

Remote Right-to-Know Access – Town Council 5/13/2020

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)
+1 301 715 8592 US (Germantown)+1 346 248 7799 US (Houston)+1 669 900 6833 US (San Jose)+1 253 215 8782 US (Tacoma)
2. **Entering the following Meeting ID:** 856 0400 9084
3. **Entering in the following passcode #:** 3365

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

<https://us02web.zoom.us/j/85604009084?pwd=VlhjZHBkUEVHZmw1RlZ2S3pyaXVwZz09>

....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 1. 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. Non-public sessions will trigger removal of all participants save Council and their designees.



AGENDA

Town of Hooksett Town Council

Wednesday, May 13, 2020 at 6:00 PM

A meeting of the Town Council will be held Wednesday, May 13, 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 May 13, 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 (AND MOMENT OF SILENCE)

6. AGENDA OVERVIEW

7. PUBLIC HEARINGS

- 7.1. 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). (public hearing opened, Tabled at 3/11/2020 Town Council Meeting, 4/22/2020 motion to remove from table failed) 5 - 7
[Staff Report - SR-20-084 - Pdf](#)
- 7.2. Public Hearing to discuss the proposed amendments to Recycling & Transfer Ordinance #00-31. 9 - 22
[Staff Report - SR-20-081 - Pdf](#)
- 7.3. Public hearing for the Town Council to accept the \$12,944.82 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act from the US Health and Human Services to the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulance Revenue Line under RSA 31:95-b III (a). 23 - 24
[Staff Report - SR-20-079 - Pdf](#)

8. SPECIAL RECOGNITION

- 8.1. Hooksett Youth Achiever - Parker Boulanger

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

8.2.	Hooksett Municipal Employee - New Hire	
8.3.	Lion's Club Citizens of the Year - John Pieroni Staff Report - SR-20-092 - Pdf	25
9.	SCHEDULED APPOINTMENTS	
9.1.	Cindy Robertson, Chair of the Conservation Commission, Approval of Sole Source Agreement with the Student Conservation Association (SCA) Staff Report - SR-20-074 - Pdf	27 - 35
10.	CONSENT AGENDA	
10.1.	Motion to accept a donation in the amount of \$100.00 from Jameson Saykaly and Tracy Saykaly, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return said amount to the Police Departments, 2019/2020 FY budget and applied to the donation line. Staff Report - SR-20-072 - Pdf	37 - 38
10.2.	Motion to accept a donation in the amount of \$200.00 from Jameson Saykaly and Tracy Saykaly, to the Town of Hooksett for the Hooksett Fire- Rescue Department per RSA 31:95-b, III (b) and return said amount to the Fire-Rescue Department, 2019/2020 FY budget and apply \$100.00 to the Ambulance Fund Donation and \$100.00 to the Fire donation line. Staff Report - SR-20-073 - Pdf Saykaly Note	39 - 41
10.3.	Town Council to accept the UV Disinfecting Lights, valued at \$2,050.00, through a grant from the Gary Sinise Foundation for the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulances under RSA 31:95-e, II. Staff Report - SR-20-080 - Pdf	43
10.4.	Release Landscape Surety of \$10,000 for #88/#90 West River Road (Site of Dunkin Donuts and Subway) Staff Report - SR-20-088 - Pdf	45 - 46
11.	TOWN ADMINISTRATOR'S REPORT	
12.	PUBLIC INPUT - 15 MINUTES	
13.	NOMINATIONS AND APPOINTMENTS	
13.1.	May Nominations and Appointments Staff Report - SR-20-090 - Pdf	47 - 52
14.	BRIEF RECESS	
15.	OLD BUSINESS	
15.1.	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 3/11/2020 Town Council Meeting, 4/22/2020 motion to remove from table failed) Staff Report - SR-20-085 - Pdf	53 - 60
15.2.	Storm Water Management Program Ordinance #2020-1. Staff Report - SR-20-082 - Pdf	61 - 64

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

15.3.	Volunteer Appreciation Night (tabled at 4/22/2020 Town Council Meeting) Staff Report - SR-20-091 - Pdf	65 - 66
16.	NEW BUSINESS	
16.1.	Conservation Commission Request for Approval of a Sole Source Agreement with the Student Conservation Association, Inc. (SCA) Staff Report - SR-20-075 - Pdf	67 - 75
16.2.	License to use the Town of Hooksett's land off of Merrimack Street and surrounding fields at 161 Merrimack Street Staff Report - SR-20-076 - Pdf	77 - 80
16.3.	Community Development Permitting Software Recommendation Staff Report - SR-20-089 - Pdf	81 - 84
16.4.	Town Council to accept the \$12,944.82 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act from the US Health and Human Services to the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulance Revenue Line under RSA 31:95-b III (a). Staff Report - SR-20-078 - Pdf	85
16.5.	Donation to the Town of Hooksett, for the Hooksett Fire-Rescue Department from the Leon C Boisvert Revocable Trust Staff Report - SR-20-087 - Pdf	87 - 89
16.6.	Quarterly Financial Report as of March 31, 2020 Staff Report - SR-20-086 - Pdf	91 - 107
16.7.	COVID-19 - Request to Town Council to Ease Requirements of Employee Earned Vacation Time Carry Over Limits through December 31, 2020 Staff Report - SR-20-067 - Pdf	109 - 111
16.8.	Town of Hooksett, NH - Municipal Volunteers (tabled at 04/22/2020 Town Council Meeting) Staff Report - SR-20-043 - Pdf	113 - 116
17.	APPROVAL OF MINUTES	
17.1.	Public: 03/11/2020 (tabled at the 04/22/2020 Town Council Meeting) TC Minutes 03112020	117 - 129
17.2.	Public: 04/22/2020 TC Minutes 04222020	131 - 154
17.3.	Non-Public: 03/11/2020 (tabled at the 04/22/2020 Town Council Meeting)	
17.4.	Non-Public: 04/22/2020	
18.	SUB-COMMITTEE REPORTS (TABLED AT THE 04/22/2020 TOWN COUNCIL MEETING)	
19.	PUBLIC INPUT	
20.	NON-PUBLIC SESSION NH RSA 91-A:3 II	
21.	ADJOURNMENT	
	PUBLIC INPUT	

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

1. Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak, however, no person will be allowed to speak for more than 5 minutes.
2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by 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 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). (Tabled at 4/22/2020 Town Council Meeting.)
Meeting: Town Council - 13 May 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

At their meeting on 4/22/2020, the Town Council opened the Public Hearing but removal from table failed.

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:

Remove from table, listen to public hearing, close public hearing.

SUGGESTED MOTION:

Motion to remove from table, listen to public hearing and close public hearing.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Staff has asked Planning Board Chair, Dick Marshal to attend the meeting to share his thoughts on this matter. I've also asked legal counsel to attend as well to share his perspective on legal aspect of these conditions. My thoughts are that the planning board and the developer at time, agreed to these conditions. These conditions are set by the planning board, not the DPW Director. Despite the unfortunate matter that took place 12-13 years ago, these conditions were still set by the planning board. The time to appeal these conditions to Superior Court should have taken place 12 years ago. Mr. Lamontagne understanding of these conditions should have been address by the

previous owner of the development, and if he did not verify the information shared with him by the previous developer, that is no fault of the town of Hooksett.

ATTACHMENTS:

[Public Hearing Notice for Donation](#)

**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.

Pursuant to Governor Sununu's Emergency Order #12 and #16, the Town will be conducting meetings remotely until further notice. The Public will only be able to participate via phone. The specific instructions are posted on the Town website, www.hooksett.org.

Town Council

STAFF REPORT



To: Town Cleaner
Title: Public Hearing to discuss the proposed amendments to Recycling & Transfer Ordinance #00-31.
Meeting: Town Council - 13 May 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, May 13, 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 amendments to Recycling & Transfer Ordinance #00-31. 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 amendment is available on the Town Clerk and Public Works Department web pages via www.hooksett.org for your inspection. Questions should be directed to the Hooksett Public Works Department at 603-668-8019.

Pursuant to Governor Sununu's Emergency Order #12 and #16, the Town will be conducting meetings remotely until further notice. The Public will only be able to participate via phone. The specific instructions are posted on the Town website, www.hooksett.org.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

The proposed amendments will combine the two (2) existing ordinances, Solid Waste Ordinance and Recycling and Transfer Ordinance into one ordinance.

RECOMMENDATION:

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

SUGGESTED MOTION:

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

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Public Hearing Notice Recycling Transfer R&T Ordinance 00-31 Final](#)

**TOWN OF HOOKSETT
PUBLIC HEARING NOTICE**

The Hooksett Town Council will be holding a public hearing on Wednesday, May 13, 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 amendments to Recycling & Transfer Ordinance #00-31. 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 amendment is available on the Town Clerk and Public Works Department web pages via www.hooksett.org for your inspection. Questions should be directed to the Hooksett Public Works Department at 603-668-8019.

Pursuant to Governor Sununu's Emergency Order #12 and #16, the Town will be conducting meetings remotely until further notice. The Public will only be able to participate via phone. The specific instructions are posted on the Town website, www.hooksett.org.

**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: Public hearing for the Town Council to accept the \$12,944.82 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act from the US Health and Human Services to the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulance Revenue Line under RSA 31:95-b III (a).
Meeting: Town Council - 13 May 2020
Department: Fire and Rescue
Staff Contact: Joseph Stalker, Captain

BACKGROUND INFORMATION:

The Department of Health and Human Services (HHS) is delivering \$30 billion in relief funding to providers in support of the national response to COVID-19 as part of the distribution of the \$100 billion provider relief fund provided for in the Coronavirus Aid, Relief, and Economic Security (CARES) Act recently passed by Congress and signed by President Trump. The funding will be used to support healthcare-related expenses or lost revenue attributable to coronavirus and to ensure uninsured Americans can get the testing and treatment they need without receiving a surprise bill from a provider.

FINANCIAL IMPACT:

\$12,944.82 deposited into the Ambulance Revenue account.

POLICY IMPLICATIONS:

N/A

RECOMMENDATION:

Open public hearing, listen to public input, close public hearing, go to new business section of this agenda and discuss this item same night and vote.

SUGGESTED MOTION:

N/A

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur.

ATTACHMENTS:

[CARES-Public Hearing](#)

**Town of Hooksett
Public Hearing Notice**

The Hooksett Town Council will be holding a public hearing on Wednesday, May 13th @ 6:00pm at the Hooksett Town Hall chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept the \$12,944.82 in relief funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act from the US Health and Human Services to the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulance Revenue Line under RSA 31:95-b III (a). For documentation or questions, contact the Hooksett Fire Rescue Department at 603-623-7272.

Pursuant to the Governor's Emergency Order, the Town will be conducting meetings remotely until further notice. The Public will be able to telephonic access. The specific instructions for accessing this meeting (and any changes to Governor's Emergency Orders) are posted on the Town website, <http://www.hooksett.org>.

Town Council
STAFF REPORT



To: Town Council
Title: Lion's Club Citizens of the Year - John Pieroni
Meeting: Town Council - 13 May 2020
Department: Administration
Staff Contact: Nick Germain, Project Coordinator

BACKGROUND INFORMATION:

The Lion's Club has selected John Pieroni as it's 2020 Citizen of the Year.

Town Council traditionally appoints someone to go to the Club's yearly dinner and present the winner with an award certificate.

FINANCIAL IMPACT:

n/a

POLICY IMPLICATIONS:

n/a

RECOMMENDATION:

Look for a volunteer or volunteers to go and present the award.

SUGGESTED MOTION:

"I motion Town Council Appoints Councilor _____ to present the Citizen of the Year Proclamation as read to John Pieroni at said event."

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur and Congratulations to Mr. Pieroni.

Town Council
STAFF REPORT



To: Town Council
Title: Cindy Robertson, Chair of the Conservation Commission, Approval of Sole Source Agreement with the Student Conservation Association (SCA)
Meeting: Town Council - 13 May 2020
Department: Community Development
Staff Contact: Leann Fuller, Community Development Clerk

BACKGROUND INFORMATION:

The Student Conservation Association, Inc. (SCA) was contacted by the Hooksett Conservation Commission to provide a proposal to complete a trail loop on the Pinnacle. Last year, the SCA completed a trail loop in the Clay Pond Conservation Area and the Conservation Commission was very pleased with their work. Five to seven members of the SCA Conservation Corps Crew will work for an 11-day "hitch". The project is planned for July 14 - July 24.

One advantage of having students devoted to conservation complete this task is that there is a minimal amount of brush and tree disturbance. Using mostly hand tools, the trail can be routed around large trees, dense vegetation and any other obstacles.

FINANCIAL IMPACT:

Per the SCA contract, the amount for this work is \$10,500.

RECOMMENDATION:

Listen to Cindy Robertson speak about the Conservation Commission's past experience with the Student Conservation Association, Inc. and the hard work they do to assist the Conservation Commission in their goal to create an additional trail on the Pinnacle.

SUGGESTED MOTION:

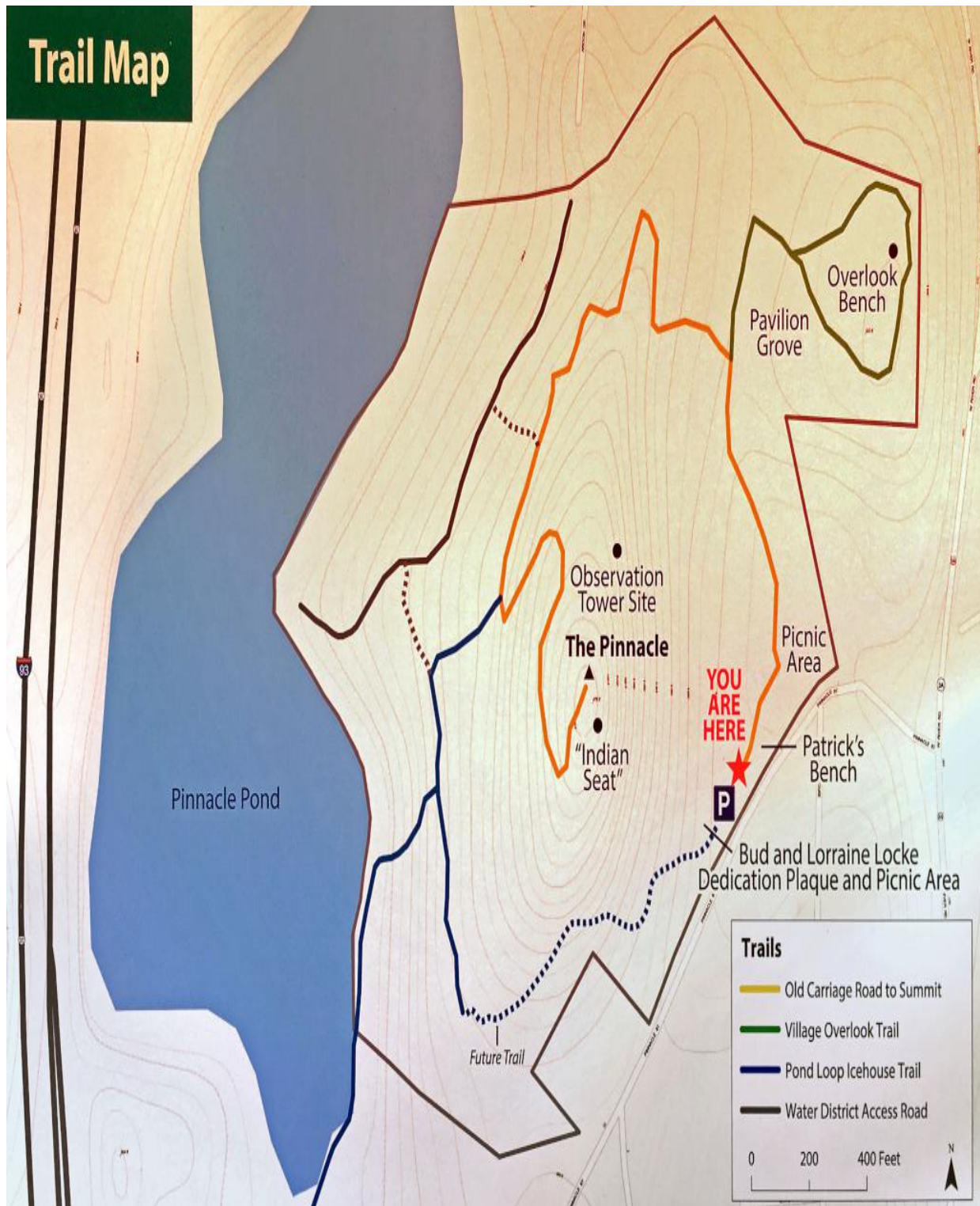
See New Business item.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Conservation has a capital reserve fund to pay for this work by this organization.

ATTACHMENTS:

[Map for Future Trail](#)
[2020 SCA Contract](#)



**AGREEMENT BETWEEN
THE STUDENT CONSERVATION ASSOCIATION, INC.
AND
THE HOOSETT CONSERVATION COMMISSION**

This Agreement is made and entered into by and between The Student Conservation Association, Inc., a nonprofit New York corporation, with its principal place of business at 4601 North Fairfax Drive, Suite 900 Arlington, VA 22203 (“SCA”), and the Hooksett Conservation Commission with its principal place of business at 35 Main Street, Hooksett, NH 03106.

1. BACKGROUND

The SCA is a nonprofit organization which fosters life-long stewardship of the environment by offering opportunities for education, leadership and personal development to its participants while providing a high quality public service in natural resource management and conservation. SCA recruits, trains and places qualified young adults to serve in environmental conservation projects as members of the SCA conservation corps program. The SCA’s residential New Hampshire program provides conservation crew services statewide to partner Agencies.

The Hooksett Conservation Commission is a public commission with a mission to work with town, state, federal and private agencies and individuals on wetland and conservation issues. They review and update Town ordinances and resource information concerning wetlands, prime wetlands, natural resources inventory and other conservation concerns, and other activities as determined by the Commission. Lastly, the commission plans for and preserves community green spaces. The commission has authority to enter into this agreement to accomplish the purposes of its mission. Throughout this agreement the commission will be referred to as “the Project Partner.”

2. PARTY RESPONSIBILITIES

A. It is mutually agreed by the parties that SCA and Project Partner shall cooperate in the placement of one 5-7 member SCA Conservation Corps crew for an 11-day term of service during the 2020 field season (07/14/2020 or whichever later date the crew begins service through 10/09/2020 or whichever later date the crew completes service) to perform trail service and other conservation service activities in New Hampshire as further described in this agreement.

2.1 SCA agrees (“Project Services”):

- a. To provide one well-trained, team of 5-7 corps members for an 11-day hitch period, July 14 – July 24, during the 2020 field season;

- b. To manage the crew and to implement the project activities as described in this section 2;
- c. To develop a new trail at Pinnacle Park as identified as "Future Trail" on the map located at <https://www.nhmountainhiking.com/hike/pinnacle/map-big.html> and installation of posts and signage provided by HCC. It is anticipated that 4x4 posts with a small map will be located at trail junctions. The trail, as pictured on the trail map, will be built according to sustainable trail design. Trail structures will be added, where applicable, to provide drainage or stability while following sustainable practices requiring minimal routine maintenance. Trailblazing (in appropriate color) will be included. Any Potential trail closures will be determined by the HCC.
- d. To develop the new trail at Pinnacle Park. The trail, as pictured on the trail map, will be built according to sustainable trail design. Trail structures will be added, where applicable, to provide drainage or stability while following sustainable practices requiring minimal routine maintenance.
- e. To provide food, tools, vehicles, and equipment necessary to complete the projects;
- f. To provide staff support: staff members are responsible for all supervision of the corps members as needed;
- f. To provide an AmeriCorps Educational Award to qualifying SCA members, but only if and when made available by the Corporation for National and Community Service; **The Corporation for National and Community Service has prohibited the following activities for AmeriCorps members while they are accumulating service or training hours, or otherwise performing activities associated with the program:**
 - 1. Attempting to influence legislation.
 - 2. Organizing or engaging in protests, petitions, boycotts, or strikes.
 - 3. Assisting, promoting or deterring union organizing.
 - 4. Impairing existing contracts for services of collective bargaining agreements.
 - 5. Engaging in partisan political activities or other activities designed to influence the outcome of an election to any public office.
 - 6. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials.
 - 7. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship,

maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;

8. Providing a direct benefit for
 - a. A business organized for profit;
 - b. A labor union;
 - c. A partisan political organization;
 - d. A nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 except that nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and
 - e. An organization engaged in the religious activities described in paragraph (g) of this section, unless Corporation assistance is not used to support those religious activities;
9. Voter registration drives held by AmeriCorps members.
10. Providing abortion services or referrals for receipt of such services.
11. Writing grants or raising funds for an organization's general operating expenses or endowment. The only kind of fundraising that members are allowed to do is fundraising directly in support of their particular project. Examples of allowable activities: Seeking donations (in the form of in-kind materials or dollars) for a specific project they are carrying out as an AmeriCorps member; Writing a grant to a foundation for funds for a specific project they're carrying out, such as a community clean-up. Allowable fundraising activities must add up to no more than 10% of the member's total hours; and
12. Other activities that the Corporation determines will be prohibited.

g. To provide Project Partner with a summary report of services performed.

C. The Project Partner agrees:

- a. To provide site and project work specifications, technical assistance as required, and to collaborate with the SCA staff as mutually agreed to carry out Project work;
- b. To pay SCA a project fee of \$10,500 (Ten Thousand five Hundred Dollars) for Project Services to be paid in accordance to below 3.1.e; and any additional amounts that may be required by section 5 of this Agreement.
- c. To purchase and provide all necessary building materials and supplies for the projects;
- d. To provide safe and meaningful stewardship projects appropriate for SCA members consistent with members' training;

- e. To permit SCA members to wear an approved SCA uniform during their term of service;
- f. If required by federal, state, municipal or local subdivision law or regulations, to arrange for all permits, licenses, and approvals and other administrative or governmental clearances necessary with regard to the administration of the project;
- g. To provide safe and adequate housing or tent space for the members to stay in while working on the projects;
- h. To provide a written evaluation of the members' performance within fifteen calendar days of termination of the Agreement.

3. **PROGRAM CONDITIONS**

3.1 The parties mutually agree:

- a. SCA members shall not be assigned law enforcement or firefighting duties; and shall not be permitted to handle or discharge any firearms or explosives unless provided explicit permission by SCA's National Program Manager - Residential.
- b. SCA agrees to accept any extra tools, materials, equipment and facilities furnished by the Project Partner on a loan basis only, and such items shall, where applicable, be returned in the same condition received except for normal wear and tear in project use.
- c. SCA members over eighteen (18) years of age may be allowed to drive a vehicle that is owned, rented, leased or loaned by or to the Project Partner only when (i) the vehicle is used with written permission of the Project Partner site supervisor and only for official use; (ii) the driver is properly licensed and qualified to operate the vehicle; (iii) the Project Partner maintains, and the driver is made aware of the requirements of, a safe driver policy; (iv) both the driver and the vehicle will be covered by an insurance policy maintained by the Project Partner for the use of such vehicle and (v) subject to any additional Project Partner policies and regulations.
- d. The Project Partner shall have the right to require the removal of any SCA member on the basis of unacceptable performance and/or conduct problems that could not be resolved with the help of SCA. SCA shall have the right to withdraw any SCA member if the Project Partner fails to provide sufficient and appropriate project assignments, safe conditions including without limitation free from discrimination and harassment, appropriate housing, training, or project

oversight. Provided there is no imminent threat to safety or health, the relevant party shall, prior to taking such corrective action, take the following steps: document the problem in writing, provide prior notice to the other party, and provide the other party with an opportunity to take corrective action.

- e. SCA may present two invoices for costs and obligations undertaken for the Project, as follows: (1) An initial invoice requesting 50% of the estimated Project cost will be submitted to the Project Partner prior to the start of the Project, and (2) the remaining costs shall be invoiced upon completion of the Project. The Project Partner agrees to make payment to SCA within 30 days of the date of such invoices. In the event any itemized invoice remains unpaid for more than 30 days, the Project Partner agrees to pay SCA an interest charge on the outstanding balance at the rate of 1% a month from the date the invoice was rendered. All invoices should be emailed to: Leann Fuller - LFuller@hooksett.org.
- g. The Project Partner shall not hire any SCA member as an employee of the Project Partner prior to, or during, the SCA member's service as a corps member.

4. INSURANCE

Project Partner shall add SCA as an additional insured to its general liability policy and provide SCA with such certificate of insurance. In addition, SCA shall maintain its current general liability insurance of not less than \$1,000,000 per occurrence for bodily injury and property damage, subject to the usual and customary policy conditions (including standard exclusion on vehicles licensed for highway use and on property in the care, custody and control of the policyholder). For the purposes of workers compensation claims, responsibility and coverage for all SCA staff and crew members is borne by the SCA.

5. TERM and TERMINATION.

5.1 This Agreement shall become effective upon the date it is signed by both parties and shall remain in effect during the period of performance specified for this project. Either party may cancel this Agreement immediately upon written notice (including email) as a result of (i) material breach by the other party, or (ii) for COVID-19 reasons. In the event of a material breach, Project Partner shall pay SCA for all work performed through the notice date. In the event of termination due to COVID-19 reasons, Project Partner shall pay SCA for all work performed through notice period and shall reimburse SCA for wind-down of the program, including but not limited to travel, housing and other costs associated with safely securing program participants.

5.2 Either party may cancel the Agreement without cause with thirty (30) days' notice. In the event either party cancels without cause, SCA shall wind down work upon notice and Project Partner shall pay SCA for all work performed through the

notice period as well as a service fee of 20 percent (20%) of the remaining balance, as Project Partner acknowledgment of SCA's upfront investment in standing up the program that it would have otherwise recovered throughout the term of the Agreement.

6. PROJECT COORDINATORS

The Project Coordinators for this Agreement are:

A. For the Project Partner:

Programmatically: Cindy Robertson
Chair
Hooksett Conservation Commission
cindvrob79@gmail.com

Administratively: Leann Fuller
Administrative Assistant
Town of Hooksett
(603) 485-8471
LFuller@hooksett.org

B. For the SCA

Programmatically: Davis Brush
Program Manager,
SCA NH Corps
75 South Main St. Unit 7 PMB 116
Concord NH 03301,
P: 603-485-2191
dbrush@thesca.org

Zach Colatch
Conservation Coordinator
SCA NH Corps
P: 603.485.2191
zcolatch@thesca.org

Administratively: Rebecca Donovan
Agreements Administrator
Student Conservation Association
689 River Road

Charlestown, NH 03603
P: 603.504.3239, ext. 1149
C: 413.695.6155
rdonovan@thesca.org

7. ENTIRE AGREEMENT.

This Agreement contains the entire agreement of the parties and may only be amended by written agreement, signed by both Parties.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized officers on the dates set forth below.

**THE STUDENT CONSERVATION PROJECT PARTNER
ASSOCIATION, INC.**

By: _____
Name:
Title:
Date:

By: _____
Name: Cindy Robertson
Title: Chair, Hooksett Conservation Commission
Date:

Town Council
STAFF REPORT



To: Town Council
Title: Motion to accept a donation in the amount of \$100.00 from Jameson Saykaly and Tracy Saykaly, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return said amount to the Police Departments, 2019/2020 FY budget and applied to the donation line.
Meeting: Town Council - 13 May 2020
Department: Police Department
Staff Contact: Jake Robie, Captain

BACKGROUND INFORMATION:

On March 19, 2020, Jameson Saykaly and Tracy Saykaly delivered a check and a handwritten note to the Town Clerks office. The check was written out to the Hooksett Police Department, in the amount of \$100.00. The donation is to be used for the purchase of cleaning/PPE supplies.

FINANCIAL IMPACT:

None

SUGGESTED MOTION:

Motion to accept a donation in the amount of \$100.00 from Jameson Saykaly and Tracy Saykaly, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return said amount to the Police Departments, 2019/2020 FY budget and applied to the donation line.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[20200415072541216](#)

3-20-20

As we are unable to
find hand sanitizer
to donate.

Please accept this
donation of 100 to
purchase supplies.

This is to be sent
to the Wickett Police
Department to use for
supplies.

Thank you for what
you do! Any questions
Please call.

Sincerely

The Saykov
Family.

530-923-0161

Town Council

STAFF REPORT



To: Town Council

Title: Motion to accept a donation in the amount of \$200.00 from Jameson Saykaly and Tracy Saykaly, to the Town of Hooksett for the Hooksett Fire- Rescue Department per RSA 31:95-b, III (b) and return said amount to the Fire-Rescue Department, 2019/2020 FY budget and apply \$100.00 to the Ambulance Fund Donation and \$100.00 to the Fire donation line.

Meeting: Town Council - 13 May 2020

Department: Fire and Rescue

Staff Contact: Regina Howard, Administrative Assistant

BACKGROUND INFORMATION:

On March 19, 2020, prior to the Town Offices being closed to the public, Jameson Saykaly and Tracy Saykaly delivered a check and a handwritten note to the Town Clerk's office. They had wanted to donate hand sanitizer to donate to the Department, but were unable to find any so they chose to donate. The check was written out to the Hooksett Fire Department, in the amount of \$200.00. The donation is to be divided as follows: \$100.00 for the ambulance service and \$100 for general fire response, for needed supplies.

FINANCIAL IMPACT:

None

SUGGESTED MOTION:

Motion to accept a donation in the amount of \$200.00 from Jameson Saykaly and Tracy Saykaly, to the Town of Hooksett for the Hooksett Fire- Rescue Department per RSA 31:95-b, III (b) and return said amount to the Fire-Rescue Department, 2019/2020 FY budget and apply \$100.00 to the Ambulance Fund Donation and \$100.00 to the Fire donation line.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Saykaly Note](#)

3 - 20

As we are unable to
 find hand sanitizer
 for donate. Please accept
 our donation of \$200.00
 to go to the front
 of Department for supplies.
 \$100 for ambulance.
 \$100 for the respond.

Thank you all for
 the smiles.
 Any questions please call me.

The Sakaly
 Family

531-923-0101

3 - 20

As we are unable to
 find hand sanitizer
 to donate. Please accept
 our donation of \$200
 to go to the front
 of Department of Social
 Services. \$100 for ambulance.
 \$100 for the respond.

Thank you all for
 the smiles.
 Any questions please call me.

The Sakai
 Family

531-923-0101

Town Council STAFF REPORT



To: Town Council
Title: Town Council to accept the UV Disinfecting Lights, valued at \$2,050.00, through a grant from the Gary Sinise Foundation for the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulances under RSA 31:95-e, II.
Meeting: Town Council - 13 May 2020
Department: Fire and Rescue
Staff Contact: Joseph Stalker, Captain

BACKGROUND INFORMATION:

Thorough cleaning and disinfecting of the ambulances is a very important task, especially given the COVID-19 pandemic that has affected the world. Within our department, this process is done after every emergency medical call, every morning at the beginning of shift and a more thorough cleaning done every other week. As thorough as a job we do, national data shows that approximately 50% of surface areas within patient care areas are cleaned manually with chemicals. The department has sought the use of a ultra-violet (UV) light technology that is able to completely disinfect all areas of the patient compartment. Last month, we applied for a grant, valued at \$2,050.00 (including shipping) from the Gary Sinise Foundation to purchase these devices for our department; see attachments. We were subsequently awarded this grant to purchase the following: two (2) of the Razor-UV handheld disinfecting lights and two (2) of the Turbo-UV disinfecting lights. This will give us a standard light and a portable light for each station.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Accept the UV Disinfecting Lights purchased through a grant from the Gary Sinise Foundation for the Fire Rescue Department.

SUGGESTED MOTION:

Town Council to accept the UV Disinfecting Lights through a grant from the Gary Sinise Foundation for the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulances under RSA 31:95-e, II.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council
STAFF REPORT



To: Town Council
Title: Release Landscape Surety of \$10,000 for #88/#90 West River Road (Site of Dunkin Donuts and Subway)
Meeting: Town Council - 13 May 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The work on the referenced site was completed two years ago. The landscaping looks fine, therefore the current Landscape surety of \$10,000 may be released to the developer Westriv Realty, LLC.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Release the current Landscape surety for #88/#90 West River Road of \$10,000 to the developer Westriv Realty, LLC.

SUGGESTED MOTION:

To release the current Landscape surety for #88/#90 West River Road of \$10,000 to the developer Westriv Realty, LLC.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Memo to release bond - #88 & #90 West River Road](#)

**Town of Hooksett
Community Development**

Memo

To: Files

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

Cc:

Date: April 30, 2020

Re: #88 and #90 West River Road (Site of Dunkin Donuts and Subway)

Please be advised that the work on the referenced site was completed two years ago. The landscaping looks fine, therefore I recommend that the current Landscape surety of \$10,000 be released to the developer Westriv Realty, LLC.

Town Council

STAFF REPORT



To: Town Council
Title: May Nominations and Appointments
Meeting: Town Council - 13 May 2020
Department: Administration
Staff Contact: Nick Germain, Project Coordinator

BACKGROUND INFORMATION:

On April 22nd, Council nominated Cassandra Brown to the Bicentennial Committee to a term expiring June 30th 2023

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.

-

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:

n/a

POLICY IMPLICATIONS:

n/a

RECOMMENDATION:

n/a

SUGGESTED MOTION:

"I motion to appoint Cassandra Brown to a term on the Bicentennial Committee expiring June 30th, 2023." Second required.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur and appreciate Ms.Cassandra Brown stepping up to volunteer for the Bicentennial Committee

ATTACHMENTS:

[May 2020 Nominations and Appointments](#)
[Available Appointed Town Positions](#)
[committee app](#)

April 2020 Nominations

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

May Appointments

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



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



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.bbirlaw@gmail.com
 Signature: [Handwritten Signature]

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

	<u>Role Preference</u> Alternate, Regular, or None?
<input type="checkbox"/> Conservation Commission	_____
<input type="checkbox"/> Economic Development Advisory Committee	_____
<input type="checkbox"/> Heritage Commission	_____
<input type="checkbox"/> Parks & Recreation Advisory Board	_____
<input type="checkbox"/> Planning Board	_____
<input type="checkbox"/> Recycling & Transfer Advisory Committee	_____
<input type="checkbox"/> Town Hall Preservation Committee	_____
<input type="checkbox"/> Zoning Board of Adjustment	_____
<input checked="" type="checkbox"/> Other (Please specify.) <u>Bicentennial Committee</u>	_____
_____	_____
_____	_____

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 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 - 13 May 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:

Remove from table and 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 remove from table and 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. Staff has asked Planning Board Chair, Dick Marshal to attend the meeting to share his thoughts on this matter. I've also asked legal counsel to attend as well to share his perspective on legal aspect of these conditions. My thoughts are that the planning board and the developer at time, agreed to these conditions. These conditions are set by the planning board, not the DPW Director. Despite the unfortunate matter that took place 12-13 years ago, these conditions were still set by the planning board. The time to appeal these conditions to Superior Court should have taken place 12 years ago. Mr. Lamontagne understanding of these conditions should have been address by the previous owner of the development, and if he did not verify the information shared with him by the previous developer, that is no fault of the town of Hooksett.

ATTACHMENTS:

[Donation from Lamontagne Bldrs](#)
[Public Hearing Notice for Donation](#)

**Town of Hooksett
Community Development**

Memo

To: Nicholas Williams, Town Planner
From: Bruce A. Thomas, P.E., Town Engineer *BAT*
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: Robin Page

Date: 11/27/19

Stinson Hills LLC

H00002

Town of Hooksett

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEBIT	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

54-7/114 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 03106-1631
OF

Constance White

11/27/2019
54-7/114 98

Recreation Dpt Contribution

⑈000001413⑈ ⑆011400071⑆ 9241048374⑈

Stinson Hills LLC

H00002

Town of Hooksett

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	REBATE	TOTAL
11-26-19	BVSWEeper	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 Roberts

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

⑈000001412⑈ ⑆011400071⑆ 9241048374⑈

Page 59 of 154

**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.

Pursuant to Governor Sununu's Emergency Order #12 and #16, the Town will be conducting meetings remotely until further notice. The Public will only be able to participate via phone. The specific instructions are posted on the Town website, www.hooksett.org.

Town Council
STAFF REPORT



To: Town Council
Title: Storm Water Management Program Ordinance #2020-1.
Meeting: Town Council - 13 May 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

At the Town Council's meeting on April 22, 2020, a Public Hearing was held to adopt an ordinance which will establish the Town's legal and administrative authority to regulate, respond and enforce illicit discharges in the community.

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:

To adopt the proposed Storm Water Management Program Ordinance # 2020-01.

SUGGESTED MOTION:

Motion to adopt the proposed Storm Water Management Program Ordinance # 2020-01.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Proposed Storm Water Management Program Ordinance](#)

**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: Town Council
Title: Volunteer Appreciation Night
Meeting: Town Council - 13 May 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 and 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.

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)
- Possibly too late to give notice for attendance levels in an event in June

RECOMMENDATION:

Discuss the event

SUGGESTED MOTION:

n/a

TOWN ADMINISTRATOR'S RECOMMENDATION:

Discuss potential event options available to the Council

Town Council
STAFF REPORT



To: Town Council
Title: Conservation Commission Request for Approval of a Sole Source Agreement with the Student Conservation Association, Inc. (SCA)
Meeting: Town Council - 13 May 2020
Department: Community Development
Staff Contact: Leann Fuller, Community Development Clerk

BACKGROUND INFORMATION:

Cindy Robertson, Chair of the Conservation Commission, spoke regarding the Student Conservation Association, Inc. creating a walking trail on the Pinnacle. This work is scheduled to be done July 14 - July 24. The Conservation Commission is requesting approval of a sole source agreement with the Student Conservation Association, Inc.

RECOMMENDATION:

Vote to approve the sole source agreement with the Student Conservation Association, Inc. for the work to be done on the Pinnacle in the amount of \$10,500.

SUGGESTED MOTION:

Motion to approve the sole source agreement with the Student Conservation Association, Inc. for the work to be completed in July 2020 in the amount of \$10,500.

ATTACHMENTS:

[2020 SCA Contract](#)

[Map for Future Trail](#)

**AGREEMENT BETWEEN
THE STUDENT CONSERVATION ASSOCIATION, INC.
AND
THE HOOSETT CONSERVATION COMMISSION**

This Agreement is made and entered into by and between The Student Conservation Association, Inc., a nonprofit New York corporation, with its principal place of business at 4601 North Fairfax Drive, Suite 900 Arlington, VA 22203 (“SCA”), and the Hooksett Conservation Commission with its principal place of business at 35 Main Street, Hooksett, NH 03106.

1. BACKGROUND

The SCA is a nonprofit organization which fosters life-long stewardship of the environment by offering opportunities for education, leadership and personal development to its participants while providing a high quality public service in natural resource management and conservation. SCA recruits, trains and places qualified young adults to serve in environmental conservation projects as members of the SCA conservation corps program. The SCA’s residential New Hampshire program provides conservation crew services statewide to partner Agencies.

The Hooksett Conservation Commission is a public commission with a mission to work with town, state, federal and private agencies and individuals on wetland and conservation issues. They review and update Town ordinances and resource information concerning wetlands, prime wetlands, natural resources inventory and other conservation concerns, and other activities as determined by the Commission. Lastly, the commission plans for and preserves community green spaces. The commission has authority to enter into this agreement to accomplish the purposes of its mission. Throughout this agreement the commission will be referred to as “the Project Partner.”

2. PARTY RESPONSIBILITIES

A. It is mutually agreed by the parties that SCA and Project Partner shall cooperate in the placement of one 5-7 member SCA Conservation Corps crew for an 11-day term of service during the 2020 field season (07/14/2020 or whichever later date the crew begins service through 10/09/2020 or whichever later date the crew completes service) to perform trail service and other conservation service activities in New Hampshire as further described in this agreement.

2.1 SCA agrees (“Project Services”):

- a. To provide one well-trained, team of 5-7 corps members for an 11-day hitch period, July 14 – July 24, during the 2020 field season;

- b. To manage the crew and to implement the project activities as described in this section 2;
- c. To develop the new trail at Pinnacle Park. The trail, as pictured on the trail map, will be built according to sustainable trail design. Trail structures will be added, where applicable, to provide drainage or stability while following sustainable practices requiring minimal routine maintenance.
- d. To provide food, tools, vehicles, and equipment necessary to complete the projects;
- e. To provide staff support: staff members are responsible for all supervision of the corps members as needed;
- f. To provide an AmeriCorps Educational Award to qualifying SCA members, but only if and when made available by the Corporation for National and Community Service; **The Corporation for National and Community Service has prohibited the following activities for AmeriCorps members while they are accumulating service or training hours, or otherwise performing activities associated with the program:**
 - 1. Attempting to influence legislation.
 - 2. Organizing or engaging in protests, petitions, boycotts, or strikes.
 - 3. Assisting, promoting or deterring union organizing.
 - 4. Impairing existing contracts for services of collective bargaining agreements.
 - 5. Engaging in partisan political activities or other activities designed to influence the outcome of an election to any public office.
 - 6. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials.
 - 7. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
 - 8. Providing a direct benefit for
 - a. A business organized for profit;
 - b. A labor union;
 - c. A partisan political organization;
 - d. A nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 except that nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and

- e. An organization engaged in the religious activities described in paragraph (g) of this section, unless Corporation assistance is not used to support those religious activities;
- 9. Voter registration drives held by AmeriCorps members.
- 10. Providing abortion services or referrals for receipt of such services.
- 11. Writing grants or raising funds for an organization's general operating expenses or endowment. The only kind of fundraising that members are allowed to do is fundraising directly in support of their particular project. Examples of allowable activities: Seeking donations (in the form of in-kind materials or dollars) for a specific project they are carrying out as an AmeriCorps member; Writing a grant to a foundation for funds for a specific project they're carrying out, such as a community clean-up. Allowable fundraising activities must add up to no more than 10% of the member's total hours; and
- 12. Other activities that the Corporation determines will be prohibited.
- g. To provide Project Partner with a summary report of services performed.

C. The Project Partner agrees:

- a. To provide site and project work specifications, technical assistance as required, and to collaborate with the SCA staff as mutually agreed to carry out Project work;
- b. To pay SCA a project fee of \$10,500 (Ten Thousand five Hundred Dollars) for Project Services to be paid in accordance to below 3.1.e; and any additional amounts that may be required by section 5 of this Agreement.
- c. To purchase and provide all necessary building materials and supplies for the projects;
- d. To provide safe and meaningful stewardship projects appropriate for SCA members consistent with members' training;
- e. To permit SCA members to wear an approved SCA uniform during their term of service;
- f. If required by federal, state, municipal or local subdivision law or regulations, to arrange for all permits, licenses, and approvals and other administrative or governmental clearances necessary with regard to the administration of the project;

- g. To provide safe and adequate housing or tent space for the members to stay in while working on the projects;
- h. To provide a written evaluation of the members' performance within fifteen calendar days of termination of the Agreement.

3. **PROGRAM CONDITIONS**

3.1 The parties mutually agree:

- a. SCA members shall not be assigned law enforcement or firefighting duties; and shall not be permitted to handle or discharge any firearms or explosives unless provided explicit permission by SCA's National Program Manager - Residential.
- b. SCA agrees to accept any extra tools, materials, equipment and facilities furnished by the Project Partner on a loan basis only, and such items shall, where applicable, be returned in the same condition received except for normal wear and tear in project use.
- c. SCA members over eighteen (18) years of age may be allowed to drive a vehicle that is owned, rented, leased or loaned by or to the Project Partner only when (i) the vehicle is used with written permission of the Project Partner site supervisor and only for official use; (ii) the driver is properly licensed and qualified to operate the vehicle; (iii) the Project Partner maintains, and the driver is made aware of the requirements of, a safe driver policy; (iv) both the driver and the vehicle will be covered by an insurance policy maintained by the Project Partner for the use of such vehicle and (v) subject to any additional Project Partner policies and regulations.
- d. The Project Partner shall have the right to require the removal of any SCA member on the basis of unacceptable performance and/or conduct problems that could not be resolved with the help of SCA. SCA shall have the right to withdraw any SCA member if the Project Partner fails to provide sufficient and appropriate project assignments, safe conditions including without limitation free from discrimination and harassment, appropriate housing, training, or project oversight. Provided there is no imminent threat to safety or health, the relevant party shall, prior to taking such corrective action, take the following steps: document the problem in writing, provide prior notice to the other party, and provide the other party with an opportunity to take corrective action.
- e. SCA may present two invoices for costs and obligations undertaken for the Project, as follows: (1) An initial invoice requesting 50% of the estimated Project cost will be submitted to the Project Partner prior to the start of the Project, and (2) the remaining costs shall be invoiced upon completion of the Project. The

Project Partner agrees to make payment to SCA within 30 days of the date of such invoices. In the event any itemized invoice remains unpaid for more than 30 days, the Project Partner agrees to pay SCA an interest charge on the outstanding balance at the rate of 1% a month from the date the invoice was rendered. All invoices should be emailed to: Leann Fuller - LFuller@hooksett.org.

- g. The Project Partner shall not hire any SCA member as an employee of the Project Partner prior to, or during, the SCA member's service as a corps member.

4. INSURANCE

Project Partner shall add SCA as an additional insured to its general liability policy and provide SCA with such certificate of insurance. In addition, SCA shall maintain its current general liability insurance of not less than \$1,000,000 per occurrence for bodily injury and property damage, subject to the usual and customary policy conditions (including standard exclusion on vehicles licensed for highway use and on property in the care, custody and control of the policyholder). For the purposes of workers compensation claims, responsibility and coverage for all SCA staff and crew members is borne by the SCA.

5. TERM and TERMINATION.

5.1 This Agreement shall become effective upon the date it is signed by both parties and shall remain in effect during the period of performance specified for this project. Either party may cancel this Agreement immediately upon written notice (including email) as a result of (i) material breach by the other party, or (ii) for COVID-19 reasons. In the event of a material breach, Project Partner shall pay SCA for all work performed through the notice date. In the event of termination due to COVID-19 reasons, Project Partner shall pay SCA for all work performed through notice period and shall reimburse SCA for wind-down of the program, including but not limited to travel, housing and other costs associated with safely securing program participants.

5.2 Either party may cancel the Agreement without cause with thirty (30) days' notice. In the event either party cancels without cause, SCA shall wind down work upon notice and Project Partner shall pay SCA for all work performed through the notice period as well as a service fee of 20 percent (20%) of the remaining balance, as Project Partner acknowledgment of SCA's upfront investment in standing up the program that it would have otherwise recovered throughout the term of the Agreement.

6. PROJECT COORDINATORS

The Project Coordinators for this Agreement are:

A. For the Project Partner:

Programmatically: Cindy Robertson
Chair
Hooksett Conservation Commission
cindyrob79@gmail.com

Administratively: Leann Fuller
Administrative Assistant
Town of Hooksett
(603) 485-8471
LFuller@hooksett.org

B. For the SCA

Programmatically: Davis Brush
Program Manager,
SCA NH Corps
75 South Main St. Unit 7 PMB 116
Concord NH 03301,
P: 603-485-2191
dbrush@thesca.org

Zach Colatch
Conservation Coordinator
SCA NH Corps
P: 603.485.2191
zcolatch@thesca.org

Administratively: Rebecca Donovan
Agreements Administrator
Student Conservation Association
689 River Road
Charlestown, NH 03603
P: 603.504.3239, ext. 1149
C: 413.695.6155
rdonovan@thesca.org

7. ENTIRE AGREEMENT.

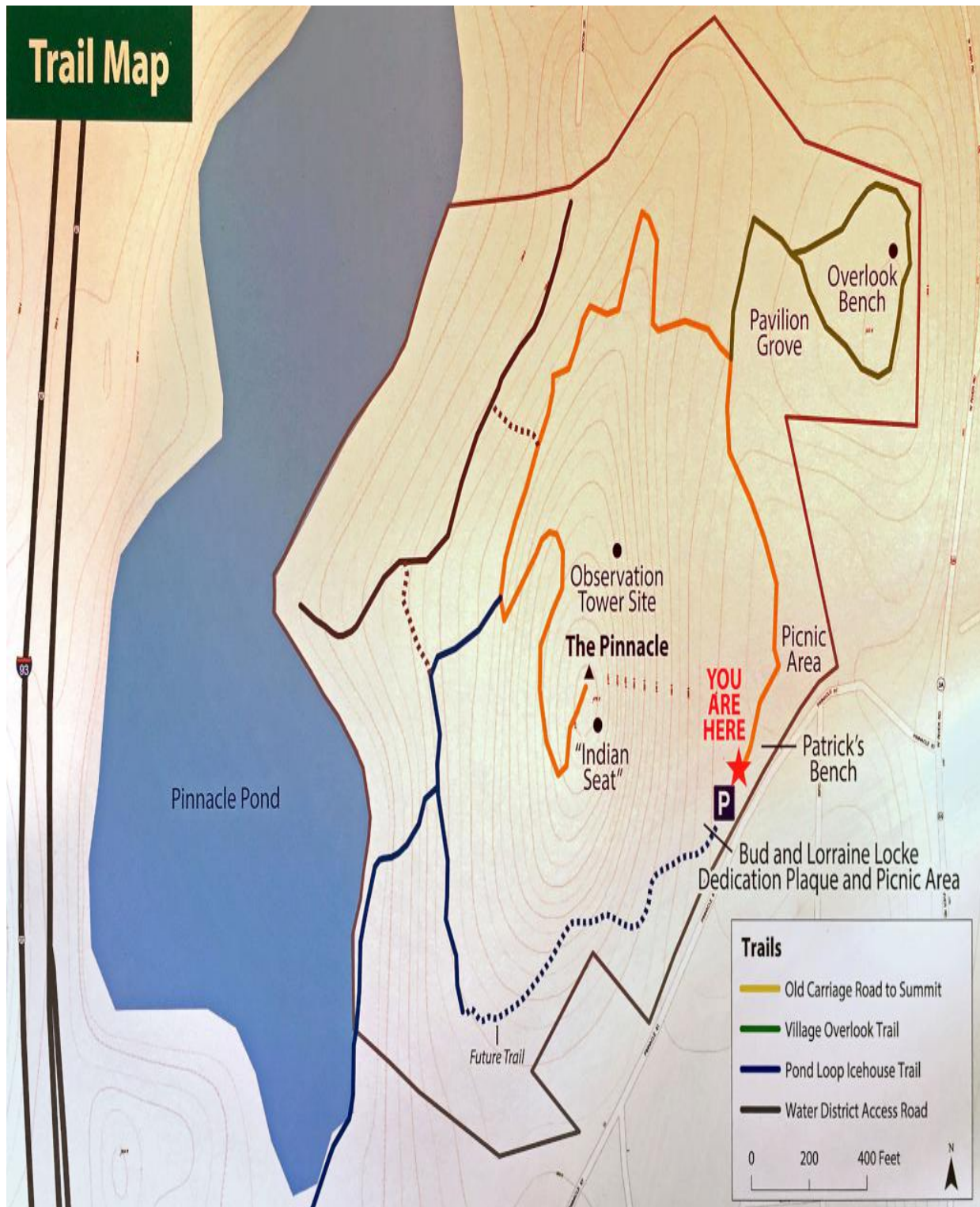
This Agreement contains the entire agreement of the parties and may only be amended by written agreement, signed by both Parties.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized officers on the dates set forth below.

**THE STUDENT CONSERVATION PROJECT PARTNER
ASSOCIATION, INC.**

By: _____
Name:
Title:
Date:

By: _____
Name: Cindy Robertson
Title: Chair, Hooksett Conservation Commission
Date:



Town Council
STAFF REPORT



To: Town Council
Title: License to use the Town of Hooksett's land off of Merrimack Street and surrounding fields at 161 Merrimack Street
Meeting: Town Council - 13 May 2020
Department: Community Development
Staff Contact: Leann Fuller, Community Development Clerk

BACKGROUND INFORMATION:

In past years, the Town Administrator has signed a License for use of the Town of Hooksett's land off of Merrimack Street and the surrounding fields located at 161 Merrimack Street. This license allows the use of the property for agricultural purposes. The grantee will hay the open fields 2 to 3 times per year, including mowing, raking and baling the hay. The grantee will also keep the land clean and fertile.

RECOMMENDATION:

Recommend to have the Town Administrator sign the License to allow Iraklis Lazaridis to use the Town of Hooksett's land off of Merrimack Street and surrounding fields located at 161 Merrimack Street.

SUGGESTED MOTION:

Motion to have the Town Administrator sign the License to allow Iraklis Lazaridis to use the Town of Hooksett's land off of Merrimack Street and the surrounding fields located at 161 Merrimack Street.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Map 1 Lot 34 is a different lot from the one Town council granted approval to use to RMI (Map 1 Lot 37).

ATTACHMENTS:

[License to Use-Town and Lazaridis](#)

[Map of Field Locations](#)

[M. Serge Email of approval](#)

LICENSE

The Town of Hooksett, a municipal corporation, with an address of 35 Main Street, Hooksett, New Hampshire, 03106, (Grantor or Town) grants to Iraklis Lazaridis, an individual with an address of 1662 Elm Street, Manchester, New Hampshire, 03101 (Grantee or Lazaridis) a license to use the Town of Hooksett's land off of Merrimack Street and surrounding fields located at 161 Merrimack Street, Tax Map 1 Lot 34.

The Grantee will use the Property for agricultural purposes and will hay the open fields 2 to 3 times per year, including mowing, tedding, raking, and baling the hay. In doing so, he also agrees to keep the land clean and fertile, and to be used solely for agricultural purposes. The Grantee also agrees to trim any limbs that lean over the field and remove any natural debris.

This license is valid until either the Property is sold, or the Town revokes the license, whichever occurs first. The Town reserves the right to revoke this license for any reason. The Grantor shall provide the Grantee with a minimum of 30 days written notice prior to terminating this license.

The Town makes no warranty or guarantee concerning the condition of the property. The Grantee agrees to assume all risks associated with his use of the Property.

The Grantee agrees to hold harmless, release, and indemnify the Grantor for any and all liability and/or claims for personal injury or damage to property arising from the Grantee's use of the Property, except those claims based on the Grantor's alleged intentional or reckless conduct.

The Grantee agrees to repair any damage caused to the Property as a result of the parking use and restore the property to its original condition.

This license shall become binding when signed by the parties. This license supersedes all prior or contemporaneous communications and negotiations, both oral and written and constitutes the entire agreement between the parties relating to the use(s) set out above.

No amendment shall be effective except in writing signed by both parties.

If any provision of this license is held invalid, the other provisions shall not be affected thereby.

TOWN OF HOOKSETT

Date:_____

André Garron, Duly Authorized

Date:_____

Iraklis Lazaridis



Leann Fuller

From: Matthew R. Serge <MSerge@dwmlaw.com>
Sent: Friday, April 17, 2020 11:49 AM
To: Leann Fuller
Cc: Steve Couture; Cindy Robertson
Subject: RE: Hooksett property

Hi, Leann. I have reviewed the license agreement and see no reason why it cannot still be used. I believe I had a hand in preparing the prior license as it contains the sort of provisions I would usually include in a document of this nature.

Please do not hesitate to contact me if you have any additional questions. Have a nice weekend.

-Matt

From: Leann Fuller [mailto:LFuller@hooksett.org]
Sent: Tuesday, April 14, 2020 11:17 AM
To: Matthew R. Serge <MSerge@dwmlaw.com>
Cc: Steve Couture <stevecouture4@gmail.com>; Cindy Robertson <cindyrob79@gmail.com>
Subject: FW: Hooksett property

Matt,

Please review the attached license agreement. This agreement is for the use of the Hooksett property located at 161 Merrimack Street for agricultural use. As you can see from the email thread, the Conservation Commission is looking for your approval to use the same agreement they have used previously. I have included Steve Couture and Cindy Robertson on this e-mail as they would be able to answer any questions that may come up.

Thank you,

Leann

Leann Fuller
 Administrative Assistant
 Community Development Department
 Town of Hooksett
 35 Main Street
 (603) 485-4117

From: Steve Couture <stevecouture4@gmail.com>
Sent: Tuesday, April 14, 2020 11:12 AM
To: Cindy Robertson <cindyrob79@gmail.com>
Cc: Leann Fuller <LFuller@hooksett.org>
Subject: Re: Hooksett property

Town Council STAFF REPORT



To: Town Council
Title: Community Development Permitting Software Recommendation
Meeting: Town Council - 13 May 2020
Department: Community Development
Staff Contact: Leann Fuller, Community Development Clerk

BACKGROUND INFORMATION:

The Town of Hooksett Community Development Department currently has a permitting software system called ViewPermit. ViewPermit is transitioning to a new cloud based system called ViewPoint Cloud. This transition comes with a price. This price triggered the requirement for the RFP process.

In March, the Town of Hooksett received seven bids for a new Community Development Permitting Software. André Garron, Councilor Walczyk, Nick Germain, Christine Soucie, Kathy Lawrence and Leann Fuller reviewed all seven bids and narrowed it down to three companies to interview.

The three companies interviewed were:

LAMA Software

CitizenServe

Full Circle Technologies

FINANCIAL IMPACT:

Partial funding for the Community Development Software is in the budget for FY 2020-2021. The remaining to come from FY 2019-2020 budget surplus.

RECOMMENDATION:

We recommend the Town Council allow staff to negotiate a contract with Full Circle Technologies.

SUGGESTED MOTION:

Motion to accept the bid from Full Circle Technologies for a first year cost of \$39,070.00. \$31,000.00 to come from the operating budget and the additional \$8,070 to come from the surplus from this years budget.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Full Circle Technologies was the lowest bidder and was also the unanimous selection, from a field of seven proposals, by the review committee. Councilor Walczyk, Kathy Lawrence, Comm. Dev. Admin. Asst., Leann Fuller, Comm. Dev. Admin. Asst., Nick Germain, Project Coordinator and Christine Soucie, Finance Director and myself.

ATTACHMENTS:

[Scoring Sheet-Town Council](#)

[Software Cost Comparison-Town Council](#)

COMMUNITY DEVELOPMENT SOFTWARE					
Company Name	Quality of Proposal	Meet the Timeline	Municipal Experience	Delivery of Services	Firm Experience
<i>LAMA Software</i>	4: Custom Software, Traditional License, Team is comprised of Planners, Engineers and IT professionals	2: 5-6 months	3: No NH Clients	4	4
<i>CitizenServe</i>	3: Annual subscription based on users, Unlimited support, Custom reports, Browser based	2: 5-6 months	3: No NH Clients	4	4
<i>Full Circle Technologies</i>	4: Integrates with Assessor Software, Customizeable, Works with EB2Gov payment processor	5: 4 weeks	4: NH Client-Derry	4	4

Community Development Permitting Software

Bid Opening: March 19, 2020 at 10AM

Bidder Name	Location	Software Cost	Training Cost	Migration Cost		Year 1 Total	Year 2 Total	Year 3 Total
Dude Solutions	North Carolina	\$20,160.00	\$32,000.00	\$10,200.00		\$62,360.00	\$20,160.00	\$20,160.00
*CitizenServe	Arizona	\$14,700.00	\$8,400.00	\$30,000.00		\$53,100.00	\$14,700.00	\$14,700.00
*Full Circle Technologies	Boston	\$34,820.00	INCLUDED	\$4,250.00		\$39,070.00	\$9,050.00	\$9,500.00
BS&A Software	Michigan	\$17,925.00	\$40,025.00	\$8,930.00		\$66,880.00	\$3,585.00	\$3,693.00
*LAMA Software	Illinois	\$59,399.00	\$11,110.00	\$3,840.00		\$74,349.00	\$12,832.00	\$13,088.00
General Code	New York	\$21,950.00	\$31,688.00	\$6,000.00		\$59,638.00	\$18,800.00	\$18,800.00
Central Square	Florida	\$23,125.00	\$19,656.00	\$93,420.00		\$136,201.00	\$13,125.00	\$13,781.00

*Interviewed bidders

Town Council

STAFF REPORT



To: Town Council
Title: Town Council to accept the \$12,944.82 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act from the US Health and Human Services to the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulance Revenue Line under RSA 31:95-b III (a).
Meeting: Town Council - 13 May 2020
Department: Fire and Rescue
Staff Contact: Joseph Stalker, Captain

BACKGROUND INFORMATION:

The Department of Health and Human Services (HHS) is delivering \$30 billion in relief funding to providers in support of the national response to COVID-19 as part of the distribution of the \$100 billion provider relief fund provided for in the Coronavirus Aid, Relief, and Economic Security (CARES) Act recently passed by Congress and signed by President Trump. The funding will be used to support healthcare-related expenses or lost revenue attributable to coronavirus and to ensure uninsured Americans can get the testing and treatment they need without receiving a surprise bill from a provider.

FINANCIAL IMPACT:

\$12,944.82 to be deposited into the Ambulance Revenue Line.

POLICY IMPLICATIONS:

N/A

RECOMMENDATION:

Close public hearing and vote same night.

SUGGESTED MOTION:

- 1) Motion to waive Town Council Rules of Procedure and vote same night as public hearing
- 2) Motion to accept the \$12,944.82 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act from the US Health and Human Services to the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulance Revenue Line under RSA 31:95-b III (a).

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Hooksett was allocated a share of the federal funds, through the Health and Human Services section of the CARES Act, that will be used to replenish Hooksett's Fire Rescue Ambulance fund.

Town Council
STAFF REPORT



To: Town Council
Title: Donation to the Town of Hooksett, for the Hooksett Fire-Rescue Department from the Leon C Boisvert Revocable Trust
Meeting: Town Council - 13 May 2020
Department: Fire and Rescue
Staff Contact: James Burkush, Chief of Hooksett Fire&Rescue

BACKGROUND INFORMATION:

The Town of Hooksett received notification of a donation from the Leon C Boisvert Revocable Trust; "The Sum of Fifty thousand dollars (\$50,000.00) to the Trustees of the Trust Funds, Town of Hooksett, New Hampshire, to establish the "Leon C Boisvert Fire Department Trust Fund" with the income therefrom to be used, in the sole discretion of the Fire Chief, for the purchase of fire department equipment for the benefit of the Hooksett Fire Department".
See attached for details regarding RSA 31:19 Trust Funds.

FINANCIAL IMPACT:

none

RECOMMENDATION:

To accept the Donation to be used only as intended

SUGGESTED MOTION:

Motion 1) "Motion to establish the Leon C Boisvert Fire Department Trust Fund under 31:19 for the purpose of Hooksett Fire Department equipment and to name the Fire Chief as the agent to expend."

Motion 2) "Motion to accept \$50,000.00 donation to the Leon C Boisvert Fire Department Trust fund from the estate of Leon C Boisvert."

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Our sincere appreciation to the Boisvert family for this very thoughtful gift to the Fire Department

ATTACHMENTS:

[HFR TRUST FUND 05132020](#)

Donna Fitzpatrick

From: Regina Howard <RHoward@hooksettfire.org>
Sent: Thursday, April 30, 2020 12:54 PM
To: Donna Fitzpatrick
Cc: James Burkush
Subject: 50K Trust/Public Hearing Necessity
Importance: High

Hi Donna,

The Chief asked me to confirm with Christine that there was no need for a Public Hearing for the acceptance of the \$50,000 Trust Fund being gifted to the Fire-Rescue. Per Christine, the NH RSA that applies to Town receipt of Trust Gifts is found in RSA 31:19 (link below). Additionally, once the Town Council accepts such fund, the Town Charter Section 5.14 "Gifts and Grants" gives the ability to accept and expend such funds. No stipulation for public hearing is noted in either of those guidelines. Hope this is helpful in clarifying.

<http://www.gencourt.state.nh.us/rsa/html/III/31/31-19.htm>

Thanks,
Gina

Regina M. Howard
Administrative Assistant
Hooksett Fire-Rescue Department
15 Legends Drive
Hooksett, NH 03106
(603) 623-7272

Visit our website: www.hooksettfire.org
Find us on Facebook: Hooksett Fire Rescue Department



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

CHAPTER 31 POWERS AND DUTIES OF TOWNS

Trust Funds

Section 31:19

31:19 In General. –

I. Towns may take and hold in trust gifts, legacies, and devises made to them for the establishment, maintenance, and care of libraries, reading-rooms, schools, and other educational facilities, parks, cemeteries, and burial lots, the planting and care of shade and ornamental trees upon their highways and other public places, and for any other public purpose that is not foreign to their institution or incompatible with the objects of their organization.

II. Towns may authorize the board of selectmen, or town council if there is one, to accept such trusts without further action by the town.

III. Such authority to accept shall continue in effect for one year from the date of town meeting or action by the town council. The authority to accept trusts may be granted for an indefinite period, in which case the warrant article or vote granting such authority shall use the words, "indefinitely" or "until rescinded" or similar language.

Source. GL 49:7; 50:3. PS 40:5. 1901, 83:1. 1907, 70:1. PL 42:18. 1941, 43:1. RL 51:19. RSA 31:19. 1995, 137:1, eff. May 24, 1995.

Town Council

STAFF REPORT



To: Town Council
Title: Quarterly Financial Report as of March 31, 2020
Meeting: Town Council - 13 May 2020
Department: Finance
Staff Contact: Christine Soucie, Finance Director

TOWN ADMINISTRATOR'S RECOMMENDATION:

Monthly financial update. The council had questions relative to the town's financial status in the midst of the COVID 19 pandemic.

ATTACHMENTS:

[PP Quarterly Financial Report for March 31, 2020](#)

Quarterly Financial Report for March 31, 2020

THIRD QUARTER OF FY 2019-20

UNAUDITED

COVID 19 Impact on Budgets

The Governor declared a State of Emergency on March 13, 2020.

As of April 30th, the Town has spent approximately \$35,000 for services related to the pandemic.

◦ Fire Overtime & benefits	\$ 17,709*
◦ Fire Supplies (gloves, masks, sanitizer)	5,666*
◦ Police Supplies (sanitizer)	25
◦ Families First Coronavirus Reponses Act	5,278
◦ Legal Fees	250
◦ Town welfare	5,800
◦ Vertical meetings	500
Total as of April 30 th	<u>\$35,228</u>

*The Town is seeking reimbursements for the Fire's overtime and supplies.

Currently the operating budget has the ability to handle the expenses related to the pandemic. There are cost savings in the budget for such things as training, travel, fuel and even overtime.

Next fiscal year: The Town is concerned with the long term effects on the Town welfare line.

COVID 19 Impact on Revenues

For the Month of April the Town revenues have decreased as follows:

Motor Vehicle Registrations down 50% (short \$150,000)

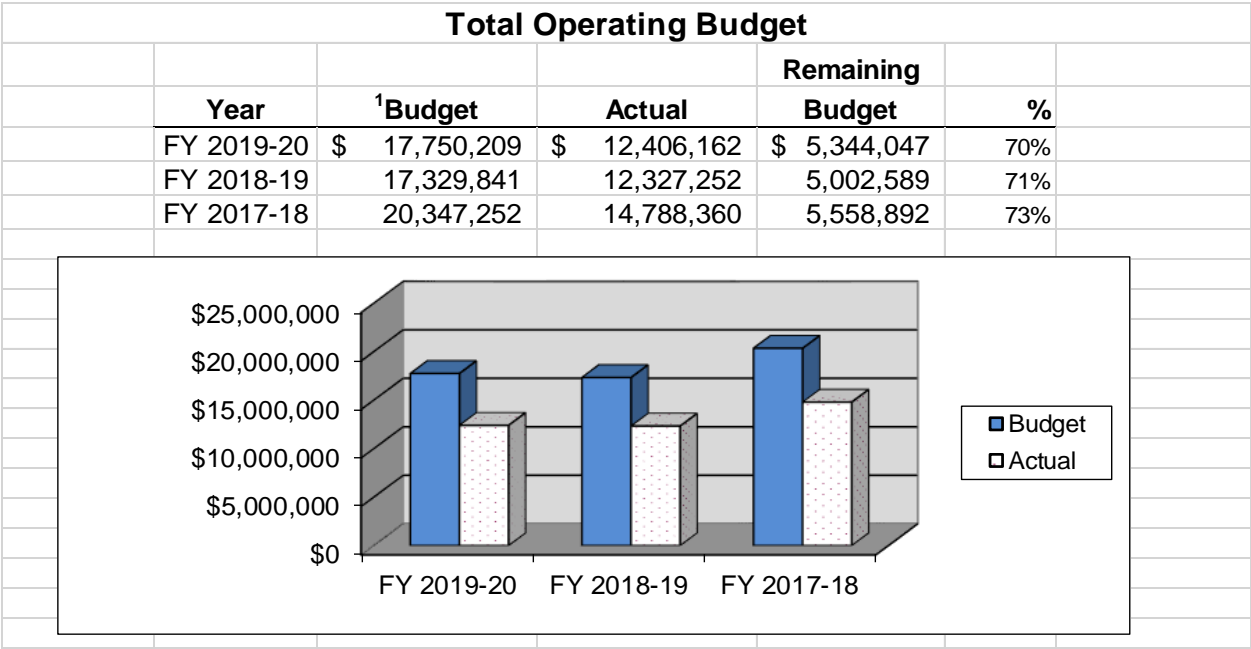
Interest on Deposits down 50% (short \$8,000)

Building permits down 50% (short \$9,000)

Next fiscal year: The Town is concerned with loss of State revenues and the ability for residents to pay tax bills timely.

The State's Meals and Room Tax comes from taxes on lodging, restaurants and mv rentals and the State's Highway Block funds are collected on tolls, gas tax, and state share of MV registrations. Both revenue streams are highly dependent on a healthy economy.

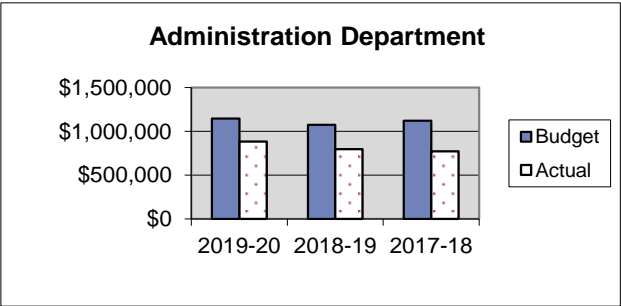
General Fund Operating Budget



1) Budget amounts include encumbrances, transfers, grants and donations approved by Council as of March 31st of each year.

Administration Department Expenditure

Administration Department			
Year	Budget	Actual	%
2019-20	\$1,146,823	\$ 883,336	77%
2018-19	1,075,943	794,373	74%
2017-18	1,120,996	770,217	69%



The budget has remained relatively stable for the last three years.

The department is responsible for large town-wide expenditures, such as property liability insurance, workers compensation, legal service and computers.

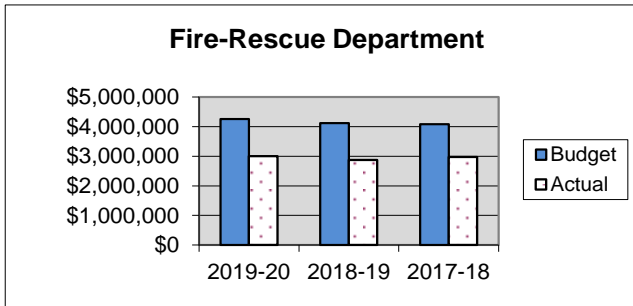
FY 2018-19 was a default budget, but does include \$60,576 of encumbrances related to IT projects. The current budget, FY 2019-20, includes \$24,046 in encumbrances primarily for IT projects for the Fire Department.

Spending is up just over \$88,000 from last year due to employee changes.

The legal line can be very volatile. Currently it is on target for the year at 77% spent. This compares to last March which was 82% spent and March of 2018 which was 95% spent.

Fire-Rescue Department Expenditure

Fire-Rescue Department			
Year	Budget	Actual	%
2019-20	\$4,255,331	\$ 2,995,462	70%
2018-19	4,120,634	2,866,721	70%
2017-18	4,084,332	2,970,929	73%

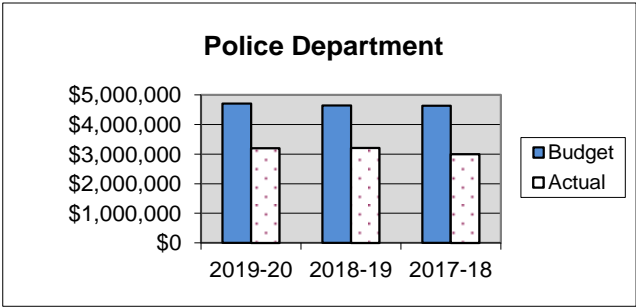


Over the last three fiscal years, this budget has increased about \$171,000 or 4%. This increase includes a 2% increase in wages and overtime; a 1% decrease in health insurance costs and another 3% increase in general operations for items such as hydrant rentals and vehicle maintenance.

Spending has stayed at or near the March benchmark of 73% each year. Minimum staffing is being utilized to keep the department's expense down. The department is struggling with overtime and vehicle maintenance. Normal maintenance has been performed on all fleet and additional cost for Engine 5's lighting, Engine 4's radiator and upgrades to the Ladder truck were incurred.

Police Department Expenditure

Police Department			
Year	Budget	Actual	%
2019-20	\$4,709,950	\$ 3,202,563	68%
2018-19	4,642,057	3,210,796	69%
2017-18	4,637,169	3,001,918	65%

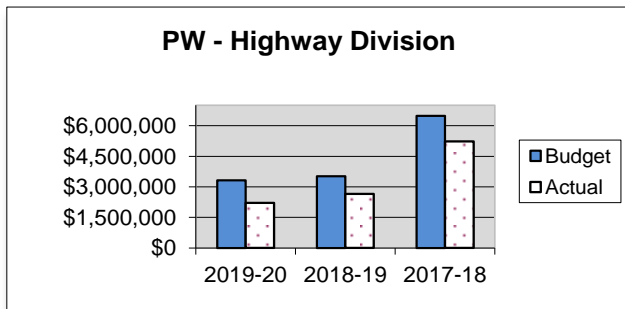


The overall increase in the Police budget for the last three fiscal years was just under \$75,000 or 1.5%. Wages increased 2.2%; health insurance decreased 1% and general operations increased just under 0.3%.

The department historically underspends its budget due to vacant positions. There have been five patrol officers, one sergeant, one dispatch and a prosecution assistant’s position vacant this year. The length of vacancies varies with each position. Last year at this time, there were seven full-time employee turnovers compared to eight this year.

PW – Highway Division Expenditures

PW - Highway Division			
Year	Budget	Actual	%
2019-20	\$3,317,103	\$ 2,216,414	67%
2018-19	3,518,487	2,650,943	75%
2017-18	6,487,932	5,235,717	81%



This division of Public Works includes Administration, Roads, Fleet and Building Maintenance.

Each year road paving is encumbered into the following year's budget. The FY 2019-20 budget includes \$374,540 from the prior year. In FY 2018-19 there was \$628,015 from FY 2017-18 and in FY 2017-18 there was \$241,381 encumbered for paving and \$3,424,776 for the pedestrian bridge.

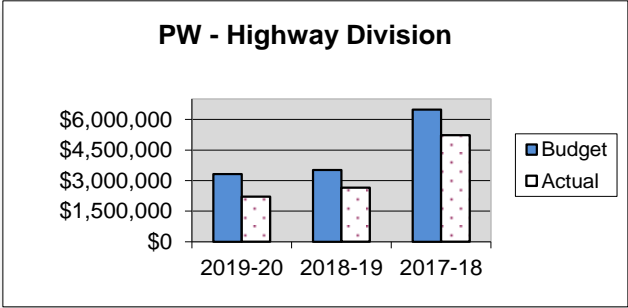
If you remove all of the encumbrances from each of the budget years, the actual budget has increased \$120,000 or 4.5% over the three years. This breaks down as follows: 7% increase in wages and overtime, 1.5 decrease in health insurance, 0.5% increase in the employer share of NH Retirement and 1.5% decrease in general operations.

PW – Highway Division Expenditures, continued

Year to date actuals are 67% of the budget, which is lower than the prior two years. In FY 2017-18 the Town was working on the pedestrian bridge and in FY 2018-19 the town had spent just under a million dollars on paving roads compared to the current year having spent \$629,053.

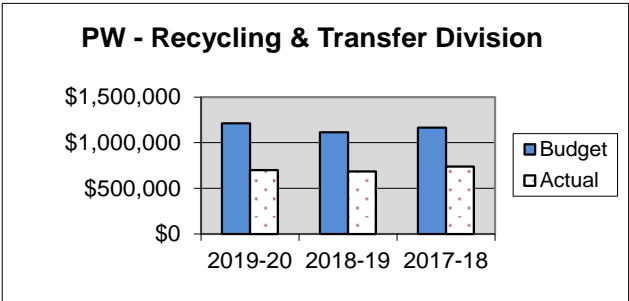
Staffing levels for the highway division have remained level. For the past two years, the division has had two full-time staff turnovers.

PW - Highway Division			
Year	Budget	Actual	%
2019-20	\$3,317,103	\$ 2,216,414	67%
2018-19	3,518,487	2,650,943	75%
2017-18	6,487,932	5,235,717	81%



PW – Recycling & Transfer Division Expenditures

PW - Recycling & Transfer Division			
Year	Budget	Actual	%
2019-20	\$1,213,158	\$ 699,173	58%
2018-19	1,114,714	684,674	61%
2017-18	1,165,097	740,663	64%



This budget has increased \$48,000 or 4.5% over the past three years. Wages and overtime have increased just over 2% with no changes in the staffing levels. Health insurance has increased by 1%, the Town share of NH Retirement has increased by 0.5%, and general operations have increased by 1%.

Position vacancies explain why actuals are 15% below the March benchmark. Currently there have been three full-time position vacancies. This compares to last year at this time having two positions vacant.

Actual spending has remained level for the last three years. The Town continues to watch the tipping fee line closely, having spent \$320,012 on trash disposal for the year. This is \$27,000 more than last year at this time and \$41,000 more than the five-year average.

PW – Recycling & Transfer Division Expenditures, continued

The cost to dispose of trash has increased for two reasons.

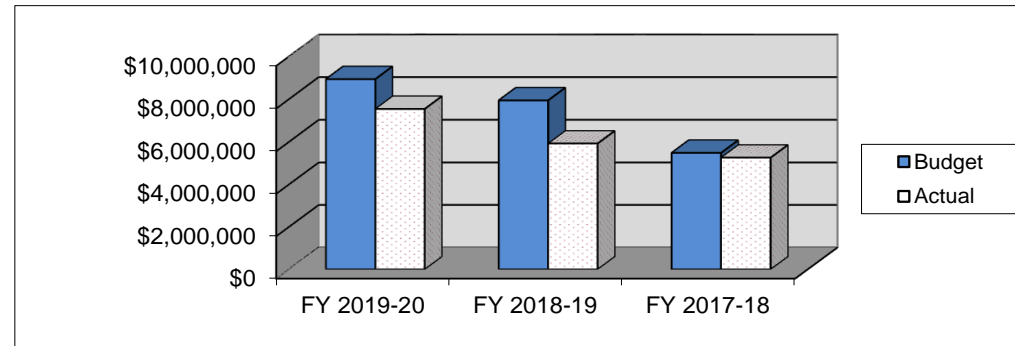
First, the contractual rate for tipping fees has increased. The Town is in a long term contract, to dispose of trash, which has a slight rate increase each year.

Second, there has been a change in the recycling market. For many years recycling was less expensive than trash to dispose of and good for the environment. Currently it costs more to recycle materials than to dispose of as trash, which lead the Town to end curbside collection in 2018 and the single stream recycling program in April 2019.

The Town still recycles whenever possible. Items like cardboard, metals and aluminum are being recycled.

General Fund Revenues

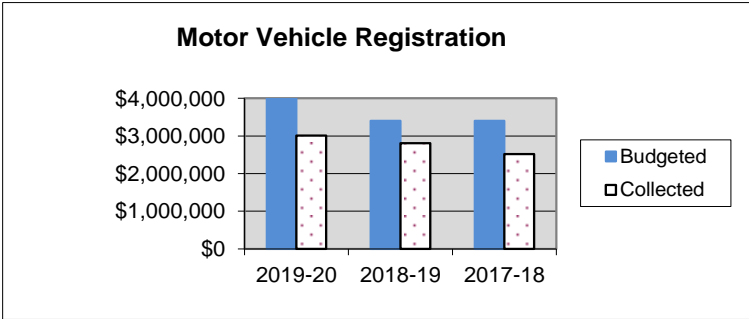
Total Revenues					
	Year	¹ Budget	Actual	Uncollected Budget	%
	FY 2019-20	\$ 8,934,463	\$ 7,539,442	\$ (1,395,021)	84%
	FY 2018-19	7,941,343	5,918,765	(2,022,578)	75%
	FY 2017-18	5,483,194	5,259,978	(223,216)	96%



1) Budget amounts include encumbrances, transfers, grants and donations approved by Council as of March 31st of each year.

Motor Vehicle Registration Revenues

Motor Vehicle Registration			
Year	Budget	Actual	%
2019-20	\$4,000,000	\$3,010,491	75%
2018-19	3,400,000	2,810,879	83%
2017-18	3,400,000	2,519,539	74%



The top revenue source for the Town are fees collected for registering motor vehicles. The increase in the budget is based on actual collections at the end of the year.

As of June 2019 the Town collected \$3,873,297

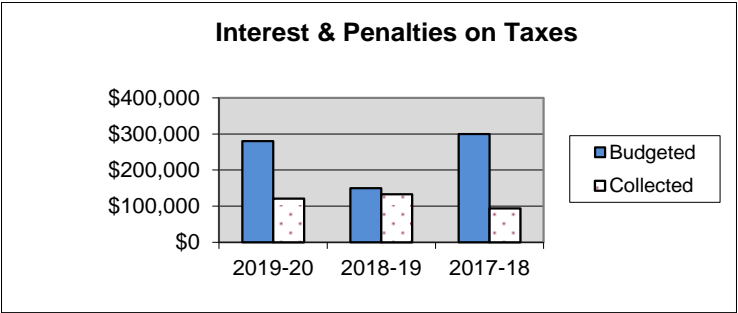
June 2018 collections were \$3,481,730

June 2017 collections finished at \$3,456,725

Based on year to date actuals, it is anticipated that collections will be \$4 million as of June 2020.

Interest & Penalties on Tax Revenues

Interest & Penalties on Taxes			
Year	Budget	Actual	%
2019-20	\$ 280,000	\$ 121,319	43%
2018-19	150,000	133,273	89%
2017-18	300,000	93,857	31%



This interest comes from property taxes not being paid timely and the penalties are fees to execute liens and notices. Many property owners pay off delinquent taxes in the spring to avoid the Town deeding their property and also when property owners want to sell their property.

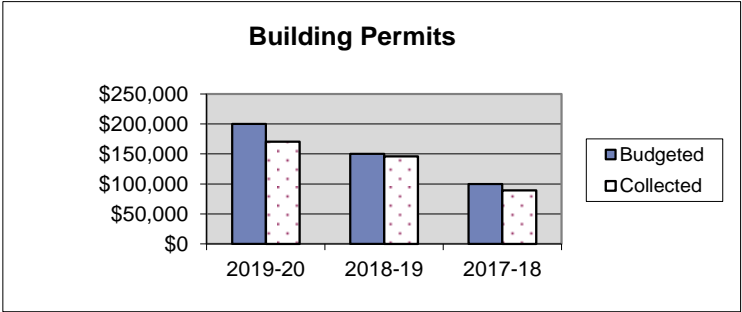
Both the budget and collections have been up and down over the last three years. Year end collections are as follows:

June 2019	\$304,891
June 2018	\$171,195
June 2017	\$222,279

The State has lowered the penalties by 4% on liens and delinquent payments effective April 2019.

Building Permit Revenues

Building Permits			
Year	Budget	Actual	%
2019-20	\$ 200,000	\$ 170,477	85%
2018-19	150,000	146,310	98%
2017-18	100,000	89,518	90%



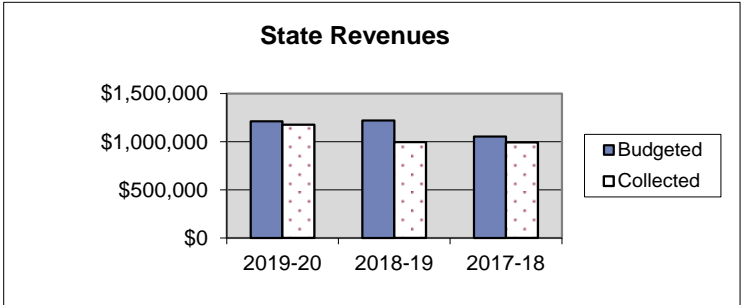
These fees are paid for residential and commercial construction. Collections have increased over the last three fiscal years.

Number of permits issued as of March of each year are as follows:

- 7/1/19 to 3/31/20 938
- 7/1/18 to 3/31/19 882
- 7/1/17 to 3/31/18 511

State of NH Revenues

State Revenues			
Year	Budget	Actual	%
2019-20	\$1,213,075	\$1,174,694	97%
2018-19	1,219,082	993,657	82%
2017-18	1,053,183	991,842	94%



The Meals & Rooms Tax and Highway Block Grant have been steady for the last three years.

The State sent additional Highway Block Grant funds in 2017 to each community. Hooksett’s share was \$260,243.

In October 2019 the State sent Municipal Aid in the amount of \$152,392 to the Town. This same amount is anticipated in October 2020.

No State Shared Revenues have been received since FY 2009-10.

Town Council

STAFF REPORT



To: Town Council
Title: COVID-19 - Request to Town Council to Ease Requirements of Employee Earned Vacation Time Carry Over Limits through December 31, 2020
Meeting: Town Council - 13 May 2020
Department: Administration
Staff Contact: Donna Fitzpatrick, Administrative Services Coordinator

BACKGROUND INFORMATION:

Town Administration is seeking the Town Council's approval to ease requirements of employee earned vacation time carry over limits through December 31, 2020 due to Federal, State and Local COVID-19 restrictions for non-union employees, union employees and contracted employees. With the unknown of COVID-19's impact on travel in the U.S. & abroad and the mandated restriction orders for social-distancing and gatherings, employees with planned vacation time or vacations to be planned prior to their max carry over are now faced with forfeiting this vacation time.

Town Administration recommends to provide as much flexibility to employees at this challenging time. We do not know on a case-by-case basis if time off is needed in the future (have not been able to take time off to refresh then COVID-19 hit) or if money is needed in the future (COVID-19 unemployment or other monetary results) or both is needed in the future of each household. We recommend the Town Council, due to COVID-19 orders, provide that employees exceeding their threshold of vacation time carry over through December 31, 2020 be allowed to:

- 1) carry over excess vacation time for 2020, but then must use that time by their respective vacation time carry over limit in 2021: (a) June 30, 2021 for non-union & Public Works Union, b) anniversary date in 2021 for Fire-Rescue Union or Police Union **OR**
- 2) buy out excess vacation time for 2020 on their respective vacation carry over in 2020: a) June 30, 2020 for non-union & Public Works Union, b) anniversary date in 2020 for Fire-Rescue Union or Police Union **OR**
- 3) do a combination of 1 (carry over) & 2 (buy out) above

Note: Those who wish to carry over excess vacation time and use prior to their carry over limit in 2021 must still obtain the approval of their department head for the specific dates for vacation leave based on the operations of the department.

Below is the current breakdown of the respective vacation hours max carry over that Town Administration is requesting be eased due to COVID-19:

Non-union employees: (vacation earned monthly - June 30th 100 hours max carry over or forfeited)

Town Personnel Plan - Vacation time accrued max carry over as of June 30th each year 100 hours. If accruals exceed the maximum caps, the accrual overages are forfeited.

Fire-Rescue union employees (vacation dumped on anniversary - end of anniversary 120 hours max carry over or buy out excess hours)

Town of Hooksett and Hooksett Permanent Firefighters Association, Local 3264, IAFF 07/01/2019-06/30/2020 & Town of Hooksett and Hooksett Permanent Firefighters Association, Local 3264, IAFF 07/01/2020-06/30/2023- When each employee reaches their anniversary date, they are allowed to carry over no more than 120 hours of vacation time earned.

Police union employees: (vacation dumped on anniversary - through 06/30/2020 CBA end of anniversary no carry over - forfeited, as of 07/01/2020 CBA end of anniversary 42.5 hours carry over)

Town of Hooksett, NH & NEPBA Local 46 0701/2017-06/30/2020 - Vacation accruals are by anniversary date and do not accrue from year to year. In the event that an employee's scheduled vacation is canceled by the Chief, for the good of the Department, the employee may request to have the canceled portion of the vacation carried over to the next fiscal year or to be paid for the canceled portion. The final determination of how canceled vacation will be treated will be made by the Police Chief or his/her designee and the needs of the Department.

Town of Hooksett, NH & NEPBA Local 46 0701/2020-06/30/2023 Vacation accruals are by anniversary date ~~*and do not accrue from year to year.~~ In the event that an employee's scheduled vacation is canceled by the Chief, for the good of the Department, the employee may request to have the canceled portion of the vacation carried over to the next fiscal year or to be paid for the canceled portion. The final determination of how canceled vacation will be treated will be made by the Police Chief or his/her designee and the needs of the Department.

*42.5 hours of vacation time may be carried over as of the employee's anniversary date of Town of Hooksett NH employment.

Public Works union employees: (vacation earned monthly - June 30th 240 hours max carry over (0-14 years employment) 320 hours max carry over (15 years+ employment) or forfeited)

Town of Hooksett NH and Teamsters Local 633 07/01/2019-06/30/2021

Town Administrator Contract (terms July 1st - June 30th - vacation dumped July 1st)

The Administrator may have no more than thirty (30) days of vacation leave at any given time; use it or lose it.

Fire Chief Contract (terms May 1st - April 30th - vacation dumped May 1st - no carry over as of April 30th - forfeited)

The employee will not receive any compensation for any unused vacation days.

FINANCIAL IMPACT:

Employee vacation time is budgeted, since the employee earns this time.

POLICY IMPLICATIONS:

Temporary easing of Town Personnel Plan, Union Contracts and Employee Contracts as a result of COVID-19 orders.

RECOMMENDATION:

Town Council, due to COVID-19 orders, provide that employees exceeding their threshold of vacation time carry over through December 31, 2020 be allowed to:

1) carry over excess vacation time for 2020, but then must use that time by their respective vacation time carry over limit in 2021: (a) June 30, 2021 for non-union & Public Works Union, b) anniversary date in 2021 for Fire-Rescue Union or Police Union **OR**

2) buy out excess vacation time for 2020 on their respective vacation carry over in 2020: a) June 30, 2020 for non-union & Public Works Union, b) anniversary date in 2020 for Fire-Rescue Union or Police Union **OR**

3) do a combination of 1 (carry over) & 2 (buy out) above

Note: Those who wish to carry over excess vacation time and use prior to their carry over limit in 2021 must still obtain the approval of their department head for the specific dates for vacation leave based on the operations of the department.

SUGGESTED MOTION:

Motion to Approve COVID-19 HOOKSETT ADMINISTRATIVE ORDER 2020-B Town Council, due to COVID-19 orders, provide that employees exceeding their threshold of vacation time carry over through December 31, 2020 be allowed to:

1) carry over excess vacation time for 2020, but then must use that time by their respective vacation time carry over limit in 2021: (a) June 30, 2021 for non-union & Public Works Union, b) anniversary date in 2021 for Fire-Rescue Union or Police Union **OR**

2) buy out excess vacation time for 2020 on their respective vacation carry over in 2020: a) June 30, 2020 for non-union & Public Works Union, b) anniversary date in 2020 for Fire-Rescue Union or Police Union **OR**

3) do a combination of 1 (carry over) & 2 (buy out) above

Note: Those who wish to carry over excess vacation time and use prior to their carry over limit in 2021 must still obtain the approval of their department head for the specific dates for vacation leave based on the operations of the department.

TOWN ADMINISTRATOR'S RECOMMENDATION:

COVID 19 has cause many operational disruptions to the function of municipal government. COVID 19 has caused many of Hooksett's municipal staff to change, if not, cancel their vacation plans. What staff proposes are options to allow employees to either carry over, buy out or a combination of both for Council's consideration.

Town Council

STAFF REPORT



To: Town Council
Title: Town of Hooksett, NH - Municipal Volunteers (tabled at 04/22/2020 Town Council Meeting)
Meeting: Town Council - 13 May 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 May 13, 2020 and continue discussion/make motion at the Council meeting of May 27, 2020.

SUGGESTED MOTION:

No motion needed at the Town Council May 13, 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.

**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

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

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

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

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, April 22, 2020**

The Hooksett Town Council met on Wednesday, April 22, 2020 at 6:00. This was a virtual meeting, as described by Chair Sullivan below.

CALL TO ORDER

Chair Sullivan called the meeting of 22 Apr 2020 to order at 6:08 pm.

Chair Sullivan: 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 is ongoing by dialing 1-877-853-5247 and then entering the Meeting ID, which is 957-5157-0892, followed by the passcode, which is 2245. The meeting can also be joined via this link: <https://zoom.us/j/95751570892?pwd=UXhyMOFYTnpLV1dZUEc2MlFGUWRUZz09>. The public may also watch/listen with a delay at this location: http://hooksett.granicus.com/ViewPublisher.php?view_id=2. This access notice was posted on

http://hooksett.granicus.com/ViewPublisher.php?view_id=2. This access notice was posted on [www.hooksett.org/town_council](http://hooksett.granicus.com/ViewPublisher.php?view_id=2). It was physically posted at the main entrance at 35 Main Street in Hooksett. If anyone has a problem during the meeting, please call 603-485-8472 Ext. 1. In the event the public is unable to access the meeting, the meeting will adjourn and be rescheduled. Telephonic access using the method just described will be considered the primary public access method in accordance with the Emergency Order. All votes 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 his presence, he will also state whether there is anyone in the room with him during this meeting, which is required under the Right-to-Know law. We requested that Public Input be communicated via email or a letter. None was received.

PROOF OF POSTING

Town Administrator Andre Garron provided proof of posting.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Chair Sullivan called for the Pledge of Allegiance.

PUBLIC HEARINGS

Public hearing to accept 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).

Chair Sullivan: This item was tabled at the March 11, 2020 meeting by Councilor Durand. Does anyone wish to motion to remove it from the table?

J. Durand: I would first like to hear the letter from Mr. Lamontagne.

A. Garron: On February 26, 2020, Mr. Lamontagne was invited to attend this meeting. He told us he did not wish to attend, but he submitted a letter instead.

Chair Sullivan: Does any Councilor object to having Town Administrator Garron read the letter?

All nine Councilors responded individually that they had no objection.

April 17, 2020

Nicholas Williams

Town of Hooksett Planning Director

RE: Beaver Brook (aka "Brookview")

Note 12 - Sweeper Payment of \$30,178; and Note

13 Recreation Payment of \$28,000

Dear Nicholas:

You asked for my thoughts about the payments made by Stinson Hills, LLC which were marked as "Paid under Protest" when delivered. First, I want to disclose that when Stinson acquired the Project, the owner told us the payments described in Notes 12 and 13 no longer applied because the Public Works Director had been fired. I admit I did not look into this with the Town because I knew the circumstances surrounding the firing of the DPW Director had been very embarrassing. When Stinson acquired the Project, we were never asked for either payment, which is why receiving an email from Hooksett DPW last October asking for them, almost 2 years after we began the Project, was a surprise, causing me to recall what the owner had told us about those payments.

I am very uncomfortable with making payments when their purpose is in question and feel strongly that the Town must do more research before asking for them to be made. When we asked for additional information, it was presumably not readily available, likely because this Project began on or about 2004. However, I need to insist someone dig into the old paper records of the Planning Board, because we are entitled to know the requested payments were legal and not payoffs. I offer more specific comments below.

Sweeper Payment

Note 12 states the developer is responsible to pay a "Town of Hooksett Roadway Maintenance Fee of \$30,178.00" to cover a lease payment for a street sweeper. Neither I nor anyone else I know in the development community has ever heard of a Hooksett Roadway Maintenance Fee. More importantly, Stinson does all its own road maintenance and plowing until the town accepts the roads. Since Stinson will receive no benefit from a \$31,078 lease payment for Town equipment, I oppose making this payment and leave it to the Town to convince me it is warranted.

Recreation Payment

TC MINUTES 04-22-2020

2

95
96 The Project was approved under the Conservation Development Ordinance, which allows
97 additional "Recreational Lots" be developed for active recreation in addition to the Open Space.
98 Both benefit **the residents residing in the development** as opposed to the public and a
99 Recreational Lot is not required. The Project's open space exceeds the open space size
100 required by the Ordinance and for active recreation; there are sidewalks running along each
101 road throughout. Both benefit its residents, as opposed to the public at large. When I asked
102 others who were present at the Planning Board about this payment, they told me the Planning
103 Board expressed concern about requiring a developer to provide a "Recreational Lot" because
104 they impose additional maintenance costs on homeowners' associations, require insurance to
105 manage the risk and create problems when members of the public try to use them.

106
107 Note 13 required the developer make a \$28,000 payment to the Hooksett Recreation
108 Department but then states the payment is not an impact fee. If it is not an impact fee, what is
109 it? The Hooksett Recreation Department only manages public recreation improvements to
110 which impact fees contribute. Each time Stinson builds a new home, it makes a \$695.00
111 recreation impact fee payment. When the Project is complete, Stinson will have contributed
112 more than \$60,000 in recreation impact fees. Since the former DPW Director also managed the
113 Parks and Recreation Department, I need to know the purpose of the \$28,000 payment. If this
114 fee was imposed because the original developer elected to not develop a "Recreational Lot",
115 that does not work because the benefits of a Recreational Lot only apply to the lot owners in
116 the subdivision, not the general public.

117
118 I hope this letter helps the Board to understand Stinson's concerns and why it does not wish to
119 make any payments to the Town not knowing what they are for. These payments have no
120 rational basis, and we need to know more. Please feel free to seek legal advice on this action.

121
122 Sincerely,

123
124 Bob LaMontagne, Manager
125 Stinson Hills, LLC

126 C. Karolian: I would like to make a motion that this item remain on the table until the Planning Board
127 Chair appears before us with evidence that prior to and after 2004, when this project was approved, the
128 Town of Hooksett had roadway maintenance fees that had to be paid by other developers.

129 Chair Sullivan: We should not be talking about this item until it is taken off the table.

130
131 R. Duhaime: Legal can go back into this, but when a subdivision is approved, the plan is recorded with
132 the State and with the County Registry of Deeds. Anything recorded on the plan is vested and stays
133 with the deed.

134
135 T. Tsantoulis: We are violating our own rules by discussing this before it has been taken off the table.

136
137 ***R. Duhaime motioned to remove this item from the table. T. Tsantoulis seconded the motion.***

138
139 **Roll Call Vote #2**

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140 **R. Duhaime Aye**
 141 **J Durand Nay**
 142 **C. Jones Nay**
 143 **J. Levesque Aye**
 144 **A. Walczyk Aye**
 145 **A. Comai Nay**
 146 **C. Karolian Nay**
 147 **T. Tsantoulis Aye**
 148 **J. Sullivan Nay**
 149 **Motion failed (4-5).**

150
 151 **C. Karolian motioned to have the Planning Board Chair appear before the Council with evidence**
 152 **that prior to and after 2004 the Town of Hooksett had roadway maintenance fees that had to be**
 153 **paid by other developers. Chair Sullivan seconded the motion.**
 154

155 **Roll Call Vote (called by Chair Sullivan)**

156 **C. Jones Aye**
 157 **R. Duhaime Aye**
 158 **T. Tsantoulis Nay**
 159 **A. Comai Aye**
 160 **C. Karolian Aye**
 161 **J. Durand Nay**
 162 **A. Walczyk Aye**
 163 **J Levesque Aye**
 164 **J. Sullivan Aye**
 165 **Voted in favor (8-1).**
 166

167 A. Garron: Do we want to consult legal as well?
 168

169 **C. Jones motioned to solicit legal counsel on this issue. C. Karolian seconded the motion.**
 170 **A roll call vote was taken on the motion.**
 171

172 **Roll Call Vote #3**

173 **A. Comai Aye**
 174 **C. Jones Aye**
 175 **A. Walczyk Aye**
 176 **J. Durand Aye**
 177 **R. Duhaime Aye**
 178 **T. Tsantoulis Nay**
 179 **J. Levesque Aye**
 180 **C. Karolian Aye**
 181 **J. Sullivan Aye**
 182 **Voted in favor (8-1).**
 183

184 **Public Hearing to discuss the proposed Storm Water Management Program Ordinance #2020-1.**
 185

186 Chair Sullivan: I am going to read the Public Hearing Notice:
 187

188 The Hooksett Town Council will be holding a public hearing on Wednesday, April 22, 2020 @
 189 6:00 pm at the Hooksett Town Hall – Council Chambers, 35 Main Street, Hooksett, NH. The
 190 purpose of the public hearing is to discuss the proposed Storm Water Management Program
 191 Ordinance #2020-1. This notice is per Chapter 231: 132-a of the NH Revised Statutes
 192 Annotated, and Section 3.6 of the Hooksett Town Charter. The full text of the proposed
 193 ordinance is available at the Town Clerk's office and the Public Works Department and via
 194 www.hooksett.org for your inspection. Questions should be directed to the Hooksett Public
 195 Works Department at 603-668-8019 or the Office of the Town Clerk at 603-485-9534.
 196

197 Chair Sullivan opened the Public Hearing at 6:40 pm.
 198

199 E. Labonte stated that having this ordinance is a requirement of the EPA, and it establishes the Town's
 200 legal and administrative authority to regulate, respond to and enforce illicit discharges in the
 201 community. It includes the authority to impose penalties as well.
 202

203 R. Duhaime: Is this an amendment?
 204

205 E. Labonte: No. It is a new ordinance. We did not have one prior to this.
 206

207 J. Levesque: Is this retroactive?
 208

209 E. Labonte: No, it is not retroactive but it is something which we should have done already.
 210

211 Chair Sullivan: I will close the public hearing at the end of the meeting.
 212

213 **SPECIAL RECOGNITION**

214 **Hooksett Municipal Employee - New Hire**

215
 216
 217 A Garron: We have one new hire. Mr. Kenneth Conaty is the new Wastewater Department
 218 Superintendent, replacing Mr. Bruce Kudrick.
 219

220 Chair Sullivan: We thank Mr. Kudrick for his many years of service, and I assume we will honor him at
 221 some time in the future.
 222
 223

224 **SCHEDULED APPOINTMENTS**

225 **Appointment with Judy Mason**

226
 227
 228 Judy Mason, 115 Merrimack Street: May 7, 2020 is recognized as a National Day of Prayer. I would like
 229 to gather with a small group of ten or fewer people outside by the flagpole on that day. Because of
 230 COVID-19, I wanted to present this to the Town Council before inviting anyone, and if we are able to
 231 have the gathering, I would like to invite someone to represent Town Hall.
 232

233 T. Tsantoulis: While I would normally support this, I think this sends a mixed message about social
 234 distancing. There is enough controversy about this; we don't need to add to it. I am opposed to this at
 235 this time.
 236

237 C. Karolian: I feel the same as Councilor Tsantoulis.
 238

239 R. Duhaime: I would be glad to join you, Judy. I suggest holding the event at the Veterans Park flagpole
 240 where it would be safer and those gathering would be less conspicuous. How do you feel, Mr. Garron?

241
 242 A. Garron: I want the viewpoint of the Town Council.
 243
 244 Chief Bouchard: My only concern is who will enforce the guidelines if more than ten people show up.
 245
 246 J. Miller: This is by invitation only, and everyone will wear a mask.
 247
 248 Chief Burkush: I am okay with it.
 249
 250 Chair Sullivan: Could this be held at a place of worship?
 251
 252 C. Karolian: The intention is good, but this is Town property. How do we stop others from joining in?
 253 What would be the enforcement?
 254
 255 J. Levesque: The parks are closed, aren't they?
 256
 257 C. Karolian: What is the purpose of doing this in public?
 258
 259 J. Miller: The National Day of Prayer was established in 1952 by Ronald Reagan. I have been the State
 260 coordinator for 15 years. We had an application in to hold this at the State capital, but it was cancelled.
 261 The quantity of people and distancing were the issues. This is usually done in a public arena. We are
 262 praying for the country; it is not a religious event.
 263
 264 ***R. Duhaime motioned to allow Judy Miller to hold a gathering of no more than ten people at***
 265 ***Veterans Park on May 7, 2020 to recognize the National Day of Prayer. J. Durand seconded the***
 266 ***motion.***
 267
 268 T. Tsantoulis: We have no business authorizing this when the parks are closed.
 269
 270 R. Duhaime: The participants could gather on the Town right of way without being in the park. There is
 271 plenty of room there for ten people to distance, or they can stay in their vehicles. We need all of the
 272 prayers we can get.
 273
 274 C. Karolian: We need clarification as to whether or not this is a violation of the Governor's order.
 275
 276 J. Levesque: What is there to stop others from showing up? Could there be a sign instructing people to
 277 stay in their cars?
 278
 279 C. Karolian: This could set a precedent. What if others come forth with similar requests? This is a
 280 slippery slope. I call the question.
 281
 282 A. Garron: The Governor's order says that ten or more people should not gather.
 283
 284 **Roll Call Vote #4**
 285 ***A. Walczyk Nay***
 286 ***J. Levesque Nay***
 287 ***C. Jones Aye***
 288 ***R. Duhaime Aye***
 289 ***J. Durand Aye***

290 **C. Karolian** *Nay*
 291 **T. Tsantoulis** *Nay*
 292 **A. Comai** *Nay*
 293 **J. Sullivan** *Nay*
 294 ***The motion failed (3-6).***

295
 296 **David Boutin, Chair - Town of Hooksett Tax Increment Finance (TIF) Advisory Committee and**
 297 **David Mercier, Underwood Engineering - TIF District Sewer Final Design Amendment (see item**
 298 **15.1 for details)**
 299

300 Chair Sullivan: I am going to ask the Town Administrator to explain some confusion which resulted from
 301 the minutes of the February 22, 2020 meeting.
 302

303 A. Garron: At the meeting of February 22nd, during the discussion of the TIF District Sewer Final Design
 304 Amendment, a motion to authorize the Town Administrator to sign the Amendment failed. Then,
 305 Councilor Tsantoulis motioned to request that the Town Administrator invite the project engineer to a
 306 future meeting. The motion was seconded by Councilor Levesque. However, a vote was not taken on
 307 that motion. Then, the Town Administrator was simply asked to invite the project engineer to a future
 308 meeting, which he did. Therefore, David Mercier of Underwood Engineering is with us tonight to provide
 309 the information needed. He has been working on this project since June of 2019.
 310

311 Chair Sullivan: A reconsideration motion and vote is needed.
 312

313 D. Mercier: The TIF Advisory Committee met on November 20, 2019 specifically to consider two
 314 alternate routes to get new sewer to the northwest side of Route 93 and the Exit 11 exchange. The first
 315 option calls for continuing along Route 3A to the north beyond the Tri-Town Ice Arena, and cutting
 316 cross-country parallel to Hackett Hill Road, drilling under the highway, and coming out on the other
 317 side. The second option is to tie into the sewer line to the south of Tri-Town and up Cross Road, then
 318 through the two DOT properties up to the private development. The owner of the private property was
 319 invited to the meeting and was anxious that the second option be selected. He has a large pit as a
 320 result of heavy soil mining. To have sewer, he would need to install a pump station and to pay the
 321 maintenance associated with that. With the second option, he could connect to the Town's gravity
 322 sewer line. The plan is to get to the Route 3A/Cross Road intersection regardless. The TIF Advisory
 323 Committee was not opposed to this if the developer is willing to pay for all of that sewer. They adopted
 324 the second option unanimously, and the Town Council voted on it at the January 22nd meeting, when
 325 they approved the proposal of the TIF Advisory Committee.
 326

327 A. Garron: What portion of the project are we looking at exactly? Where does it start and where does it
 328 end?
 329

330 D. Mercier: If you look at the map which is being displayed, Cross Road is on the far left. There is a
 331 thick, dark pink line going from E to F, to G, to G¹ and to H. The Supreme Industries property has a light
 332 blue dotted line indicating private property from G¹ to H, which is the DOT properties.
 333

334 Chair Sullivan: This was shown to us in January, so it is not new to us, correct?
 335

336 D. Mercier: That is correct.
 337

338 Chair Sullivan: Can we go out of the TIF District? Can the line be changed?
 339

340 D. Mercier: Your first question is not a question for me. Yes, you can expand the TIF District line.

341

342 R. Duhaime: We had this same presentation at the Planning Board meeting on Monday. Others on the
343 Planning Board agree with me that we should have something in writing from the developer; we do not
344 have that. Also, we have no easements from the State to go into that residential area. The idea is to
345 stay in the commercial district, not to bring sewer to residential areas. We should concentrate on
346 Phases I and II. New Hampshire could do anything with those properties after we bring sewer and
347 water to them. We would have no say about that.

348

349 Chair Sullivan: Do we have any agreements with anyone?

350

351 A. Garron: No, but we will be pursuing those for Phases I and II. It is up to Supreme Industries or other
352 developers to connect to the sewer.

353

354 Chair Sullivan: Could we motion to expand the TIF District? Wouldn't a developer need our approval on
355 a development project?

356

357 D. Mercier: The answer to both of your questions is yes. I just want to clarify that my company has no
358 ownership of this plan. This is a very small area of the total project, and it is not a major issue. If
359 Supreme Industries proposes a development, yes, they will need Planning Board approval.

360

361 T. Tsantoulis: Thank you for this information, Mr. Mercier. The TIF Committee has made this a priority.
362 We can't pick this apart. These are untapped resources, and we have a great opportunity which other
363 communities would love to have. If the State builds something on their land, it is not necessarily
364 negative. It will probably benefit Hooksett and the rest of the State. We need to keep this project
365 moving.

366

367 D. Mercier: The TIF Advisory Committee's goal is to encourage development. Supreme Industries is the
368 largest parcel that is close to being developed.

369

370 C. Karolian: Thank you for being here. You have clarified a lot. From the pump station to X versus D to
371 H, there is not a huge difference in linear footage, is there? The difference for Supreme Industries is
372 going from Z to X if they want to connect, right?

373

374 D. Mercier: The only reason for the second option is to eliminate the need for Supreme Industries to
375 install a pump station and incur the associated maintenance costs. The Advisory Committee wanted to
376 do what it could to help make this attractive to Supreme Industries without undo cost to the Town.

377

378 C. Karolian: This is not an advantage to the Town. I am looking at a map indicating a proposed area for
379 private funding. Can you explain that?

380

381 D. Mercier: That is not part of the TIF District. It is a separate project planning by the Sewer Department
382 to coordinate with the installation of public water and has nothing to do with the TIF plan. Also, these
383 maps have changed over time, so it is important to look at the date. In general, the goal of the Advisory
384 Committee is to get major components in place.

385

386 C. Karolian: Supreme Industries, which was in Phase 5, has been moved to Phase 3, correct?

387

388 D. Mercier: Yes, that is correct.

389

390 A. Garron: I would like to address the concern with the contract amendment. In 2019, the voters
 391 approved a \$2.5 million bond. An RFP was issued and Underwood Engineering was chosen for the
 392 project. Per Section 4, Subsection 5, the initial contract was for the preliminary engineering. The cost of
 393 the final design was to be determined and added to the contract as an amendment. That is, the cost for
 394 the final design was to be determined after the preliminary engineering was done and added as an
 395 amendment. The third stage, for construction, would be another amendment. This is what we asked for.
 396
 397 Chair Sullivan: At this point we need a motion to reconsider or we need a new motion on the
 398 amendment to the contract.
 399
 400 C. Karolian: If we do not include that route, the dollar amount of the amendment would change. Where
 401 would that design stop?
 402
 403 D. Mercier: We were asked to separate the section from the intersection of Cross Road and Route 3A.
 404 Doing so would reduce the amount of the amendment to the contract by \$34,400. You could design an
 405 alternate way to get to Hackett Hill Road or you could ask us to create another route.
 406
 407 C. Karolian: Does the route still include east of 3A and along the river to the neighborhoods to the north
 408 to the pump station?
 409
 410 D. Mercier: Yes, it does.
 411
 412 R. Duhaime: The third phase will not be done until 2021.
 413
 414 A. Garron: If we subtract \$34,400 from the contract amendment amount of \$807,200, the revised
 415 amount is \$772,800.
 416
 417 ***R. Duhaime motioned to reduce the amount of the contract amendment to \$772,800. T.***
 418 ***Tsantoulis seconded the motion.***
 419
 420 T. Tsantoulis: If we take this piece out, what are the ramifications of these changes?
 421
 422 D. Mercier: If you take this piece out, which is a small part of the much larger project, the cost goes
 423 down. If it is added, say five years later, as a stand-alone project, the price will literally be double.
 424
 425 R. Duhaime: The west side, which is residential, was never supposed to part of the District.
 426
 427 T. Tsantoulis: I want this project to continue. I am very much in favor of it. We want to be certain not to
 428 blow it out of the water.
 429
 430 C. Karolian: We will still have the opportunity to connect later.
 431
 432 J. Levesque: It will cost a lot more later.
 433
 434 Chair Sullivan: The cost would be twice as much, per Mr. Mercier.
 435
 436 C. Karolian: He didn't say it would be twice as much.
 437
 438 D. Mercier: I did say it could double if done as a stand-alone project. It would be about \$70,000. This is
 439 because we would have to create all of the documents for one small project.

440
441 A roll call vote was taken on the motion to reduce the amount of the contract amendment to \$772,800.
442

443 **Roll Call Vote #5**

444 ***T. Tsantoulis Aye***
445 ***C. Jones Not present***
446 ***R. Duhaime Aye***
447 ***A. Walczyk Aye***
448 ***J. Levesque Aye***
449 ***C. Karolian Aye***
450 ***J. Durand Aye***
451 ***A. Comai Aye***
452 ***J. Sullivan Aye***

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

454 (Councilor Jones left the virtual meeting at some point prior to Roll Call Vote #5.)
455
456

457 **CONSENT AGENDA**

458
459 **Accept donation of (1) 2011 Pace open utility trailer from SAU 15 valued at \$450.00 to the Town**
460 **of Hooksett for the DPW Parks & Recreation Division per RSA 31:95-e, II.**

461
462
463 **Motion to accept donation money totaling \$363.85 from the Hooksett Police Association and a**
464 **miscellaneous donation to the Town of Hooksett for the Hooksett Police Department per RSA**
465 **31:95-b, III(b) and return that amount to the Police Departments, K9 Trust Fund.**

466
467
468 **Motion to accept the donation of a black aluminum pole valued at approximately \$50.00 from**
469 **Blue Ribbon Company, of Hooksett, NH, to the Town of Hooksett for the Hooksett Police**
470 **Department per RSA 31:95-e: II.**

471
472
473 **Motion to accept the terms of the 2018 Homeland Security Grant Program for EMS Warm Zone**
474 **Equipment, as presented in the amount of \$6,000.00 to the Town of Hooksett for the Fire Rescue**
475 **Department to purchase equipment for the department's active shooter response program per**
476 **RSA 31:95-b III(b).**

477
478
479 ***R. Duhaime motioned to approve the first four items of the Consent Agenda (10.1, 10.2, 10.3 and***
480 ***10.4). A. Walczyk seconded the motion.***

481
482 **Roll Call Vote #6**

483 ***J. Durand Aye***
484 ***J. Levesque Aye***
485 ***C. Karolian Aye***
486 ***A. Comai Aye***
487 ***C. Jones Not present***
488 ***T. Tsantoulis Aye***
489 ***A. Walczyk Aye***
490 ***R. Duhaime Aye***
491 ***J. Sullivan Aye***

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

493
494
495 **CONSENT AGENDA (continued)**

496 **Bussiere Property #237 Londonderry Turnpike (Across from Zapora Dr.) Reduce Site Bond from**
497 **\$220,000 to \$125,000**
498

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Urgent Care Facility - #1228 Hooksett Road - Bond Release of \$23,745

Site Bond Release - O'Reilly's Auto Parts - #1339 Hooksett Road - \$210,000

Walnut Hill Avenue - Dion Subdivision Partial Bond Release of \$68,118.81

C. Karolian: Why is it when requesting a bond, do we piecemeal giving it back? Why not release all of the bond when the project is done?

B. Thomas: It is a common practice to issue a partial release when a major part of the project is done. The developers save money on payments, based on the amount of the bond.

T. Tsantoulis motioned to follow the recommendations of the Town Engineer and approve the release of bonds as requested in the last four items of the Consent Agenda (10.5, 10.6, 10.7 and 10.8). A. Comai seconded the motion.

R. Duhaime: For Urgent Care and O'Reilly's, are we still holding only the landscaping bonds?

B. Thomas: Yes. We will hold those for about two years – a little less because they were issued a short while ago.

R. Duhaime: Bussiere received permission from the Planning Board on Monday to add two more buildings. I'm surprised that the bond is being reduced.

B. Thomas: The original bond included those two buildings, and the site looks good. It is really taking shape.

C. Karolian: Which of these is 100% done?

B. Thomas: Urgent Care and O'Reilly are 100% done. We hold the landscaping bond for two years after completion.

C. Karolian: I am confused about that. Is that so they won't move the trees or shrubs or change it?

R. Duhaime: It is to give the plants two years to acclimate. If a plant dies, they need to replace it.

B. Thomas: The two-year landscaping bond is to be sure that the project stays completely done.

A. Walczyk: Are the landscaping bonds done separately?

B. Thomas: Yes.

C. Karolian: Wouldn't the inspection be the job of the Code Enforcement Officer?

B. Thomas: I don't know how it came about, but it is pretty clearly my job.

C. Karolian: I call the question.

Roll Call Vote #7

C. Jones Not present

C. Karolian Aye

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553 J. Levesque Aye

554 R. Duhaime Aye

555 A. Walczyk Aye

556 J. Durand Aye

557 T. Tsantoulis Aye

558 A. Comai Aye

559 J. Sullivan Aye

560 Voted unanimously in favor (8-0).

561

562 TOWN ADMINISTRATOR'S REPORT

563

564 A. Garron: First I want to provide some information about COVID-19 and the closing of Town Hall,
565 DPW, and Parks & Rec. On March 13th, Governor Sununu declared a State of Emergency in New
566 Hampshire. On March 16th, schools were closed, and have since then been declared closed until the
567 end of the school year. We then closed Town Hall, DPW and Parks & Rec to the public, as other
568 communities have done. The Transfer Station remains open. People may hike, walk and run through
569 the parks, but gatherings of ten or more are not allowed as of March 23rd. At first that was set at 50
570 people or more. My question to the Council is this: Do you want to set an end date for the restrictions?

571

572 Chair Sullivan: The school year will end on June 2nd, for everyone's information.

573

574 T. Tsantoulis: I believe we should continue until there is general loosening of the order by the Governor.
575 We should follow the cues of the Governor and of other communities. We want to do this in an
576 appropriate way. I like the dimmer switch analogy: the light is off now and will gradually come back on.

577

578 Chair Sullivan: Is there any opposition to following this plan? I hear no opposition, so this will be our
579 procedure. You have your guidance, Andre.

580

581 A. Garron: I appreciate that, and I also appreciate the patience and support of the Hooksett residents
582 and the Town employees. The NHMA recently conducted a survey of the financial impact on
583 municipalities of the COVID-19 pandemic. This was an attempt to put numbers and dollar figures to the
584 financial impact. I want to thank our department heads for their quick response to this survey. I know
585 that businesses are struggling and going through tough times, but the same is true of municipal
586 governments. When will there be stimulus funds to help us?

587

588 A. Garron: As a sort of PSA, I encourage everyone to fill out the census form. Please do it, because it
589 provides important information for the allocation of federal funds for such items as schools, hospitals,
590 fire departments and roads. Our representation in Congress is also affected. As of today, 50.5% of
591 people in the United States have completed the form, while New Hampshire's response rate is 48.7%.
592 In Hooksett, an impressive 64.4% have responded.

593

594 A. Garron: I received a note from Barbara Brennan, who runs the Food Pantry. She said that with the
595 schools closed, they have many more clients and are providing meals for children, especially those with
596 free or reduced-price lunches, at their weekly distribution. They cannot accept food donations now
597 because the food would have to be quarantined for seven to ten days, but they are getting food from
598 the schools which would expire if not used. They have only three volunteers at a time. They are social
599 distancing, wearing masks & gloves, and sanitizing constantly. Ms. Brennan says they have had many
600 generous money donations. When they can next accept food donations, they want to store the food in
601 the gym, if possible.

602

603 R. Duhaime: How does Town revenue look? I know there was a lot of Fire Department overtime.

604

605 A. Garron: The Fire Department is updating its quarterly report. I will have an update at the next
606 meeting. Budget-wise, the Town is looking good. As of today, in spite of the COVID-19 situation, the
607 budget is not too bad. There has been overtime in the Fire Department because a couple of firefighters
608 had to quarantine for ten days, and a couple are out on short-term disability, not related to COVID-19.

609

610 R. Duhaime: Can we stay within the budget, even with the Fire Department overtime?

611

612 A. Garron: As of now, yes. We are using less fuel, so there are some savings, along with the additional
613 costs.

614

615 C. Karolian: Andre, will there be federal dollars for the Town due to the crisis? The TIF District was a
616 warrant article and the citizens want us to go through with it.

617

618 A. Garron: There should be some stimulus money, and we are in a good position. That is why you hear
619 the urgency in my voice regarding the TIF district. The more shovel-ready we are, the better. Bruce
620 Thomas has filled out forms relative to this.

621

622 C. Karolian: I want to commend the TIF Advisory Committee, which has worked hard and put in many
623 long hours. I also commend the Town employees for all that they have done.

624

625 PUBLIC INPUT

626 None.

627

628 NOMINATIONS AND APPOINTMENTS

629
630 **Nominations for Renewal of Health Officer - Matthew Lavoie and New Appointment of Deputy**
631 **Health Officer Cpt. Joe Stalker**

632

633 *R. Duhaime motioned, per RSA 128 A, to renew the appointment of Matthew Lavoie for a third*
634 *term consisting of three (3) years to the position of Hooksett Health Officer and for the new*
635 *appointment of Hooksett Deputy Health Officer Captain Joe Stalker, also an appointment term of*
636 *three (3) years, which shall run concurrently with the Health Officer's term. J. Levesque*
637 *seconded the motion.*

638

639 R. Duhaime: Captain Stalker is being added as an assistant. We didn't have before. Is that correct?

640

641 M. Lavoie: Every town is supposed to have an assistant in case the health officer is out of town.

642

643 R. Duhaime: Is there an extra cost?

644

645 M. Lavoie: No, there is not.

646

647 D. Fitzpatrick: It is correct that we have not had one to date. This will be the first time.

648

649 **Roll Call Vote #8**

650 **J. Levesque Aye**

651 **R. Duhaime Aye**

652 **T. Tsantoulis Aye**

653 **A. Walczyk** *Aye*
 654 **J. Durand** *Aye*
 655 **C. Jones** *Not present*
 656 **A. Comai** *Aye*
 657 **C. Karolian** *Aye*
 658 **J. Sullivan** *Aye*
 659 ***Voted unanimously in favor (8-0).***

660
 661 D. Fitzpatrick: I will need to have the Councilors' signatures on this and a few other documents, so I ask
 662 that all of you stop by between now and Friday. We can bring the documents to your vehicles for
 663 signatures.
 664

665 **Nominations and Appointments for April 2020**

666
 667 ***R. Duhaime motioned to nominate Cassandra Brown to the Bicentennial Committee.***
 668

669 Chair Sullivan: We will appoint her at the next meeting.
 670
 671

672 **OLD BUSINESS**

673 **TIF District Sewer Final Design Amendment Tabled at March 11th Town Council Meeting**

674
 675 (This was taken up under Scheduled Appointments earlier in the meeting.)
 676

677
 678 **Solid Waste/Recycling & Transfer Ordinance 00-31 Amendment (tabled at 02/26/2020 Town Council Meeting)**
 679
 680
 681

682
 683 ***Chair Sullivan motioned to remove this item from the table. J. Levesque seconded the motion.***
 684

685 **Roll Call Vote #9**

686 **J. Durand** *Aye*
 687 **A Comai** *Aye*
 688 **C. Jones** *Not present*
 689 **R. Duhaime** *Aye*
 690 **C. Karolian** *Aye*
 691 **A. Walczyk** *Aye*
 692 **T. Tsantoulis** *Aye*
 693 **J. Levesque** *Aye*
 694 **J. Sullivan** *Aye*
 695 ***Voted unanimously in favor (8-0).***
 696

697 ***T. Tsantoulis motioned to schedule a Public Hearing on the Solid Waste/Recycling & Transfer Ordinance Amendment. C. Karolian seconded the motion.***
 698
 699

700 **Roll Call Vote #10**

701 **C. Karolian** *Aye*
 702 **T. Tsantoulis** *Aye*
 703 **J. Levesque** *Aye*
 704 **C. Jones** *Not present*
 705 **A. Comai** *Aye*

706 **J. Durand Aye**
 707 **A. Walczyk Aye**
 708 **R. Duhaime Aye**
 709 **J. Sullivan Aye**
 710 **Voted unanimously in favor (8-0).**

711

712 **NEW BUSINESS**

713 **Accept an unanticipated revenue in the amount of \$58,178.00 (\$30,178.00 + \$28,000.00) from**
 714 **Lamontagne Builders (Stinson Hills, LLC), (not in lieu of Impact Fees) per RSA 31:95-b, III (a).**
 715 **(tabled at 03/11/2020 Town Council Meeting.)**
 716

717

718 Chair Sullivan: This item was removed from the table at this meeting, discussed, and returned to the
 719 table.

720

721 **Osborne's Agway - 1224 Hooksett Road - Update on Site Bond Release of \$346,363 (tabled at**
 722 **03/11/20 Town Council Meeting)**

723

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

725

726 **Roll Call #11**

727 **T. Tsantoulis Aye**
 728 **J. Levesque Aye**
 729 **J. Durand Aye**
 730 **C. Jones Not present**
 731 **C. Karolian Aye**
 732 **A. Walczyk Aye**
 733 **R. Duhaime Aye**
 734 **A. Comai Aye**
 735 **J. Sullivan Aye**

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

737

738
 739 B. Thomas: I am responding to the comments and concerns which David Ross presented at the March
 740 11, 2020 meeting regarding the release of the construction site bond for Osborne's Agway. First, I want
 741 to emphasize that this is the construction site bond, not the landscape bond. Mr. Ross stated that the
 742 release of the bond was a bit premature on the landscaping because it was not even spring. My
 743 response to that is that the landscaping bond will be in place for two years. Mr. Ross also said that
 744 there was supposed to be a beautiful wetland beside the road, and it is just a ditch. My response is that
 745 it will take a while for this landscaped swale to be vegetated. I will check it in two years. Another
 746 concern expressed by Mr. Ross is erosion coming from under the pavement. I walked the entire
 747 perimeter and found no water coming up from under the pavement. In the upper right corner, there is
 748 some minor erosion which the owner, Tom Osborne, told me will be fixed next week. Mr. Ross gave me
 749 photographs of the footings where he claims there is water on the southeast corner. Code Inspection
 750 Officer Matt Lavoie and I met with Keystone Enterprises, J. Parker & Sons, the owner of Osborne's
 751 Agway, and his brother to check this. There is no water there. It seems there might have been a recent
 752 thunderstorm at the time the photos were taken which left a small amount of water. This is not unusual.
 753 Mr. Keystone was actually insulted by this. He has been doing footings for 44 years and has the
 754 reputation of doing a good job, according to Mr. Lavoie. Mr. Ross also claimed that snow is being
 755 plowed into a ditch. In fact, the snow is removed to an area designated for snow storage. The footings
 756 for this building are higher than they were for the house that was previously there. That basement was
 757 always dry. Rain would fall into the swales and drain off before reaching the building. I do not agree
 758 with Mr. Ross; his concerns have no merit. Mr. Lavoie and I made it clear that our doors are always

759 open if anyone wants to talk about a project. Those with concerns should see us in our offices before
760 taking up valuable time at Town Council meetings.

761
762 C. Karolian: When are inspections done? That is, what sequence does Mr. Lavoie follow for
763 inspections?

764
765 B. Thomas: I am not sure.

766
767 Chair Sullivan: Since Mr. Lavoie does not seem to be in the meeting, we can ask the Town
768 Administrator to get a report from him for the next meeting.

769
770 **C. Karolian motioned to table this item until the information he has requested is provided. J.**
771 **Durand seconded the motion.**

772
773 T. Tsantoulis: Can I sound off?

774
775 Chair Sullivan: A motion to table is not debatable, but I will allow you to speak if no one objects.

776
777 B. Thomas: A construction site bond is not a building bond. The foundation and work on the actual
778 building is not site work.

779
780 C. Karolian: What is included in site work?

781
782 B. Thomas: That would be items such as parking lots, curbing, landscaping, drainage structures and
783 swales.

784
785 C. Karolian: Is there a separate building bond?

786
787 B. Thomas: Personally, I don't know.

788
789 N. Germain: Matt Lavoie is back in the meeting.

790
791 M. Lavoie: First, there is no footing drain when the building is on a slab on grade.

792
793 C. Karolian: Did you inspect each stage?

794
795 M. Lavoie: In every instance, I inspect the construction of the footings prior to the placement of
796 concrete. I signed off on both in this case. I am there to observe the pouring of the foundation wall.

797
798 C. Karolian: Was there a water issue at Osborne's Agway?

799
800 M. Lavoie: No. In fact, they delayed the pouring of the foundation because of a heavy downpour. A lot
801 of water stayed in the hole.

802
803 C. Karolian: As long as you say everything was in order when you inspected and signed off.

804
805 M. Lavoie: This is a privately-owned building, so if there is a problem, they must handle it.

806
807 C. Karolian: Why do we have inspections then?

808

809 M. Lavoie: My role is to see that they follow the State Building Code.

810

811 C. Karolian withdrew his motion to table this item.

812

813 ***R. Duhaime motioned to release the site work letter of credit for the Osborne's Agway site –***
 814 ***1224 Hooksett Road of \$346,363 to Farm Credit East, ACA. T. Tsantoulis seconded the motion.***

815

816 **Roll Call Vote #12**

817 ***A. Comai Aye***

818 ***A. Walczyk Aye***

819 ***J. Durand Aye***

820 ***C. Karolian Aye***

821 ***J. Levesque Aye***

822 ***T. Tsantoulis Aye***

823 ***R. Duhaime Aye***

824 ***C. Jones Not present***

825 ***J. Sullivan Aye***

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

827

828 **2020 MS-232 Report of Appropriations Actually Voted totaling \$21,502,637**

829

830 ***T. Tsantoulis made a motion to sign the “2020 MS-232 Report of Appropriations Actually Voted”***
 831 ***totaling \$21,502.637. R. Duhaime seconded the motion.***

832

833 **Roll Call Vote #13**

834 ***R. Duhaime Aye***

835 ***J. Durand Aye***

836 ***C. Jones Not present***

837 ***J. Levesque Aye***

838 ***A. Walczyk Aye***

839 ***A Comai Aye***

840 ***C. Karolian Abstain***

841 ***T. Tsantoulis Aye***

842 ***J. Sullivan Aye***

843 ***Voted in favor (7-0). Councilor Karolian abstained because he wasn't sure what he was voting***
 844 ***on.***

845

846 D. Fitzpatrick: Before leaving this item, the 2020 MS-232 is another document which all Councilors
 847 must sign, so please make arrangements to do this by Friday. When you get to the building, if you can't
 848 get in, call this cell number: 340-8419. The Finance Director has informed me that she has the
 849 Quarterly Reimbursements for Chair Sullivan to sign.

850

851 Chair Sullivan will sign the Quarterly Reimbursements by Friday, April 24th.

852

853 **COVID-19 - Request to Town Council to Ease Town Personnel Plan Sick Leave Policy prior to**
 854 **April 1, 2020**

855

856

857

D. Fitzpatrick: There are a couple of new federal laws affecting an employee unable to work because said employee is caring for his/her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons. These are the Families First Coronavirus Response Act (FFCRA), to include the additional section of the FMLA Expansion Act (FEA). FFCRA allows an employee qualifying under reason five (5) to receive two-thirds of his or her sick pay. Since this is available from April 1st through December 31st, we are asking for an easing of the Town's Personnel Plan to allow these employees to use sick time, not vacation time, for the period between March 16th – March 31st, the period of time when the schools and care centers were closed, but this law was not in effect. This is not a change in the Personnel Plan, only an easing.

R. Duhaime motioned 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. A. Walczyk seconded the motion.

A. Walczyk: This is a step in the right direction.

C. Karolian: How many employees does this involve?

D. Fitzpatrick: There is one in Town Hall and two in Public Works, for a total of three.

C. Karolian motioned that these employees should not have to use sick time or vacation time, that they should get their regular salaries and it should be retroactive to make them whole. J. Durand seconded the motion.

D. Fitzpatrick: We have not budgeted for this. We just want them to be able to use sick time. Other employees have made arrangements for child care; only these three have been out. Many more may have made a different choice if they had known they could be on paid administrative leave.

Chair Sullivan called the question.

Roll Call Vote #13

C. Karolian ***Nay***

A. Comai ***Nay***

T. Tsantoulis ***Aye***

J. Levesque ***Nay***

A. Walczyk ***Nay***

R. Duhaime ***Aye***

J. Durand ***Aye***

C. Jones ***Not present***

J. Sullivan ***Aye***

Tie vote; motion failed (4-4).

Chair Sullivan: We will take up Councilor Karolian's idea as the last item of new business - 16.9.

A. Garron: I sincerely hope we can act on Councilor Karolian's idea. We haven't run the numbers yet.

Classification Pay Plan - Maximum Levels

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18

908

D. Fitzpatrick: At the March 10, 2020 Town Election, all non-union employees were voted a 2.5% pay increase as of July 1, 2020. Since 2013, the maximum range has been increased by the amount of a COLA or COLA-type increase. This is a COLA-type increase. Would you like to move the maximum range up by 2.5%? This will affect only a few employees.

913

R. Duhaime motioned to increase the maximum range of the non-union pay scale by 2.5% because of the COLA-like increase granted at the March 10th Town Meeting. T. Tsantoulis seconded the motion.

917

Roll Call Vote #14

919

R. Duhaime Aye

920

J Durand Aye

921

C. Jones Not present

922

J. Levesque Aye

923

A. Walczyk Aye

924

A. Comai Aye

925

C. Karolian Aye

926

T. Tsantoulis Aye

927

J. Sullivan Aye

928

Voted unanimously in favor (8-0).

929

Volunteer Appreciation Night Dinner

931

Chair Sullivan: The Volunteer Appreciation Dinner is usually held in June. Because of COVID-19 restrictions, we are looking for suggestions about handling this.

934

T. Tsantoulis motioned to table this item until the next meeting. C. Karolian seconded the motion.

937

R. Duhaime: The dinner could be canceled and staff could work on getting gift cards to send to the volunteers instead.

940

N. Germain: We don't know what the situation will be in June. It is up to the Council. There are several options: The dinner could be held later in the year. Gift cards could be given, as suggested by Councilor Duhaime. We could just set a date in June and see what happens. Because people have busy schedules in the summer, if we plan to do this in June, we should set the date quickly.

945

Roll Call Vote #15

947

A. Comai Nay

948

C. Jones Not present

949

A. Walczyk Aye

950

J. Durand Aye

951

R. Duhaime Nay

952

T. Tsantoulis Aye

953

J. Levesque Aye

954

C. Karolian Aye

955

J. Sullivan Aye

956

Voted in favor (6-2).

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Town of Hooksett, NH - Municipal Volunteers

Chair Sullivan: We should skip this item.

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

Roll Call Vote #16

A. Walczyk Aye
J. Levesque Aye
C. Jones Not present
R. Duhaime Aye
J. Durand Aye
C. Karolian Aye
T. Tsantoulis Aye
A. Comai Aye
J. Sullivan Aye

Voted unanimously in favor (8-0).

NHRS Certification Form - needed when new Police Patrol Officer (DOH 03/16/2020) fills a vacant slot (vs. replaces another Officer leaving)

D. Fitzpatrick: This does not require a motion, but one can be made. This is another document requiring the signatures of the Town Councilors by Friday.

T. Tsantoulis motioned to have the Town Councilors sign the NHRS Certification form. A. Comai seconded the motion.

T. Tsantoulis withdrew his motion.

C. Karolian motioned to extend the meeting. A. Walczyk seconded the motion.

Roll Call Vote #17

T. Tsantoulis Aye
C. Jones Not present
R. Duhaime Aye
A. Walczyk Aye
J. Levesque Aye
C. Karolian Aye
J. Durand Aye
A. Comai Aye
J. Sullivan Aye

Voted unanimously in favor (8-0).

A. Walczyk motioned to reconsider item 16.4, COVID-19 – Request to Town Council to Ease Town Personnel Plan Sick Leave prior to April 1, 2020. R. Duhaime seconded the motion.

Chair Sullivan: Can we debate this?

1009 D. Fitzpatrick: Town Council follows "Robert's Rules" as noted in the Town Council Rules of Procedures
1010 1.a. According to *Roberts Rules of Order* "The effect of the motion to reconsider, if adopted, is that
1011 debate resumes right where the board left off prior to its original vote."
1012

1013 **Roll Call Vote #18**

1014 **J. Durand Aye**
1015 **A Comai Aye**
1016 **C. Jones Not present**
1017 **R. Duhaime Aye**
1018 **C. Karolian Aye**
1019 **A. Walczyk Aye**
1020 **T. Tsantoulis Aye**
1021 **J. Levesque Aye**
1022 **J. Sullivan Nay**
1023 **Voted in favor (7-1).**

1024
1025 A. Walczyk: I agree with making the employees whole, but knowing that we don't have the numbers,
1026 and in light of timing, we should take action now.
1027

1028 C. Karolian: Should this be effective today or is it retroactive?
1029

1030 A. Garron: It is retroactive to March 16, 2020.
1031

1032 D. Fitzpatrick: The federal law is granting federal medical leave expansion for up to 12 weeks at two-
1033 thirds pay. This item allows two weeks of pay from the town also, from March 16 through April 1st.
1034

1035 C. Karolian: We don't know how many?
1036

1037 A. Garron: It is three.
1038

1039 D. Fitzpatrick: There could have been a lot more if employees had known about this. It is a morale
1040 issue. Employees may be upset to know they could have had this benefit but did not.
1041

1042 C. Karolian: Out of order.
1043

1044 Chair Sullivan: I don't know who is out of order. Mrs. Fitzpatrick answered the question.
1045

1046 C. Karolian: Mr. Garron answered by question.
1047

1048 Chair Sullivan: We will put this on our next agenda when we will have the pertinent numbers. I am now
1049 calling for a re-vote on item 16.4, COVID-19 – Request to Town Council to Ease Town Personnel Plan
1050 Sick Leave prior to April 1, 2020.
1051

1052 **Roll Call Vote #19**

1053 **C. Jones Not present**
1054 **C. Karolian Aye**
1055 **J. Levesque Not present**
1056 **R. Duhaime Aye**
1057 **A. Walczyk Aye**
1058 **J. Durand Aye**
1059 **T. Tsantoulis Aye**

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21

1060 **A. Comai Aye**
 1061 **J. Sullivan Aye**
 1062 **Voted unanimously in favor (7-0).**
 1063 (Councilor Levesque left the virtual meeting at some point prior to this vote.)
 1064

1065 **APPROVAL OF MINUTES**

1066 **Public: 03/11/2020**

1067 **Non-Public: 03/11/2020**

1072 **SUB-COMMITTEE REPORTS**

1073 **Chair Sullivan motioned to table the Approval of Public and Non-public Minutes, as well as the**
 1074 **Sub-Committee Reports. R. Duhaime seconded the motion.**

1075 **Roll Call Vote #20**

1076 **J. Levesque Not present**

1077 **R. Duhaime Aye**

1078 **T. Tsantoulis Aye**

1079 **A. Walczyk Aye**

1080 **J. Durand Aye**

1081 **C. Jones Not present**

1082 **A. Comai Aye**

1083 **C. Karolian Aye**

1084 **J. Sullivan Aye**

1085 **Voted unanimously in favor (7-0).**

1086 **PUBLIC INPUT**

1087 None.

1088 **NON-PUBLIC SESSION NH RSA 91-A:3 II**

1089 **Chair Sullivan motioned to enter non-public session in accordance with the provisions of NH**
 1090 **RSA 91-A:3, II (a) at 9:53 pm. R. Duhaime seconded the motion.**

1091 **Roll Call Vote #21**

1092 **J. Durand Aye**

1093 **A Comai Aye**

1094 **C. Jones Not present**

1095 **R. Duhaime Aye**

1096 **C. Karolian Aye**

1097 **A. Walczyk Aye**

1098 **T. Tsantoulis Aye**

1099 **J. Levesque Not present**

1100 **J. Sullivan Aye**

1101 **Voted unanimously in favor (7-0).**

1102 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining
 1103 of such employee, or the investigation of any charges against him or her, **unless** the employee affected

1112 (1) has a right to a public meeting, and (2) requests that he meeting be open, in which case the request
1113 shall be granted.

1114

1115 ***Chair Sullivan motioned to leave public session at 10:32 pm. A. Walczyk seconded the motion.***

1116

1117 **Roll Call Vote #24**

1118 ***A. Comai Aye***

1119 ***A. Walczyk Aye***

1120 ***J. Durand Aye***

1121 ***C. Karolian Aye***

1122 ***J. Levesque Not present***

1123 ***T. Tsantoulis Aye***

1124 ***R. Duhaime Aye***

1125 ***C. Jones Not present***

1126 ***J. Sullivan Aye***

1127 ***Voted unanimously in favor (7-0).***

1128

1129 ***Chair Sullivan motioned to seal the minutes of the non-public session. R. Duhaime seconded***
1130 ***the motion.***

1131

1132 **Roll Call Vote #25**

1133 ***C. Karolian Aye***

1134 ***A. Comai Aye***

1135 ***T. Tsantoulis Aye***

1136 ***J. Levesque Not present***

1137 ***A. Walczyk Aye***

1138 ***R. Duhaime Aye***

1139 ***J. Durand Aye***

1140 ***C. Jones Not present***

1141 ***J. Sullivan Aye***

1142 ***Voted unanimously in favor (7-0).***

1143

1144 Chair Sullivan closed the Public Hearing on the proposed Storm Water Management Program,
1145 Ordinance #2020-1 at 10:32 pm

1146

1147 **ADJOURNMENT**

1148 ***R. Duhaime motioned to adjourn at 10:32 pm. T. Tsantoulis seconded the motion.***

1149

1150 **Roll Call Vote #26**

1151 ***R. Duhaime Aye***

1152 ***J Durand Aye***

1153 ***C. Jones Not present***

1154 ***J. Levesque Not present***

1155 ***A. Walczyk Aye***

1156 ***A. Comai Aye***

1157 ***C. Karolian Aye***

1158 ***T. Tsantoulis Aye***

1159 ***J. Sullivan Aye.***

1160 ***Voted unanimously in favor (7-0).***

1161

1162

1163 Respectfully submitted,

1164 *Kathleen Donnelly*

1165 Kathleen Donnelly

1166 Records Clerk

1167

1168 **Please see subsequent meeting minutes for any amendments to these minutes.**