals and Other		\$0
Health Subtotal			\$2,000

Welfare

4441-4442	Administration and Direct Assistance	05,12	\$131,935
4444	Intergovernmental Welfare Payments	05	\$31,303
4445-4449	Vendor Payments and Other		\$0
Welfare Subtotal			\$163,238

Culture and Recreation

4520-4529	Parks and Recreation	05,12	\$631,602
4550-4559	Library	05,12	\$885,636
4583	Patriotic Purposes	05	\$2,945
4589	Other Culture and Recreation	05	\$11,500
Culture and Recreation Subtotal			\$1,531,713

Conservation and Development

4611-4612	Administration and Purchasing of Natural Resources	05	\$1,817
4619	Other Conservation		\$0
4631-4632	Redevelopment and Housing		\$0
4651-4659	Economic Development	05	\$1,500
Conservation and Development Subtotal			\$3,317

Debt Service

4711	Long Term Bonds and Notes - Principal	05	\$230,000
4721	Long Term Bonds and Notes - Interest	05	\$139,448
4723	Tax Anticipation Notes - Interest	05	\$1
4790-4799	Other Debt Service		\$0
Debt Service Subtotal			\$369,449

Capital Outlay



New Hampshire
Department of
Revenue Administration

2020
MS-232

Appropriations

4901	Land	05	\$0
4902	Machinery, Vehicles, and Equipment	03	\$150,000
4903	Buildings	09 16	\$206,390
4909	Improvements Other than Buildings		\$0
Capital Outlay Subtotal			\$356,391
Operating Transfers Out			
4912	To Special Revenue Fund		\$0
4913	To Capital Projects Fund		\$0
4914A	To Proprietary Fund - Airport		\$0
4914E	To Proprietary Fund - Electric		\$0
4914O	To Proprietary Fund - Other		\$0
4914S	To Proprietary Fund - Sewer	03,05	\$2,329,482
4914W	To Proprietary Fund - Water		\$0
4915	To Capital Reserve Fund	06,07 13 17 18 19 21 22 23 2	\$825,000
4916	To Expendable Trusts/Fiduciary Funds		\$0
4917	To Health Maintenance Trust Funds		\$0
4918	To Non-Expendable Trust Funds		\$0
4919	To Fiduciary Funds		\$0
Operating Transfers Out Subtotal			\$3,154,482
Total Voted Appropriations			\$21,502,637

Town Council

STAFF REPORT



To: Town Council
Title: COVID-19 - Request to Town Council to Ease Town Personnel Plan Sick Leave Policy prior to April 1, 2020
Meeting: Town Council - 22 Apr 2020
Department: Administration
Staff Contact: Donna Fitzpatrick, Administrative Services Coordinator

BACKGROUND INFORMATION:

An employee unable to work because the employee is caring for his or her child whose school or place of care closed (or child care provider is unavailable) due to COVID-19 related reasons as of April 1st - December 31st 2020 is entitled to new Federal Law for the employer to provide their employees with paid sick leave due to reason #5 per Families First Coronavirus Response Act (FFCRA or Act) to include the additional section of the FMLA Expansion Act (FEA).

The new Federal Law went into effect April 1, 2020, however there are NH school and daycare closures due to COVID-19 related reasons that began prior to April 1, 2020 (i.e. most school closures began March 16th). For our employee out-of-work to care for his or her child, the employee prior to April 1, 2020 may use his or her accrued time except sick time. Town Administration would like to grant the use of sick time for this leave of absence, however our Town Personnel Policy (TPP) restricts that use:

Town Personnel Plan:Sick Leave Policy

Sick leave may be used only to cover absences resulting from bona-fide sickness or injury; to cover absences required by exposure to contagious disease; to cover absences resulting from a necessity to attend to an ill member of the employees household or a family member; for a medical provider office visit; physical therapy; or, any type of medically related use. All sick leave must be approved by the supervisor.

Request to Town Council from Town Administration to ease Town Personnel Plan sick leave policy to allow employee to use his or her accrued sick time prior to April 1, 2020 for full-time employees for FFCRA Reason #5 An employee unable to work because the employee is caring for his or her child whose school or place of care closed (or child care provider is unavailable) due to COVID-19 related reasons.

The Federal Government new law, as noted in first paragraph above, refers to employer paid sick leave just for this same reason after April 1, 2020. Therefore, Town Administration would like to offer sick time use for FFCRA reason #5 prior to April 1, 2020 to support our employees during this challenging time.

FINANCIAL IMPACT:

Financial impact is to employee. He or she is needing to use vacation time or may only have sick leave time (not able to use due to TPP and need to have an unpaid leave of absence). Easing the Town Personnel Plan will allow sick time use.

POLICY IMPLICATIONS:

Not looking to change Town Personnel Plan, but to ease current policy for FFCRA #5 reason related to COVID-19 prior to April 1, 2020.

RECOMMENDATION:

Town Council ease Town Personnel Plan sick leave policy to allow an employee to use his or her accrued sick time prior to April 1, 2020 for full-time employees FFCRA reason#5 An employee unable to work because the employee is caring for his or her child whose school or place of care closed (or child care provider is unavailable) due to COVID-19 related reasons.

SUGGESTED MOTION:

Motion to Approve COVID-19 HOOKSETT ADMINISTRATIVE ORDER 2020-A to ease Town Personnel Plan sick leave policy to allow an employee to use his or her accrued sick time prior to April 1, 2020 for full-time employees FFCRA reason#5 An employee unable to work because the employee is caring for his or her child whose school or place of care closed (or child care provider is unavailable) due to COVID-19 related reasons.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council

STAFF REPORT



To: Town Council
Title: Classification Pay Plan - Maximum Levels
Meeting: Town Council - 22 Apr 2020
Department: Administration
Staff Contact: Donna Fitzpatrick, Administrative Services Coordinator

BACKGROUND INFORMATION:

The Classification Pay Plan was last updated 06/12/2019. Updates to this plan are now needed to add 2.5% to the maximum levels of each grade. This plan is for non-union employees of the Town of Hooksett. On 02/13/2013 the Town Council approved that from now on the maximum level amounts would automatically increase by the amount of any COLA or COLA-type increase. Effective 07/01/2020 there is a 2.5% full-time & part-time COLA or COLA-type increase per warrant voted favorably on 03/10/2020.

FINANCIAL IMPACT:

Article 12 - To see if the town will vote to raise and appropriate the sum of **\$106,068.00** for an increase in salaries and benefits for non-union full-time and part-time Town personnel.

Fiscal Year Salaries Total 2020-21 \$88,047.00 Benefits Total \$18,021.00 = sum of \$106,068.00

Explanation: To provide a 2.5% increase in wages as for 47 full-time and 34 part-time nonunion employees including Police, Fire, Library and Town. Seasonal employees are not included.

POLICY IMPLICATIONS:

N/A

RECOMMENDATION:

Council motion to approve updated Classification Pay Plan as presented for effective date 07/01/2020.

SUGGESTED MOTION:

Council motion to approve updated Classification Pay Plan as presented for effective date 07/01/2020.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Copy of CLASSIFICATION PAY PLAN 07012020](#)

TOWN OF HOOKSETT
Classification Pay Plan 03/25/2020 (effective 07/01/2020)

GRADE	CLASSIFICATION	SALARY RANGE		STATUS	
		MINIMUM	MAXIMUM	EXEMPT	NON-EXEMPT
1	Call Firefighter	\$ 11.00	\$ 22.90		Non-Exempt
	Custodian	\$ 22,880	\$ 47,633		Non-Exempt
	Floor Custodian				Non-Exempt
	Scale Attendant				Non-Exempt
2	Secretary	\$ 12.00	\$ 25.50		Non-Exempt
	Administrative Fill-In	\$ 24,960	\$ 53,039		Non-Exempt
	Recording Clerk				Non-Exempt
3	Call Fire Lieutenant	\$ 12.17	\$ 23.94		Non-Exempt
		\$ 25,314	\$ 49,812		
4	Call Captain	\$ 12.81	\$ 25.22		Non-Exempt
		\$ 26,645	\$ 52,450		
5	Clerk	\$ 13.08	\$ 25.74		Non-Exempt
		\$ 27,206	\$ 53,540		
6	Bookkeeper	\$ 13.58	\$ 26.70		Non-Exempt
		\$ 28,246	\$ 55,545		
7	Clerk/Deputy Town Clerk	\$ 13.90	\$ 27.35		Non-Exempt
		\$ 28,912	\$ 56,875		
8	Call Fire District Chief	\$ 14.91	\$ 29.34		Non-Exempt
		\$ 31,013	\$ 61,017		
9	Administrative Assistant	\$ 14.95	\$ 29.42		Non-Exempt
	Assessing Clerk	\$ 31,096	\$ 61,193		Non-Exempt
	Clerk/Deputy Tax Collector				Non-Exempt
	Police Administrative Clerk				Non-Exempt
	Police Prosecution Assistant				Non-Exempt
10	Police Administrative Assistant/Receptionist				Non-Exempt
	Vacant	\$ 15.27	\$ 30.05		
11	Vacant	\$ 31,762	\$ 62,500		
		\$ 15.98	\$ 31.46		
12	Real Estate Appraiser	\$ 33,238	\$ 65,421		
		\$ 16.76	\$ 32.97		Non-Exempt
13	Crew Chief	\$ 34,861	\$ 68,582		
	Master Mechanic	\$ 17.80	\$ 35.02		Non-Exempt
14	Forest Fire Warden	\$ 37,024	\$ 72,855		Non-Exempt
	Project Coordinator	\$ 18.75	\$ 36.98		
	Administrative Services Coordinator	\$ 39,000	\$ 76,931	Exempt	
	Assistant Planner			Exempt	
15	Police Executive Assistant			Exempt	Non-Exempt
	Family Services Director	\$ 19.27	\$ 38.02		Non-Exempt
16	Code Enforcement Officer	\$ 40,082	\$ 79,067		
	Tax Collector	\$ 19.34	\$ 38.06	Exempt	
17	Police Dispatch Supervisor	\$ 40,227	\$ 79,155	Exempt	
		\$ 20.00	\$ 39.71		*Non-Exempt (Salary)
18	Police Sergeant	\$ 41,600	\$ 82,599		
		\$ 21.45	\$ 38.09		Non-Exempt
19	Police Lieutenant	\$ 44,616	\$ 79,220		
	Administrative Fire Captain	\$ 22.52	\$ 44.31		Non-Exempt
20	Police Lieutenant Patrol Officers	\$ 46,842	\$ 92,169		*Non-Exempt (Salary)
	Assessor	\$ 23.04	\$ 45.33	Exempt	
21	Town Planner	\$ 47,923	\$ 94,284	Exempt	
	Vacant	\$ 23.43	\$ 44.39		
22	Finance Director	\$ 48,734	\$ 92,343		
		\$ 23.27	\$ 45.79	Exempt	
23	Finance Director	\$ 48,402	\$ 95,243		
	Assistant Fire Chief	\$ 25.19	\$ 48.81	Exempt	
	Police Captain Operations Support	\$ 52,395	\$ 101,521	Exempt	
	Police Prosecutor			Exempt	
24	Town Engineer			Exempt	

TOWN OF HOOKSETT
Classification Pay Plan 03/25/2020 (effective 07/01/2020)

24	Vacant	\$ 27.02 \$ 56,202	\$ 53.74 \$ 111,789		
25	Fire Chief Police Chief Public Works Director	\$ 30.87 \$ 64,210	\$ 57.57 \$ 119,746	Exempt Exempt Exempt	
26	Town Administrator	\$ 31.44 \$ 65,395	\$ 75.11 \$ 156,239	Exempt	

Annual minimum and maximum ranges apply to full-time non-union positions only and are based on a 40-hour work week.
 Hourly minimum and maximum rates apply to all non-union positions regardless of full-time, part-time, or other status.

Original adoption date: March 24, 2010.

Amendment date: March 25, 2020 for effective date July 1, 2020

02/13/13 Town Council approved that from now on the maximum level amounts would automatically increase by the amount of any COLA or COLA-type increases, but not merit increases. 07/01/13 Town Council approved 2% COLA. 07/01/14 2% COLA per budget voted 5/13/14. 07/01/15 3% COLA per budget voted 5/12/15. 07/01/16 3% F/T & 2% P/T COLA per budget voted 05/10/16 & TC approval 05/25/16. 07/01/17 2% F/T & P/T COLA per budget voted 03/14/17 & TC approval 05/10/17. 07/01/18 2% F/T & P/T wage increase per warrant voted 03/13/18 & TC approval 05/23/18 to raise maximum levels by 2%. 07/01/19 2.25% F/T & P/T wage increase per TC approval 06/12/2019 to raise maximum levels by 2.25%. 07/01/2020 2.5% F/T & P/T wage increase per warrant article voted 03/10/2020 & TC approval 03/25/2020 to raise maximum levels by 2.5%.

*Refer to Hooksett Police Department Administrative/Operations Directive for Administering of Overtime for Lieutenant and Dispatch Supervisor.

The Classification Pay Plan does not include all seasonal positions.

Town Council STAFF REPORT



To: Town Council
Title: Volunteer Appreciation Night Dinner
Meeting: Town Council - 22 Apr 2020
Department: Administration
Staff Contact: Nick Germain, Project Coordinator

BACKGROUND INFORMATION:

An Appreciation Dinner is regularly provided by the Town to celebrate the efforts of volunteers or elected officials who serve on town boards, committees, or other similar organs. In recent years, the dinners have been put on at the local Merrill-Follansbee Legion Post on a Friday in June. In the Spring, Administration staff make arrangements related to planning the event, such as reserving space, scheduling catering, and sending out invitations. Usually, Council's selected the exact date and made a final determination on what to do for the dinner. Since 2016, generally 30-45 people attend the dinners or stop in during the course of the evenings; a significant portion of attendees are elderly. Changes have been suggested periodically, but a Council hasn't taken any action in recent years. June is traditionally targeted as convenient given most current town board terms are set to expire on June 30th each year.

Obviously, a significant difference in 2020 is the ongoing threat posed by the COVID-19 outbreak. The Governor's Executive Order #16, limiting public gatherings above 10 individuals, was recently extended to early May. Staff currently don't know if that order will be extended further. What's more, even if the order is allowed to expire, it's currently unknown how much longer a COVID-19 community health threat will persist after a tangible "peak" of infections is passed. Projections on how long the disease will remain a significant public threat vary significantly.

Council should consider the subject carefully and advise staff of their wishes regarding this matter.

It's estimated that it would take about a week to prepare invitations and send them out. Attendees and potential attendees have indicated receiving them as early as feasible would help them attend or make plans. Catering and reservation arrangements need to be made as far in advance as possible to guarantee presence.

FINANCIAL IMPACT:

None. Town has a fixed budget line for the event.

POLICY IMPLICATIONS:

- Public health may be a concern and it's unknown if by June gathering or business establishment restrictions will be lifted.
- Delays could have minor budget implications (Current Fiscal year ends June 30th)

RECOMMENDATION:

Discuss the event and consider definitive action.

SUGGESTED MOTION:

None.

TOWN ADMINISTRATOR'S RECOMMENDATION:

For discussion on how best to proceed with the Volunteer Appreciate Night with the Emergency Order still in effect.

Town Council

STAFF REPORT



To: Town Council
Title: Town of Hooksett, NH - Municipal Volunteers
Meeting: Town Council - 22 Apr 2020
Department: Administration
Staff Contact: Donna Fitzpatrick, Administrative Services Coordinator

BACKGROUND INFORMATION:

The Town of Hooksett, NH is looking closer at our use of volunteers on our Town properties. There are many benefits to having volunteers (both as a community group or individually), however we also want to minimize our liability.

Town Administration has gathered the following information:

Primex - Volunteer Overview Sheet

FLSA – volunteer is defined as an individual who performs hours of service for a public agency for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered.

Primex – workers' compensation policy - volunteers are not covered under workers' compensation

Primex – property-liability policy – volunteers covered *“out of pocket medical expenses up to \$10,000 for reasonable and necessary medical expenses incurred within two (2) years of the accident date, and excess of any other insurance or coverage, for injuries sustained by a Volunteer within the scope and arising out of their assigned volunteer activities for the municipality”*

NHDOL - volunteers must be rostered and supervised by a staff member of the municipality and have a scope of duties

NHMA Conference 2019 – Session on Volunteer Risk Management – Participant Agreements, Waivers and Releases of Liability *“A written waiver of liability will probably not provide full protection against liability to the municipality for every possible harm or injury arising out an agreement.”*

Community Group Volunteers - *obtain insurance for activity on Town property*

Collective Bargaining Agreements – volunteers should be discussed with the respective union to minimize a potential grievance of volunteers doing union job duties and taking away potential wages/overtime.

FINANCIAL IMPACT:

To be determined

POLICY IMPLICATIONS:

Town policy should be developed for recruiting, retaining, evaluating, ending volunteer relationships for both community groups and individuals.

RECOMMENDATION:

Initiate discussion on Town of Hooksett, NH - Municipal Volunteers at the Town Council meeting of April 22, 2020 and continue discussion/make motion at the Council meeting of May 13, 2020.

SUGGESTED MOTION:

No motion needed at the Town Council March 25, 2020 meeting; initiating discussion on subject matter.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Discussion purposes only

ATTACHMENTS:

[Volunteers and Interns Jan 2018](#)

Volunteers and Interns

PRIMEX³ RISK MANAGEMENT BULLETIN

Status

Volunteers are persons who perform work for a defined period of time without compensation in order to contribute. Interns are persons placed in a work setting for a defined period of time without compensation to gain educational enrichment. Neither role constitutes an employment relationship.

Primex³ Coverage

Neither role would enable the person in it to be covered by the public entity's workers compensation insurance (with the exception of the few special categories of public safety volunteers recognized as "employees" under RSA 281-A). Interns hosted by a public entity are not covered by the public entity's liability insurance. Volunteers, however, have coverage through the public entity for covered claims occurring within the scope and course of their official volunteer duties. Public entities hosting internships and utilizing volunteer services have liability coverage for covered claims that occur in the scope and course of administering and supervising these arrangements.



Department of Labor Compliance

Volunteers do not present a compliance concern if they are properly documented and treated as volunteers. Effective documentation and practices will protect against claims that a volunteer is actually an employee that should be made whole. Volunteers should generally be age 18 or older. Youth volunteers present special concerns because of youth labor laws, and should only be allowed to volunteer with written parental consent for a limited assignment that is safe, brief and not recurring. Youth volunteers should furnish "working papers" and the assignments should comply with youth labor laws. Youth volunteer scenarios, because they vary greatly and have significant legal implications, should be reviewed with your legal counsel.

Click the links below for more detailed information.

https://www.nh.gov/nhsl/documents/best_practice_volunteers.pdf

<https://www.nh.gov/labor/inspection/wage-hour/youth-employment.htm>

<https://www.nh.gov/labor/documents/child-labor-guide.pdf>

Interns, barring any regulatory exception, should only be accepted in conjunction with a Department of Labor (DOL) approved "school to work" program and if your agency has been approved as a host site: <https://www.nh.gov/labor/inspection/school-to-work.htm> Interns, from the DOL perspective, can't be utilized as a source of labor; they are allowed in the workplace for educational enrichment as it relates to the workplace. Internship placements typically should involve an agreement between the school and the host relative to responsibilities and expectations, and should provide for written proof of parental consent in the case of minors. The host site should request documentation of parental consent and that the educational program is presently DOL approved.

- continued -

PRIMEX³ RISK MANAGEMENT BULLETIN

Volunteers and Interns - continued

DOL compliance will turn on documentation and practices. DOL review would likely focus on whether a person was properly classified and managed in their role. Lack of documentation is of course construed against the entity.

SUMMER INTERNS!

Background Checks

County Commissioners may require any volunteer to submit to background check. RSA 28:10-c. In a Town Manager form of local government, a public entity may require volunteers who work with children, the elderly, public funds, or who enter citizens' homes, to undergo a background check. RSA 41:9-b. In schools, volunteers whose roles place them in proximity to children generally must receive a background check. RSA 189:13-a.

Some Best Practices

- Use an "Intern File" or "Volunteer" file in the person's name to hold documentation.
- Implement an efficient on-boarding process that includes application, agreement, background check when applicable, completion and review of necessary paperwork, review and distribution of applicable policies (behavioral and safety) and procedures, review of assignments, program or functions, introduction to supervisor(s) or mentor(s), training as needed, tour of relevant facility, etc.
- Use an agreement that establishes status, mutual expectations, authority, and responsibilities.
- Don't allow service or internship to begin until all paperwork is completed and on file.
- Keep track of hours and monitor activities to ensure that persons remain within roles.
- Review with relevant staff how to professionally interact with interns and/or volunteers, and keep an eye out to make sure the interaction proceeds smoothly.
- Review the person's file to ensure it contains information sufficient to establish the person's lawful role in the context of a DOL review.
- Prevent interns and volunteers (with the exception of specialized public safety volunteers recognized by RSA 281-A) from encountering any dangerous tasks, equipment or environments.
- Meet with intern or volunteer as practicable to ensure the experience is on track and consider having a brief exit discussion at the end of the arrangement to wrap-up.
- Document termination of the arrangement.

If you have any questions, please contact your Risk Management Consultant at 800-698-2364.

NEW HAMPSHIRE RETIREMENT SYSTEM
54 REGIONAL DR
CONCORD NH 03301

GROUP II POSITION CERTIFICATION FORM

INFORMATION:

- (1) *Position Identification Number* - is a unique number relating to a position occupied by *one* person. A town, for example, employing 20 employees under class "police officer" would assign a different position number to each of its 20 police officer positions. A position identification number will remain the same even as members occupying the position change. An employee reference number, such as a social security number, should not be used as the position identification number.
- (2) *Governing Body* - such as the board of Selectmen or Aldermen.

SECTION A: IDENTIFICATION *(Please type or print)*

Position Title <u>Police Patrol Officer</u>	Position Identification Number <u>34</u>
Employer Name <u>Town of Hooksett</u>	Employer Account Number <u>02-6000415</u>
Employer Address <u>35 Main St. Hooksett, NH</u>	Employer Telephone Number <u>603-268-0060</u>
Name of Present Incumbent (If any) <u>03106</u>	

SECTION B: CERTIFICATION *(Please type or print)*

I/We Hooksett Town Council hereby certify that the above position satisfies all job requirements for Group II classification in accordance with the definition of:

Check one:

☐ Fireman, pursuant to RSA 100-A:1, VIII, VIII-a and VIII-b as amended.

☒ Policeman, pursuant to RSA 100-A:1, VII, VII-a and VII-b as amended.

_____ Signature	_____ Title	_____ Date
_____ Signature	_____ Title	_____ Date
_____ Signature	_____ Title	_____ Date
_____ Signature	_____ Title	_____ Date

Governing Body or Authorized Designee(s)

WHITE COPY - NHRS

CANARY COPY - EMPLOYER

D NHRS 3
1/94

NEW HAMPSHIRE RETIREMENT SYSTEM
54 REGIONAL DR
CONCORD NH 03301

GROUP II POSITION CERTIFICATION FORM

INFORMATION:

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SECTION A: IDENTIFICATION (Please type or print)

Position Title <u>Police Patrol Officer</u>	Position Identification Number <u>33</u>
Employer Name <u>Town of Hooksett</u>	Employer Account Number <u>03-6000415</u>
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Name of Present Incumbent (if any) <u>03106</u>	

SECTION B: CERTIFICATION (Please type or print)

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☒ Policeman, pursuant to RSA 100-A:1, VII, VII-a and VII-b as amended.

<u>[Signature]</u> Signature	<u>DISTRICT 6 Councilman</u> Title	<u>08/28/2019</u> Date
<u>[Signature]</u> Signature	<u>District 4</u> Title	<u>8/28/2019</u> Date
<u>[Signature]</u> Signature	<u>DISTRICT 1</u> Title	<u>8/28/2019</u> Date
<u>James A Sullivan</u> Signature	<u>At Large</u> Title	<u>8/28/2019</u> Date
<u>[Signature]</u> Signature	<u>At Large</u> Title	<u>8/28/2019</u> Date
<u>James A. Levesque</u> Signature	<u>James A. Levesque</u> Governing Body or Authorized Designee(s)	<u>8/28/2019</u> Date
<u>Clark Parish</u> Signature	<u>District 5</u> Title	<u>8/28/2019</u> Date

WHITE COPY - NHRS

CANARY COPY - EMPLOYER

D NHRS 3
1/94

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, March 11, 2020**

The Hooksett Town Council met on Wednesday, March 11, 2020 at 5:30 in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the meeting of 11 Mar 2020 to order at 5:30 pm.

PROOF OF POSTING

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL- ATTENDANCE

In Attendance: Councilor James Sullivan, Councilor John Durand, Councilor James Levesque, Councilor Clifford Jones, Councilor Timothy Tsantoulis, Councilor Clark Karolian

Arrived late: Councilor Robert Duhaime (5:35 pm); Councilor Avery Comai (5:41 pm)

Missing: Councilor Alex Walczyk

NON-PUBLIC SESSION #1 NH RSA 91-A:3 II (a)

Chair Sullivan motioned to enter non-public session at 5:32 pm. C. Karolian seconded the motion.

Roll Call Vote #2

R. Duhaime Not present (arrived at 5:35 pm)

J Durand Aye

C. Jones Aye

J. Levesque Aye

A. Walczyk Not present

A. Comai Not present (arrived at 5:41 pm)

C. Karolian Aye

T. Tsantoulis Aye

J. Sullivan Aye

Voted unanimously in favor (6-0).

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 the meeting be open, in which case the request shall be granted.

Chair Sullivan motioned to leave public session at 6:48 pm. T. Tsantoulis seconded the motion.

Voted unanimously in favor (8-0).

T. Tsantoulis motioned to seal the minutes of the non-public session. J. Levesque seconded the motion.

Roll Call Vote #3

TC MINUTES 03-11-2020

48 **A. Walczyk** *Not present*

49 **J. Levesque** *Aye*

50 **C. Jones** *Aye*

51 **R. Duhaime** *Aye*

52 **J. Durand** *Aye*

53 **C. Karolian** *Aye*

54 **T. Tsantoulis** *Aye*

55 **A. Comai** *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: We will first have a Public Hearing regarding the acceptance of a donation. We also
64 have a Scheduled Appointment with Town Clerk Todd Rainier and Town Moderator Marc Miville who
65 will report on the March 10, 2020 election.

66

67 **PUBLIC HEARINGS**

68 **Public Hearing to accept the donation of \$58,178.00 from Lamontagne Builders (Stinson Hills,**
69 **LLC) to the Town of Hooksett (not in lieu of Impact Fees).**

70

71 Chair Sullivan: I will read the Public Hearing Notice.

72

73 The Hooksett Town Council will be holding a public hearing on Wednesday, March 11, 2020 @
74 6:00 pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of
75 the public hearing is to accept a donation for a total amount of \$58,178 (\$30,178 + \$28,000)
76 from Lamontagne Builders (Stinson Hills, LLC) to the Town of Hooksett (not in lieu of Impact
77 Fees) per RSA 31:95-b, III (a). For documentation or questions, contact the Hooksett Public
78 Works Department at 603-668-8019.

79

80 David Ross, 56 Sherwood Drive: There are a couple of concerns I have. I was made privy to one of the
81 checks; on the memo line was written 'signed in protest.' How can a donation be made in protest?
82 Another document I saw says that, effectively, this is a fee for road maintenance. A donation made
83 under protest is an oxymoron. I am very concerned that this may put the Town in legal jeopardy. Being
84 forced to donate in order to do business is extortion. Call it a fee or call it a charge. I think the Council
85 needs to rethink this before accepting it.

86

87 R. Duhaime: I was on the Planning Board when the developer, Stinson Hills, LLC, bought this
88 subdivision from another developer. The purchasing developer assumes all of the rights and
89 requirements of the plan. He can't pick and choose which responsibilities he wants to assume.

90

91 Chair Sullivan: I want to answer a question just posed to me by Councilor Karolian. This is a Public
92 Hearing, not Public Input, so Councilors may respond to questions and comment on the issue.

93

94 A. Garron: This project was approved in 2008 as a conservation subdivision. As such, the developer
95 was required to have open space and an active recreational space. A provision allows for the developer
96 to provide something in lieu of the recreational space if the abutters are concerned about noise from the
97 recreational area. In this case, they did, and the developer agreed to instead pay for the lease of a
98 street sweeper. At that time, the Town was leasing a street sweeper. Going forward 12 years, the

99 situation is different because the Town now has purchased a street sweeper. Town Planner Nick
100 Williams brought me in on the conversation with Mr. Lamontagne when he voiced his displeasure.
101 Unfortunately, these were the conditions of approval.

102
103 J. Durand: Is it possible to see these checks? It is hard to read them in our packets.
104

105 C. Karolian: I have it up here on my screen.
106

107 D. Ross: It's not a donation; it's a fee, a contract obligation. That's a different RSA.
108

109 A. Garron: Councilor Karolian asked to meet with me on this. I brought in Finance Director Christine
110 Soucie, who said these funds are unanticipated revenue. When I was speaking with Mr. Lamontagne
111 and Nick Williams, Mr. Lamontagne said he was paying under protest. We could have called it a
112 number of things. 'Donation' is probably the best term.
113

114 C. Karolian: When it comes to the street sweeper...this is supposed to be a payment on...according
115 to...I am going to read for the public and for the public's benefit what it actually says for language on
116 the approved plan. I have on my screen a check dated November 27, 2019 in the amount of \$30,178.
117 On the bottom left it says, 'paid under protest, funds for roadway maintenance, fee intended for a street
118 sweeper lease.' Another check with the same date in the amount of \$28,000 says 'Recreation
119 Department contribution.' I have a few questions: Why is this person protesting? This was approved in
120 2008. When did the first contractor start working on the project, and when was the project purchased by
121 Mr. Lamontagne? Do you have ballpark dates?
122

123 R. Duhaime: The development started no more than three years ago. They did no blasting. They only
124 put in the main road up to the first major wetlands crossing. Mr. Lamontagne has had the project for
125 about one and a half years.
126

127 A. Garron: Actually, the first plan was approved in 2004 but was modified and approved again in
128 2008. The plan we have before us is the one approved in 2008.
129

130 R. Duhaime: In 2012 an Alternation of Terrain (AOT) permit was granted, and in 2013 a Wetlands
131 permit was obtained.
132

133 C. Karolian: When a plan is approved, isn't there a five-year window that they have to...
134

135 R. Duhaime: ... show some substantial completion to occur. Right, but the original plan didn't have it
136 connecting to Jacob Avenue. It was not a phasing plan. There were stages and amendments to the
137 plan. More land was purchased and a phasing plan was implemented.
138

139 C. Karolian: For the benefit of the public, I will read from the approved plan. Number 12 says, "The
140 developer/contractor is responsible to the Town of Hooksett for a roadway maintenance fee of \$30,178,
141 to be paid prior to the issuance of the first Certificate of Occupancy (CO), to be a lease payment for a
142 street sweeper and not in lieu of Impact Fees." I would like to know if this street sweeping work was
143 subcontracted to a private company or the lease of equipment.
144

145 Earl Labonte, Public Works Director: It was for the lease of a street sweeper.
146

147 C. Karolian: Number 13 says, "The developer is responsible for making a Recreation Department
148 contribution of \$28,000 at the start of phase two. It is not in lieu of Impact Fees." This is for the
149 construction of Colleen Circle, which I think has just started. Was the first CO granted prior to the

150 payment for roadway maintenance? I asked the Town Administrator and the Finance Director about the
 151 deposit of these checks, because at a meeting a few months ago, I was told that checks are held until
 152 the Town Council accepts them. On November 27, 2019 check #1412 from Lamontagne Builders – a
 153 donation for a street sweeper - was deposited, and a second check – a donation to the Recreation
 154 Department – was also deposited, and in the same account for unanticipated revenue. These were not
 155 accepted by the Town Council. For the record, I do not know Mr. Lamontagne. I have no business with
 156 him and no connection whatsoever. Why were these checks not accepted in November? Apparently,
 157 these deposits were discovered during auditing or reconciliation of accounts.

158
 159 Chair Sullivan: Regarding all donations to the Town, this is a question which needs to be addressed.
 160 You did bring up the question of where checks are kept. There is a four-month delay here, and we need
 161 to clarify that. I would like to get back first to the original question.

162
 163 C. Karolian: I beg to differ. This is important. Under RSA 31-95 b, the law is very specific about what is
 164 to be done with unanticipated revenue and donations.

165
 166 A. Garron: Councilor Karolian asked me the same question. According to the Finance Director, the
 167 checks were deposited but not spent, awaiting a Town Council decision.

168
 169 Chair Sullivan: Why did it take so long?

170
 171 C. Karolian: It does matter what it is being called. It was required to be paid by the developer. There is
 172 a huge time lag since 2004 and even 2008. On page six of the Brookview Development Plan, it says
 173 that if these amounts were not paid, they could not continue with the development. What will happen to
 174 these plans, going forward, if the Town Council doesn't accept the funds?

175
 176 A. Garron: This was discussed in my office. My perspective may be different from that of Councilor
 177 Karolian. My assumption, given that these payments were in place of creating a recreation area, is that
 178 the opportunity to appeal that decision was in 2004.

179
 180 T. Tsantoulis: Originally, this item had a particular smell that was not pleasant. It helps to now know that
 181 the subdivision changed hands. The second developer was perhaps caught off guard and blindsided
 182 about the \$58,178 and not prepared for it. I want to thank the Town Administrator and Councilor
 183 Duhaime for their explanations. To go any further would be to call into question the integrity of these
 184 two individuals, which I am not prepared to do. I do wonder why the checks were cashed. We may have
 185 to later address the checks deposited prematurely.

186
 187 J. Durand: Page eight of our packet says this is a fee, and it is called a fee in other places. Now it is a
 188 donation. I want Mr. Lamontagne to be here for a discussion about the checks.

189
 190 ***J. Durand motioned to table this item and take it up when Mr. Lamontagne can be here. C.***
 191 ***Karolian seconded the motion.***

192
 193 Chair Sullivan: This may require additional posting.

194
 195 C. Karolian: Can I amend a motion to table?

196
 197 Chair Sullivan: No, a motion to table cannot be amended.

198
 199 A roll call vote was taken on the motion.

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Roll Call Vote #4

A. Walczyk *Not present*
J. Levesque *Aye*
C. Jones *Aye*
R. Duhaime *Nay*
J. Durand *Aye*
C. Karolian *Aye*
T. Tsantoulis *Aye*
A. Comai *Aye*
J. Sullivan *Aye*
Voted in favor (7-1).

C. Karolian: I was not attacking the integrity or credibility of anyone.

T. Tsantoulis: I was just saying that I wasn't prepared to do that.

PUBLIC INPUT

D. Ross, 56 Sherwood Drive: The landscape bond release for Osborne Agway is coming up on the agenda. I just want to say that this is premature when it is not even Spring. They were going to create a wetland on the side of the road, a ditch. What is there does not resemble a wetland. Drainage is coming out under the pavement. I asked about a berm. They have paid no attention to that insight. Water will continue to rise. I am concerned because it is the Town's responsibility to protect landowners. I recommend holding off on the release of the bond.

SPECIAL RECOGNITION

Hooksett Municipal Employee - New Hires

A. Garron: We have two new hires. Kari Barton is a new Laborer in the Public Works Department, and Jennifer Neely is a new Police Patrol Officer.

SCHEDULED APPOINTMENTS

**Todd Rainier, Town Clerk and Marc Miville, Town Moderator - March 10, 2020
Town/School/Special General Election Results**

T. Rainer: We began the election yesterday with 10,702 registered voters. The checklist supervisors reported 27 new registrations at the election. Ballots cast totaled 2,021, with 83 of these being absentees. It was a fantastic turnout. I posted the results on the website at 10:30 pm. Notification letters were mailed today to candidates voted into office.

T. Rainier: In District 6, two candidates received two votes each. Letters have been sent informing them of a coin toss to determine the outcome per RSA 669:36. The coin toss will be held in the Town Clerk's office on Tuesday, March 17, 2020 at 2:00 pm.

T. Rainier: The vacancy for the Cemetery Commission did not appear on the ballot due to an error on my part. In transposing the list of candidates in the order they were to appear on the ballot to the order form for the printer, I inadvertently left that section off. There was no candidate; it would have been a write-in. I have consulted Attorney Serge, and he recommends appointing someone to fill this position, per your usual process, until the 2021 town election, and then electing someone for a two-year term.

252 T. Rainier: Our thanks to everyone who helped at the polls. The DPW sets up and breaks down the
 253 voting booths for us at every election, and we are grateful. I want to thank the Police Department,
 254 especially Officer Logan and Lieutenant Robie, for their engagement in the process on Election Day.
 255 They pitched in, handing out stickers and performing other tasks. We had a resident with a medical
 256 emergency late in the day, and Lieutenant Robie immediately responded. Additional thanks go to the
 257 School District Clerk/Moderator Leeann Moynihan. She was a tremendous help throughout the entire
 258 day. Thanks, Leeann. Next, thanks to David Ross, who cannot seem to sit still when we are reconciling
 259 the results before announcing them. He was a tremendous help with breaking down and packing the
 260 election materials. Councilors were key assistants throughout the day. You experienced firsthand the
 261 difference you made, and we appreciate your inclusion in this process. No matter what size the election
 262 is, it takes a group of people to assist the Board of Elections in an execution of a successful event. We
 263 had six to ten voters who volunteered their time to count unmarked ballots in the weeks before the
 264 Election. For the Town, School, and State Elections, we counted and collated over 11,000 pages.
 265 Another 12 to 30 unpaid residents assisted with reconciling the checklist and write-in results at the
 266 close of the polls. These individuals are committed to the process and all they receive is a "thank you"
 267 and maybe a bottle of water in return for their many hours of effort. They are an integral part of the
 268 team that makes elections successful.

269
 270 T. Rainier: Yesterday was not without its hiccups. Wet ballots do not agree with the 1980's technology
 271 of the Accuvote tabulators, and we had numerous issues throughout the day as a direct result of the
 272 use of hand sanitizer and disinfectant wipes by the voters. The three elections we have facilitated in the
 273 last two months have each offered challenges, some we have never seen before. The Board of
 274 Elections, volunteers, elected officials and staff have met each of these challenges as a team, and we
 275 all should be happy with the outcome. Be aware that we have two large elections in the Fall: the State
 276 Primary on September 8th (the day after Labor Day) and the General Election on November 3rd. Please
 277 mark your calendars now, because we need you there.

278
 279 M. Miville: I reminded candidates throughout the day yesterday that, per State law, they have ten (10)
 280 days to remove their signs.

281

282 **CONSENT AGENDA**

283 **Osborne's Aways Site Letter of Credit Release of \$346,363.00 to Farm Credit East, ACA**

284

285 B. Thomas: I am in charge of inspecting the site work, not so much the foundation. Mr. Ross said when
 286 the foundation was put in there was water around the foundation, which could come up and out of
 287 pavement, possibly destabilizing the pavement or the foundation. Matt Lavoie, Code Enforcement
 288 Officer, and I will go to see Mr. Osborne before we close out the project. We may call Mr. Ross to
 289 share his pictures again. I am happy to do that.

290

291 R. Duhaime: We still have the landscaping bond.

292

293 B. Thomas: That is only \$7,000. I would still like to reduce the bond.

294

295 ***C. Karolian motioned to table this item until the Council gets information back from the Town***
 296 ***Engineer that every step from the pouring of the foundation is complete and until he gets back***
 297 ***to us about the water, drainage, and wetlands. T. Tsantoulis seconded the motion.***

298 ***Voted in favor (7-1). R. Duhaime voted nay.***

299

300 **TOWN ADMINISTRATOR'S REPORT**

301

302 A. Garron: We have put information about the coronavirus on the Administration and Code
 303 Enforcement pages of the Town website, with links to Health & Human Services and ultimately to the

304 CDC. The message is still the same regarding precautions everyone should be taking. There are three
305 reported cases in Grafton County and two in Rockingham at this time.

306

307 A. Garron: As you will remember, the DES was here on January 22nd. They have set a meeting for May
308 instead of April so that they can get additional well water samples. Bonnie Smith has arranged for the
309 workshop to take place at Cawley Middle School on May 11th beginning at 6:00 pm.

310

311 T. Tsantoulis: Would you please email us the information regarding the date and time?

312

313 A. Garron: Yes, I will do that.

314

315 A. Garron: I was interviewed today by a Union Leader reporter about our labor contracts which passed
316 at the Town Election yesterday. We had two successful negotiations, with cost savings for one and
317 maintenance plus some cost savings for the other.

318

319 A. Garron: I want to announce that a meeting for the organization of the bicentennial celebration will be
320 held on March 18th beginning at 6:00 pm in the Council Chambers. I want to thank Nick Germain and
321 Chair Sullivan for their work on this.

322

323 **OLD BUSINESS**

324 **TIF District Sewer Final Design Amendment**

325

326 A. Garron: This is a follow-up to the January 22nd presentation of the EDAC on the TIF Sewer District
327 Design.

328

329 B. Thomas: To summarize, the Town wants to provide sewer to the west side of Hooksett. The
330 engineering study of the basic layout is complete, including the cost to design the water system, given
331 that it has been determined that water is included in infrastructure items approved via the warrant
332 article which was passed two years ago. Funding includes \$1.2 million from the Sewer Department and
333 \$2.25 million of TIF funds already collected and to be collected. There could also be Clean Water
334 Revolving Funds from the State. The Town Council has approved moving forward with this plan.
335 Underwood Engineering has now submitted a proposal for the final design of the TIF Distract sewer
336 and water in the form of an amendment to their existing contract. The existing contract in the amount of
337 \$431,800 was for the engineering study and preliminary design. The proposed amendment includes
338 \$807,200 for the final design, for a total of \$1,239,000. It does not include construction monitoring
339 costs.

340

341 B. Thomas: Phases 1 and 2 will take place in the Exit 10 area and will include a new pump station in
342 the Kimball Drive area, a second river crossing to connect the proposed sewer to the Martins Ferry
343 Road pump station, and upgrades to the Martins Ferry Road pump station. Phase 1 will require gravity
344 sewer from the new pump station on Kimball Drive to Route 3A at the intersection of Goonan Road.
345 Phase 2 will require gravity sewer from the new pump station on Kimball Drive to Route 3A just north of
346 the self-storage facility. The Town will pay for sewer to Route 3A, north of Walmart. Working with the
347 business owners, hopefully they will build the sewers for their own properties. Phases 1 and 2 will be
348 designed this year and construction will start in 2021 and finish in 2022. The others will be designed
349 next year, going up Cross Street over two State-owned parcels to the Larrabee property. Phases 3
350 through 5 will be done by 2024, according to the plan.

351

352 R. Duhaime: Why does the design go up Cross Street? Why would we design Phase 3? Why don't we
353 stop at Route 3A?

354

355 A. Garron: The reason we are paying for the design is because we want to make sure it is built
356 according to our design. This will help with negotiations.

357

358 Chair Sullivan: I understand your concern, Councilor Duhaime, is going up Cross Street to the Larrabee
359 property.

360

361 R. Duhaime: It goes out of the TIF District.

362

363 B. Thomas: One reason for us to do the design is so that it will be complete. We have a history of
364 developers disappearing. Second, we have more control over the design if we do it ourselves. Third, we
365 are trying to make a deal with developers; this will make it easier for them to come to the table. They
366 will do all of the construction after a certain point. The design goes out of the TIF District because it is
367 the simplest and easiest way. Supreme Industries has been involved in many of the discussions and
368 they are very much interested in this. What we have designed is the most efficient way to get to their
369 property. We can service the whole neighborhood. There is a benefit to getting the one property not in
370 the TIF District developed too.

371

372 R. Duhaime: By 2023, Supreme may not own that property. I don't see the benefit in going there until
373 Phases 1 and 2 are done. Three years from now, none of this may be developed.

374

375 B. Thomas: There is no guarantees that anybody stays. This is a decent property and a good location.
376 We are designing outside of the district to get to another part of the district. Supreme would do the
377 construction; this is just the design.

378

379 C. Karolian: I want to go to the map to clarify the area to which Councilor Duhaime is referring.

380

381 B. Thomas: Supreme Industries, the Larrabee property, is the yellow-shaded area.

382

383 C. Karolian: What will be developed there?

384

385 B. Thomas: I am not sure what will be developed there.

386

387 R. Duhaime: There is no concrete agreement to develop that property.

388

389 Chair Sullivan: Phase 2 raises the same question.

390

391 T. Tsantoulis: One side is in the TIF District and one is not.

392

393 R. Duhaime: This is an \$800,000 design.

394

395 B. Thomas: This is a very small part of the design.

396

397 R. Duhaime: Where the blue line is, a dry line is already there.

398

399 A. Garron: The TIF Committee worked from July through December on this plan. These items were
400 debated. For Phases 1 and 2, businesses are already there. It is a good start. Water and sewer
401 projects are expensive. We want to design them ourselves so they fit into our system. We will build
402 some and the private entities will build the rest. There was a lot of discussion about Phase 3. Supreme
403 Industries attended a lot of meetings. We will back off on construction but provide the design. It is
404 topographically the best, and the Town could more easily get the needed wetland easements from the
405 State than private property owners. January 22nd was the time to flesh this out.

406

407 Chair Sullivan: The big purple area on the map is the commercial zone.

408

409 R. Duhaime: That is already an accepted town road. We are crossing into something...the State could
410 sell its surplus land. We are getting out of the TIF District. We are not looking for commercial
411 development on Cross Road. We are stepping out of bounds from what we agreed to. There is nothing
412 on paper. There is no agreement.

413

414 C. Karolian: For clarity, is the dotted red line the border of the TIF area?

415

416 R. Duhaime: Correct.

417

418 A. Garron: This has been voted on and done.

419

420 C. Karolian: The Town has decided that the TIF District will go from the east side of Route 93 and shoot
421 northwest to those two properties and then back down to the river. Why didn't the design go farther up
422 Route 3A, east of Route 93, and stay along the Route 3A corridor?

423

424 A. Garron: Bruce, do you know why the sewer goes along the riverbank and not along Route 3A?

425

426 B. Thomas: They are thinking about it. That is the one place they are thinking of moving it.

427

428 R. Duhaime: Why are the engineers designing the water system for Phase 1?

429

430 B. Thomas: It is not a big deal. Two water companies end at Hackett Hill Road. This will connect them
431 and we control where the lines go. This is 3,600 feet from Dunkin Donuts to New England Records
432 Retention.

433

434 R. Duhaime: What is the cost?

435

436 Chair Sullivan: We have established that infrastructure does include water.

437

438 R. Duhaime: Once we get to Route 3A, I don't remember seeing this design.

439

440 A. Garron: This is exactly the same plan we saw in January.

441

442 Chair Sullivan: We are debating what is already approved. The voters approved the funding but the
443 outline of the TIF District is up to us.

444

445 C. Karolian: Why does the design not bring water as far as it brings the sewer to Supreme Industries?

446

447 B. Thomas: They will have to design it. For now, just ignore the green line. I was trying to tell you, but I
448 didn't get to.

449

450 R. Duhaime: Why does the design go beyond Phase 2?

451

452 B. Thomas: By awarding the whole design, it gets done faster.

453

454 Chair Sullivan: It is comparable to the Master Plan.

455

456 A. Garron: I thought this was a high priority of the community. Phases 1 and 2 are the low hanging fruit.
457 I would hate to be behind schedule and miss opportunities.
458

459 T. Tsantoulis: When we agreed to form a TIF District, Phases 1 and 2 had immediate needs. We
460 understood there was a certain amount of gamble. We hired an engineering firm in which we have faith
461 and confidence. More harm than good will be done if we pick this thing apart. We need to get it running.
462 We have used a lot of time arguing over a small part of the project.
463

464 C. Karolian: Is this the complete design for Phases 1 through 5?
465

466 B. Thomas: Yes, it is. The bond is for the whole design.
467

468 C. Karolian: Should we need to spend more on design?
469

470 A. Garron: Only if we change the design. That is the caveat.
471

472 ***T. Tsantoulis motioned to approve of the Town Administrator signing Amendment Number 1 of***
473 ***Underwood Engineering's contract with the Town to increase the existing contract by \$807,200***
474 ***for a new contract amount of \$1,239,000. Chair Sullivan seconded the motion.***
475

476 Chair Sullivan called for a roll call vote on the motion.
477

478 R. Duhaime: From Tri-Town to the Larrabee property is adding sewer and water for one specific
479 property. There has to be a cost for this. It should go all the way to Bass Pro Shop and all of the other
480 businesses.
481

482 C. Karolian: From the old amount to the new is an increase of 100% or double? Does it cost \$800,000
483 to go from the Larrabee property back to the TIF District?
484

485 B. Thomas: The first part, \$431,800, was the engineering study and preliminary design. The \$807,200
486 is for the actual design and other costs such as the water main, traffic studies, easements, and surveys.
487

488 Chair Sullivan: The project is \$2.5 million. We must have discussed going through private property
489 lines. We need to pull back if we told the voters differently. We need to close up shop.
490

491 R. Duhaime: What we are looking at is a different plan.
492

493 Chair Sullivan: This one has a different color format.
494

495 T. Tsantoulis: Mr. Chairman, may I call the question?
496

497 Chair Sullivan called for a vote on the motion to approve Amendment Number 1 of Underwood
498 Engineering's contract with the Town to increase the existing contract by \$807, for a new contract
499 amount of \$1,239,000.

500 **Roll Call Vote #5**

501 ***T. Tsantoulis Aye***

502 ***C. Jones Nay***

503 ***R. Duhaime Nay***

504 ***A. Walczyk Not present***

505 ***J. Levesque Nay***

506 **C. Karolian** *Nay*
 507 **J. Durand** *Nay*
 508 **A. Comai** *Aye*
 509 **J. Sullivan** *Aye*
 510 ***The motion failed (3-5).***

511
 512 T. Tsantoulis: I would like to ask the Town Administrator to invite the project manager from Underwood
 513 Engineering to a future meeting to explain this to us.

514
 515 Chair Sullivan: We should contact the TIF Committee to whom we assigned this task. We have
 516 subcommittees, but if we want to change the Charter and have the Town Council make all decisions
 517 about planning and zoning, we are going to have very long meetings.

518
 519 A. Garron: The TIF Committee did a good job presenting this plan.

520
 521 D. Fitzpatrick: I have a comment. At our January 22nd meeting, many things you are talking about were
 522 covered. The 3,600-foot water line connection from the Records Retention Center to Dunkin Donuts, for
 523 example. I can share these minutes with you or you can go on line to read them.

524
 525 **NEW BUSINESS**
 526 **Storm Water Management Program / Ordinance # 2020-1**
 527

528 E. Labonte: We need to enact an ordinance for storm water management. This is a requirement under
 529 the EPA mandate and NHDES mandates. This is one phase of completing the rest of the storm water
 530 management plan. This proposed ordinance mirrors those of nearby communities. It will bring us one
 531 step closer to compliance with federal and state requirements. It will allow us to work on an Illicit
 532 Discharge Detection & Elimination (IDDE) management plan.

533
 534 ***T. Tsantoulis motioned to hold a public hearing on the Storm Water Management Program/***
 535 ***Ordinance #220-1 at the next Town Council meeting on March 25, 2020. A. Comai seconded the***
 536 ***motion.***
 537 ***Voted unanimously in favor (8-0).***

538
 539 J. Levesque left the meeting at 9:00 pm.

540
 541 **NHMA 2021-2022 Legislative Policy Process**
 542

543 D. Fitzpatrick: At the last meeting, Mr. Garron gave a brief overview of the NHMA Legislative Policy
 544 Process. If anyone wants to volunteer for one of the committees, please contact me now. Their first
 545 meeting will be on April 3rd. Page 37 of your packets lists the three committees on which you might
 546 volunteer to serve: Finance and Revenue; General Administration and Governance; and Infrastructure,
 547 Development, and Land Use. At the last meeting, we distributed an orange packet with proposed
 548 legislative policies. It might give you ideas for things to bring forward. This is a biennial process.

549
 550 Chair Sullivan: I would like to check the RSA requiring that three Town Councilors be in attendance at
 551 the end of the Town Meeting. I am wondering if it is possible to appoint someone to act on behalf of a
 552 Councilor.

553
 554 D. Fitzpatrick: I will check with the Town Clerk on that.
 555

556 R. Duhaime: This is something I have talked about for years. I think there should be an exemption or at
 557 least a discount on transponders for Hooksett residents. Trucks and cars avoid the tolls by going
 558 around, and we wait in traffic. Hampton would support this, being in a similar situation. We have no
 559 roundabout and no improvements. This is a ten-year plan, and it is not moving along. The House and
 560 Senate were to vote on the Merrimack toll, but the Executive Council on its own voted to waive the toll
 561 for Merrimack residents. They pay nothing. One of our State Representatives would help with the
 562 drafting of the legislation. Then there is Exit 10. When we were laying out the TIF District, the State told
 563 us we had to build our own highway intersection, that we couldn't have access to the limited highway
 564 access ramp. Then DeMoulas was given this access and Hooksett was not consulted. Then a \$1
 565 million easement was required to protect the State of New Hampshire taxpayers. We have been treated
 566 unfairly.

567

568 D. Fitzpatrick: We can bring these proposals to our governing body, the Town Council, and by majority
 569 vote present them to the NHMA. I may have one suggestion regarding the New Hampshire Retirement
 570 System, if Mr. Garron agrees with me. I recommend waiting until July when the new Council is seated
 571 to pick a conference delegate. Councilor Walczak is unable to volunteer this year.

572

573 **APPROVAL OF MINUTES**

574 **Public: 02/26/2020**

575

576 ***T. Tsantoulis motioned to approve the minutes of the public session of February 26, 2020 as***
 577 ***written. R. Duhaime seconded the motion.***

578

579 Chair Sullivan: Councilor Comai, did you receive any corrections?

580

581 A. Comai: I did not.

582

583 ***Voted unanimously in favor (6-0). J. Levesque left the meeting prior to the vote; C. Karolian was***
 584 ***out of the room during the vote.***

585

586

587 **SUB-COMMITTEE REPORTS**

588

589 T. Tsantoulis: The Board of Assessors has been busy with abatements, especially hardship
 590 abatements.

591

592 Chair Sullivan: From the Heritage Commission, the owner of the barn at the old Duford house will be
 593 tearing it down. It did not meet the demo criteria. However, the owner plans to preserve as much as he
 594 can, including the cupola and surrounding woods. The plan is to recreate and expand the barn, creating
 595 a function pavilion with inside dining. The Heritage Commission plans to meet with Code Enforcement
 596 Officer Matt Lavoie about demo review criteria.

597

598 Chair Sullivan: I attended the Eagle Court of Honor on March 6th for Alex Gannon, a Hooksett resident
 599 and Youth Achiever, who is at the US Naval Academy. It was fantastic and brought back a lot of
 600 scouting memories. This was the 60th Court of Honor for Troop 292, which will be 70 years old in 2021.

601

602 R. Duhaime: The Planning Board approved a subdivision in the back of Webster Wood. Bernice Street
 603 will continue to Granite Street. This is 27 single-family homes.

604

605 T. Tsantoulis: Is this a 55+ community?

606

607 R. Duhaime: No, it is not. Another subdivision proposal was postponed. The location is off Spruce Court
608 and off Farmer Road. It loops to Laurel Acres. There are a lot of wetlands and the land is hilly. The
609 subdivision consists of 133 acres for 37 homes.

610

611 C. Karolian: I attended the Village Water Works presentation on March 3rd. It was informative and the
612 presentation was very well done. They have 1,200 customers, and their water source is Penacook
613 Pond. They have three pumping stations and plans to upgrade water lines and maintain their hydrants.
614 They talked about their new backflow valves and new water storage structure near the Pike Industries
615 quarry. Probably the first one in New Hampshire, it is built on the ground, one floor at a time. They
616 talked about the plumbing under Lilac Bridge, which was interesting. They are replacing old meters with
617 cellular ones so that people can look at their accounts. I have a better understanding of this operation
618 now, and I am glad that I attended. Village Water Works was happy to have a Town Council member in
619 attendance.

620

621 ***R. Duhaime motioned to adjourn at 9:18 pm. J. Durand seconded the motion.***

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

623

624 Respectfully submitted,

625

626 *Kathleen Donnelly*

627 Kathleen Donnelly

628 Records Clerk

629

630