

Remote Right-to-Know Access – Town Council 6/10/2020

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)-888 788 0099 US Toll-free
(1)-877 853 5247 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:** 874 1339 0045
3. **Entering in the following passcode #:** 336

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

<https://us02web.zoom.us/j/87413390045?pwd=OWduUGdHVGV5bEhoUFN1MExaSTVFUT09>

....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 above 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 unless authorized. Public participants will be muted until called upon to speak during appropriate segments, and non-public sessions will trigger removal of all participants save Council and their designees.



AGENDA

Town of Hooksett Town Council

Wednesday, June 10, 2020 at 6:00 PM

A meeting of the Town Council will be held Wednesday, June 10, 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 June 10, 2020.
- On behalf of the Hooksett Town Council and Town Administration, we thank you for your patience and understanding during these challenging times.

2. CALL TO ORDER

3. PROOF OF POSTING

4. ROLL CALL

5. PLEDGE OF ALLEGIANCE

6. AGENDA OVERVIEW

7. PUBLIC HEARINGS

- 7.1. Motion to accept the donation of snack bags and gift cards from Kiwanis, valued at approximately \$500.00, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:II and 31:95-b, III(b).

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[Staff Report - SR-20-111 - Pdf](#)

8. SPECIAL RECOGNITION

- 8.1. Hooksett Municipal Employee - New Hire

9. SCHEDULED APPOINTMENTS

- 9.1. Scheduled Appointment with Hooksett Kiwanis Club Regarding 5k Road Race

7 - 9

[Staff Report - SR-20-124 - Pdf](#)

- 9.2. Wastewater Treatment Plant Financial Advisor, Guy Beloin - Authority to file SRF application - Asset Management Program (see new business item for details)

- 9.3. Todd Rainier, Town Clerk - Civil Forfeitures for Unlicensed Dogs (see new business item for details)

10. CONSENT AGENDA

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

| | | |
|------------|---|---------|
| 10.1. | Motion to accept the donation of snack bags and gift cards from the Hooksett Kiwanis valued at approximately \$500.00 to the Town of Hooksett for the Hooksett Fire-Rescue Department per RSA 31:95-e:II and 31:95-b, III (b) Staff Report - SR-20-112 - Pdf | 11 |
| 11. | TOWN ADMINISTRATOR'S REPORT | |
| 12. | PUBLIC INPUT - 15 MINUTES | |
| 13. | NOMINATIONS AND APPOINTMENTS | |
| 13.1. | Nominations and Appointments - June 10th Staff Report - SR-20-125 - Pdf | 13 - 15 |
| 14. | BRIEF RECESS | |
| 15. | OLD BUSINESS | |
| 15.1. | Lilac Bridge Memorial – Permission to Place Monument on State Property Tabled at May 27, 2020 Town Council Meeting Staff Report - SR-20-115 - Pdf | 17 - 25 |
| 15.2. | COVID-19 - Request to Town Council to Ease Requirements of Employee Earned Vacation Time Carry Over Limits through December 31, 2020 (tabled at 05/13/2020 Town Council Meeting) Staff Report - SR-20-067 - Pdf | 27 - 36 |
| 16. | NEW BUSINESS | |
| 16.1. | Hooksett Kiwanis Club Regarding 5k Road Race (see scheduled appointment for details) | |
| 16.2. | Wastewater Treatment Plant - Authority to file State Revolving Fund (SRF) application - Asset Management Program Staff Report - SR-20-121 - Pdf | 37 - 44 |
| 16.3. | Civil Forfeiture Process Staff Report - SR-20-117 - Pdf | 45 - 48 |
| 16.4. | Budget Transfer #2020-02 in the amount of \$85,000 for Lilac Bridge Memorial Staff Report - SR-20-120 - Pdf | 49 - 51 |
| 16.5. | Budget Transfer #2020-01 in the amount of \$50,000 for Computer Software Staff Report - SR-20-118 - Pdf | 53 - 56 |
| 16.6. | FY 2019-20 Budget Encumbrances Review Staff Report - SR-20-114 - Pdf | 57 - 59 |
| 16.7. | Painting Town Hall and the Prescott Library Trim Bid Acceptance Staff Report - SR-20-116 - Pdf | 61 - 66 |
| 16.8. | Electrical Support Bid Acceptance Staff Report - SR-20-119 - Pdf | 67 - 88 |
| 16.9. | Replacement of Public Works/Parks and Recreation Division Pick-up Truck Staff Report - SR-20-113 - Pdf | 89 - 95 |
| 16.10. | 2020-2021 Town Council Meeting Schedule | 97 - 99 |

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

[Staff Report - SR-20-106 - Pdf](#)

- 16.11. Town of Hooksett, NH - Municipal Volunteers (tabled at 04/22/2020 Town Council Meeting) 101 - 104

[Staff Report - SR-20-043 - Pdf](#)

- 16.12. Topics for Town Council Summer Workshop 105

[TC WORKSHOP 2020](#)

- 16.13. Unsealing of Council Non-Public session minutes (June 2019 - May 2020), if in the opinion of a majority of members, the circumstances that sealed the minutes no longer apply in accordance with RSA 91A:3 III (suggestion for Council to table until such time Council meets in-person)

17. APPROVAL OF MINUTES

- 17.1. Public: 03/11/2020 (tabled at 04/22/2020 Town Council Meeting) 107 - 119

[TC Minutes 03112020](#)

- 17.2. Public: 04/22/2020 121 - 144

[TC Minutes 04222020](#)

- 17.3. Public: 05/13/2020 145 - 170

[TC Minutes 05132020\[10178\]](#)

- 17.4. Public: 05/27/2020 171 - 191

[TC Minutes 05272020](#)

- 17.5. Non-Public: 03/11/2020 (tabled at 04/22/2020 Town Council Meeting)

- 17.6. Non-Public: 04/22/2020

- 17.7. Non-Public: 05/13/2020

18. SUB-COMMITTEE REPORTS

19. PUBLIC INPUT

20. NON-PUBLIC SESSION NH RSA 91-A:3 II

21. ADJOURNMENT

PUBLIC INPUT

1. Two 15-minute Public Input sessions will be allowed during each Council 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

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

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: Motion to accept the donation of snack bags and gift cards from Kiwanis, valued at approximately \$500.00, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:II and 31:95-b, III(b).
Meeting: Town Council - 10 Jun 2020
Department: Police Department
Staff Contact: Jake Robie, Captain

BACKGROUND INFORMATION:

On May 19, 2020, Kiwanis dropped off \$425.00 worth of gift cards, snack bags and thank you cards for members of the police department.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

SUGGESTED MOTION:

Motion to accept the donation of snack bags and gift cards from Kiwanis, valued at approximately \$500.00, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:II and 31:95-b, III(b).

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council **STAFF REPORT**



To: Town Council
Title: Scheduled Appointment with Hooksett Kiwanis Club Regarding 5k Road Race
Meeting: Town Council - 10 Jun 2020
Department: Administration
Staff Contact: Nick Germain, Project Coordinator

BACKGROUND INFORMATION:

The Hooksett Kiwanis Club recently contacted the Administration Department about use of town land and ancillary support for their annual road race. The event usually takes place in September (Saturday the 19th is proposed) and one Sue Kunkel is the club member who stands as the Chairwoman for the event this year.

The Town has supported the event in past years with both use of town property and with additional support in regards to traffic control.

COVID-19 means there are some differences this year, and are to be discussed in their presentation.

FINANCIAL IMPACT:

Kiwanis will be needing a police traffic detail, a standby emergency medical crew from the Fire Department, use of town roads/land, use of porta-potties and waste receptacles, and traffic control supplies (barricades & cones).

POLICY IMPLICATIONS:

Town has approved the event as requested in the past, but Old Home Day is not occurring this year to share resources.

RECOMMENDATION:

Listen to Sue Kunkel and/or the representatives of the Hooksett Kiwanis Club that are present. Consider the implications of COVID-19.

SUGGESTED MOTION:

"I motion that the Council approve September 19th for described event with the condition that the Town Council may rescind approval within 2 weeks of the scheduled date as subject to the Governors Stay at home proclamation or otherwise by the whim of Town Council."

TOWN ADMINISTRATOR'S RECOMMENDATION:

Town Council will need to consider the status of COVID 19 at the time of the event. If group levels remains at 10 or less, in accordance with the governor's order, then the event will be hard pressed to comply with that order given the participation of past 5k events. The past 5k event had been

combined with Old Home Day. The costs associated with the event came out several line items in the Town's budget. Given that Old Home Day event is cancelled for 2020, would Council consider re-allocating those funds towards the requests made by Kiwanis for police traffic detail, a standby emergency medical crew from the Fire Department, use of porta-potties and waste receptacles, and traffic control supplies (barricades & cones).

ATTACHMENTS:

[Town Council 5k Presentation 2020](#)

Town Council

STAFF REPORT



To: Town Council
Title: Motion to accept the donation of snack bags and gift cards from the Hooksett Kiwanis valued at approximately \$500.00 to the Town of Hooksett for the Hooksett Fire-Rescue Department per RSA 31:95-e:II and 31:95-b, III (b)
Meeting: Town Council - 10 Jun 2020
Department: Fire and Rescue
Staff Contact: James Burkush, Chief of Hooksett Fire&Rescue

BACKGROUND INFORMATION:

Thanks to Hooksett Kiwanis

FINANCIAL IMPACT:

none

POLICY IMPLICATIONS:

none

SUGGESTED MOTION:

Motion to accept the donation of snack bags and gift cards from the Hooksett Kiwanis valued at approximately \$500.00 to the Town of Hooksett for the Hooksett Fire-Rescue Department per RSA 31:95-e:II and 31:95-b, III (b)

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council **STAFF REPORT**



To: Town Council
Title: Nominations and Appointments - June 10th
Meeting: Town Council - 10 Jun 2020
Department: Administration
Staff Contact: Nick Germain, Project Coordinator

BACKGROUND INFORMATION:

Don Pare, longtime ZBA volunteer, had in recent years transitioned to an Alternate. On April 14th he notified Community Development staff he would be resigning effective immediately due to his family moving from Hooksett.

On May 1st, Timothy Stewart submitted an application to join the ZBA as an Alternate.

FINANCIAL IMPACT:

n/a

POLICY IMPLICATIONS:

n/a

RECOMMENDATION:

Consider the application

SUGGESTED MOTION:

"I nominate Timothy Stewart to the ZBA as an alternate." No second required

Optional "I motion to waive the rules and appoint Timothy Stewart to a term as a ZBA alternate that expires 6/30/2021." Second Required.

ATTACHMENTS:

[Timothy Stewart ZBA Alternate Application](#)



Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: May 1, 2020
 Name: Timothy Stewart Phone: 603-485-2652
 Address: 5 Grandview Drive
 Email Address: stewarttim@comcast.net
 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

Role Preference
 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 checked="" type="checkbox"/> Zoning Board of Adjustment | <u>Alternate</u> |
| <input type="checkbox"/> Other (Please specify.) _____ | _____ |
| _____ | _____ |
| _____ | _____ |

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How long have you been a resident of Hooksett?

Over 27 years

Why are you seeking this position?

To be more involved with the town.

Do you have any specific goals or objectives?

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

was employed by state of New Hampshire
Department of Revenue Administration researching
Property Decods and plans

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

NONE

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

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

Hooksett - Past Budget Committee member

Town Council

STAFF REPORT



To: Town Council
Title: Lilac Bridge Memorial – Permission to Place Monument on State Property Tabled at May 27, 2020 Town Council Meeting
Meeting: Town Council - 10 Jun 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The location for the proposed Lilac Bridge Memorial on the south side of the bridge is owned by the State of New Hampshire (the area off the cul-de-sac south of the bridge). , therefore, we need State permission to install the monument there. Attached is the standard State agreement for use of their property. We need to have this agreement approved and to be in place when we are ready to install the monument. Once the Town Administrator signs the agreement, it will be sent to the State for signing. That process will take about three weeks.

A draft agreement is attached. This agreement has been reviewed and approved by the Town Attorney.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

To allow the Town Administrator to sign a contract with the State of New Hampshire to allow the Town to install the Lilac Bridge Memorial on State owned property on the north and south side of the pedestrian bridge.

SUGGESTED MOTION:

Motion to allow the Town Administrator to sign an agreement with the State of New Hampshire to allow the Town to install the Lilac Bridge Memorial on State owned property to the south of the pedestrian bridge.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[01 TEMPORARY USE AGREEMENT 8x11 version](#)
[02 State Agreement Attachment A](#)

[03 Lilac Brige Monument Location Plan](#)

TEMPORARY USE AGREEMENT

This Agreement made this the ____ day of _____, 2020, between the State of New Hampshire by and through the New Hampshire Department of Transportation, Bureau of Right-of-Way, PO Box 483, Concord, NH 03302-0483, hereinafter referred to as the "State" and The Town of Hooksett with an address of 35 Main Street, Hooksett NH 03106-1397, New Hampshire, hereinafter referred to as the "Permittee".

WHEREAS the State controls a certain portion of South Main Street Right of Way located in the Town of Hooksett, County of Merrimack, State of New Hampshire. The right of way is more particularly defined as being located between the easterly side of South Main Street near centerline Station 109+50, as now travelled, and the westerly side of Main Street near Station 57+00, as formerly travelled, where a pedestrian bridge is currently located. The right of way location is identified in the Hooksett Tax Records on Tax Map 8, Lot 41 and being a portion of real estate described in a Warranty Deed from The Roman Catholic Bishop of Manchester to the State of New Hampshire recorded October 25, 1974, at the Merrimack County Registry of Deeds in Book 1227, Page 135 as well as being portion of the historic prescriptive highway layout of Old Main Street dated 1830, where the pedestrian bridge is located.

WHEREAS the Permittee is desirous of obtaining permission to use a fifteen thousand four hundred (15,400) square foot portion of the Main Street Right of Way and Old Main Street Right of Way for the purpose of constructing and maintaining a memorial area incorporating sections of the former Lilac Bridge location on this portion of the South Main Street Right of Way near Centerline Station 109+50, as now travelled, and the Westerly side of Main Street near Station 57+00, as formerly revealed, where a pedestrian bridge is currently located as shown on a plan titled "Hooksett RS-299(1), S-1885", on file in the records of the New Hampshire Department of Transportation. See "Attachment A" for location.

NOW THEREFORE, subject to and conditioned upon the performance by the Permittee of all of the covenants set forth below, the State grants to the Permittee permission to utilize a portion of the South Main Street Right of Way and Old Main Street Right of Way, herein termed an "Encroachment", located on the easterly side of South Main Street, for the sole purpose of a memorial area.

1. Construction and Maintenance:

- 1.1 The Permittee agrees to be liable for the cost of all work associated with this Encroachment, and allows the Permittee to construct and maintain a monument for the Lilac Bridge, which will consist of old portion of the original beams from the Lilac Bridge, benches, a plaque with the bridges history, metal fencing along the river bank, plantings, as well as general maintenance of the encroachment. Said Encroachment is approximately 15,400 square feet.
- 1.2 The Permittee agrees that the work described in Section 1.1 will be subject to review and advance approval of the Department of Transportation, Bureau of Highway Maintenance, District 5 Office located in Bedford New Hampshire, telephone number (603) 666-3336.
- 1.3 The Permittee is required to obtain and keep in force, before any work or construction may begin, all other permissions, permits, and easements required for said construction, use, maintenance and/or repair, by Federal, State, County, City or Town governments; and their agencies or boards; or any other political subdivision thereof. The Permittee shall be responsible for investigating and determining the need of and applying for all relevant permits and approvals.
- 1.4 The Permittee agrees to implement best management practices (BMP's) to protect surface water quality from degradation resulting from any activity including construction done to and use of the Property which alters the terrain of the Property in the vicinity of surface waters.
- 1.5 The Permittee acknowledges that the State has the right at any time to cross over, occupy, use, maintain or improve the land at the location herein described as it may elect. The Department will agree to use best efforts to limit any interference to this area.

- 1.6 The Encroachment and use thereof shall in no way interfere, prevent, or obstruct any or all highway maintenance, repair, or reconstruction activities.
- 1.7 The Permittee further acknowledges that should this Encroachment area ever be needed by the State for any reason whatsoever, including for any transportation improvement project or normal highway maintenance activities, that said Encroachment within the right-of-way shall be promptly removed upon thirty (30) day notice to the owners by the State, and that this removal shall be accomplished at no cost to the State. If the Permittee fails to promptly remove said Encroachment as required, the State will remove said Encroachment at the Permittee's expense. The State shall have no liability whatsoever to the Permittee for any claims or damages for the loss or the removal of said Encroachment.

2. Indemnification and Insurance:

- 2.1 The Permittee shall indemnify and hold harmless the State, its officers, agents, and employees, from and against any and all losses, claims, actions, demands, judgments or liabilities, fines, penalties, and expenses, including but not limited to legal fees, suffered by the State, its officers, agents, and employees, by or on behalf of any person on account of, based on, or resulting from, arising out of, (or which may be claimed to arise out of), the acts or omissions of the Permittee or from the use, maintenance, installation, removal, or existence of this facility. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is reserved by the State. This covenant shall survive the termination of this Agreement.
- 2.2 The Permittee shall pay any and all premiums on a policy or policies of insurance covering the following at said facility, designating the State of New Hampshire as additional named insured. The following limits are the minimum requirement only.
 - 2.2.1 Commercial General Liability: \$1,000,000 each occurrence/\$2,000,000 in the aggregate.
 - 2.2.2 Procurement and delivery to the State of a certificate indicating such insurance acceptable to the State is a condition precedent to the effectiveness of this Agreement. Nothing contained herein shall be construed as a waiver of sovereign immunity.

3. Default and Removal:

- 3.1 Should the Permittee fail to perform any of the above specified covenants, the State shall, after 30 calendar days' written notice to the Permittee, deny access to the Permittee and require the Permittee to quit the premises.
- 3.2 The State may revoke this Agreement for any reason at any time upon 30 calendar days' written notice to the Permittee without compensation to the Permittee.
- 3.3 In the event of the Permittee's breach of any of the covenants or provisions of this Agreement, the State shall be compensated for its damages, including all consequential damages which arise out of the breach, and attorneys' fees and costs incurred in connection with the undertaking of such an action.
- 3.4 The Permittee shall pay any and all taxes the Town of Hooksett may impose on this parcel during the term of the Agreement.

4. Non-Assignment and Amendment:

- 4.1 This Agreement may not be assigned or transferred. Until terminated, this Agreement shall inure to the sole benefit of and be binding upon the parties hereto.
- 4.2 This Agreement may only be amended by an instrument in writing, signed by the parties hereto, and only after approval of such amendment by the State.

5. Permittee does hereby covenant and agree that as a part of this Agreement, (1) no person on the grounds of race, color, disability, sex, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of service thereon, no person on the grounds of race, color, disability, sex or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, and (3) that Permittee shall use and allow use of the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle "A", Office of the Secretary, Part 21, Non-Discrimination in Federally-assisted programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964, and as said regulation may be amended.

Executed this the _____ day of _____, 2020

Signed, Sealed and Delivered
in the presence of:

TOWN OF HOOKSETT

Witness

Andre' L. Garron
Town Administrator

STATE OF NEW HAMPSHIRE,

SS

A.D., 2020

On this _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Andre' L. Garron, Town Administrator for the Town of Hooksett, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Andre' L Garron, Town Administrator for the Town of Hooksett

IN WITNESS WHEREOF I have hereunto set my hand and seal.

Notary Public/Justice of the Peace
My Commission Expires: _____

* * * * *

Executed this the _____ day of _____, 2020

Signed, Sealed and Delivered
in the presence of:

**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**

Witness

Victoria F. Sheehan, Commissioner
Department of Transportation

STATE OF NEW HAMPSHIRE,

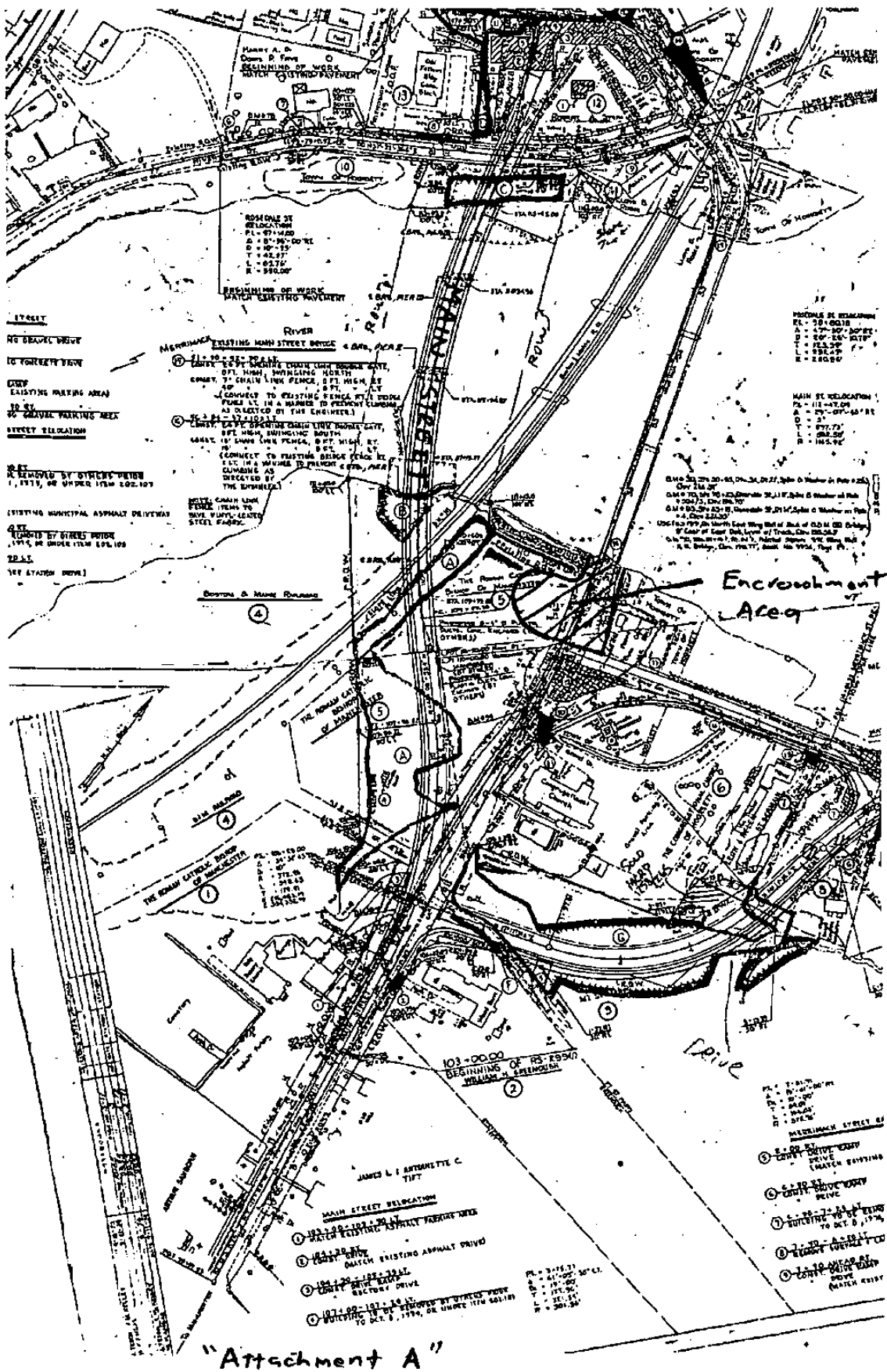
SS

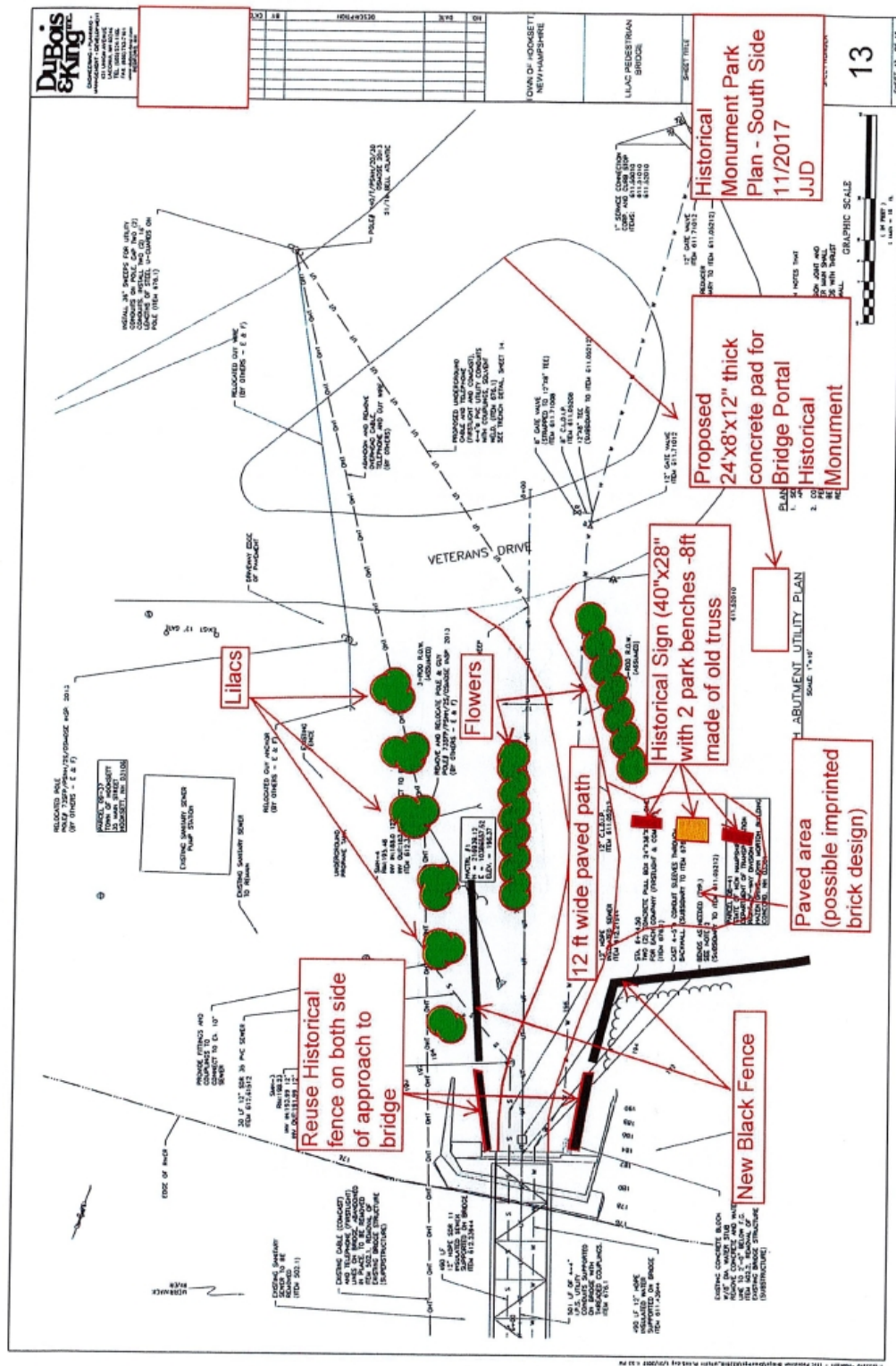
A.D., 2020

On this _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Victoria F. Sheehan, Commissioner of the Department of Transportation, State of New Hampshire being authorized so to do, execute the foregoing instrument for the purposes therein contained, by signing the name of the State of New Hampshire as the Commissioner of the Department of Transportation, State of New Hampshire.

IN WITNESS WHEREOF I have hereunto set my hand and seal.

Notary Public/Justice of the Peace
My Commission Expires: _____





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 (tabled at 05/13/2020 Town Council Meeting)
Meeting: Town Council - 10 Jun 2020
Department: Administration
Staff Contact: Donna Fitzpatrick, Administrative Services Coordinator

BACKGROUND INFORMATION:

This item was removed from the 05/27/2020 agenda, but remains on the table "*until the Council knows what the financial impact is going to be*" - see comments from Finance Director (ALSO SEE ATTACHED GENERAL GUIDANCE FROM OUR FREE LEGAL CONTACTS - NHMA & EMPLOYMENT LAW HOTLINE)

Fiscal Impact for FY 2019-20. The cost for paying out the vacation time over the maximum carryover for employees who will loss time prior to July 1st is \$22,907.90. If these employees were allowed to carryover their time, there are 4 hourly employees that may incur some overtime in the next fiscal year to cover their workload and 5 salaried employees who will not incur costs.

Fiscal Impact for FY 2020-21. The cost is estimated at \$33,749.11 for those employees who will loss vacation after July 1st to December 31st. This estimate was based on NO vacation time used before December 31st. It's likely the employees may use their vacation time and not be paid this full amount. The 11 employees will lose time as follow: 1 in July, 1 in August, 1 in September, 3 in October, 1 in November and 4 employee will lose time in December. If they were allowed to carry over their time, there is 1 salaried employee and 10 hourly that may incur overtime costs.

Christine Soucie

Finance Director

05/13/2020 Town Council Minutes:

COVID-19 - Request to Town Council to Ease Requirements of Employee-Earned Vacation Time Carry Over Limits through December 31, 2020

D. Fitzpatrick: Many of our employees are getting near their thresholds for carry over of vacation time. The three categories of employees – non-union, union and contract – have different guidelines. For non-union employees, the maximum carry over as of June 30th of each year is 100 hours. Fire-Rescue union employees are allowed to carry over no more than 120 hours of earned vacation time as of their anniversary date. Police union employees, as of their anniversary date, are allowed to carry over 42.5 hours of vacation time, per the new contract beginning July 1, 2020, while the current contract does not allow carry over unless approved by the Police Chief. Public Works union employees with 0-14 years of employment can carry over 240 hours and those with 15+ years of employment can carry over 320 hours, both based on a June 30th cutoff. The Town Administrator may have no more than 30 days of vacation leave at any given time, and the Fire Chief has no carry

over, with a May 1st cutoff date. We propose offering as much flexibility as possible, and are following the policy of the federal government. We would like to offer one of three options,

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

2) buy out excess vacation time for 2020 on their respective vacation carry over in 2020 (June 30, 2021 for non-union & Public Works Union; anniversary date for 2020 Fire-Rescue Union or Police Union).

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

Chair Sullivan: So, in some cases, we are not stopping them from taking vacation time, but they want to go somewhere and cannot do so. They could take their vacation time at home. On the other hand, some employees we are asking to work because we need them.

A. Garron: This does not take away the manager's authority to say an employee cannot take vacation because of staffing needs.

T. Tsantoulis: We are trying to meet employee needs as much as we can. There are extenuating circumstances, and this is not their fault. Flexibility is good, if we can manage it.

C. Karolian: For clarification, the bottom line is this would allow employees to accrue vacation time and carry it to the next year or get paid an increased amount.

A. Garron: They must use the time or be paid for it by their next anniversary date or the contract kicks back in.

Chair Sullivan: Employees with two weeks of vacation time over the amount they are normally allowed to carry over can carry it over or be paid for the two weeks. This may increase overtime. I would rather pay them off this year.

A. Walczyk: Continuing with the Chair's thoughts, there is no perfect way to do this. Both have challenges and downsides. Is there enough flexibility there?

D. Fitzpatrick: For 11 individuals who are non-union, and for the Town Administrator, there is no backfill, and thus no overtime, when they are out. Their work is simply waiting for them when they return. With the Fire Department, where there are only 12 employees, so there may be some backfill. However, anniversary dates are spread throughout the year, as opposed to all having the same cutoff date of June 30th. The Police Department has ten employees and their cutoff dates are their anniversary dates. All three unions favor giving employees the three options. The third option offers the most flexibility. Our employees are overworked and stressed, and as the Town Administrator said, managers have the authority to grant or deny vacation time requests.

Chair Sullivan: For the third option, is that a 50/50 split?

D. Fitzpatrick: Not necessarily.

J. Durand: Nothing is going well in the country. We are talking about extending vacations when some people are not working at all. This is not going to work out too well in 2021.

C. Karolian: They say we are all in this together, and we are. We are all stuck at home. There are difficult decisions to make. If vacations are cancelled, the carryover is going to be costly. We don't know what will happen with the budget next year. Everyone is in this. We have contracts to abide by. Putting this under the umbrella of COVID-19 is not the right thing to do. It is a terrible slope. The employees know that the Town Council is usually behind them. We appreciate our workforce. I don't support a carryover. If you can't use the time, you lose it.

A. Walczyk: This is just through December 31, 2020. It is not indefinite, is it?

D. Fitzpatrick: That is correct. We are following the federal government guidelines.

A. Walczyk motioned to approve COVID-19 HOOKSETT ADMINISTRATIVE ORDER 2020-B Town Council, due to COVID-19 orders, to provide that employees exceeding their threshold of vacation time carryover 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 carryover limit in 2021 (June 30, 2021 for non-union & Public Works union; anniversary date for 2020 Fire-Rescue Union or Police union).

2) buy out excess vacation time for 2020 on their respective vacation carryover in 2020 (June 30, 2021 for non-union & Public Works union; anniversary date for 2020 Fire-Rescue Union or Police union).

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

A second for this motion was not offered.

C. Karolian: For clarification, vacation time may be accumulated until December 31, 2020 and must be used in 2021.

D. Fitzpatrick: Yes.

Chair Sullivan: For the third option, is it a 50/50 split or could it be 60/40?

D. Fitzpatrick: That could be up to the department head, based on operational needs, or could be decided by the Town Council.

T. Tsantoulis: Initially, I was inclined to support this, but listening to the scenarios, we are not in a position to discuss the economic impact. We need to understand the costs.

Chair Sullivan: Maybe we should hold off on this because we are confused.

D. Fitzpatrick: The ratio of carry over versus buy out could be determined by the Council. The employees are anxious to find out tonight. Those with the non-union cutoff date of June 30th can't just go home and sit; they need to be in the office because others are out. We are very busy because we are near the end of the fiscal year.

C. Karolian: Can't they just request the money instead?

D. Fitzpatrick: As it stands now, they must use it or lose it.

C. Karolian motioned to table this item until the Council knows what the financial impact is going to be. T. Tsantoulis seconded the motion.

J. Levesque: We should do something to protect these people.

Chair Sullivan: For the third option, we could make that 90/10, 70/30 or 50/50.

C. Karolian: It sounds to me like the employees dictate that ratio.

Chair Sullivan called for a roll call vote on the motion to table this item.

Roll Call Vote #21

J. Durand Aye

A Comai Not present

C. Jones Aye

R. Duhaime Not present

C. Karolian Aye

A. Walczyk Nay

T. Tsantoulis Aye

J. Levesque Aye

J. Sullivan Aye

Voted in favor (6-1).

J. Durand: If employees roll over 100%...where are we at now? We need a realistic impact.

D. Fitzpatrick: I have that information, but you have already tabled this item.

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.

ATTACHMENTS:

[COVID-19 VACA CARRY OVER - NHMA](#)

Donna Fitzpatrick

From: Mark T. Broth <MBroth@dwmlaw.com>
Sent: Friday, May 29, 2020 2:12 PM
To: Donna Fitzpatrick
Cc: Darnell Filleul
Subject: FW: Hotline - Town of Hooksett
Attachments: Employment Law Hotline Flyer.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Donna,

As this came in through the Employment Law Hotline, I can give you some general guidance only. If you would like me to review the CBAs and Town policy for specific guidance, that would be under our attorney/client relationship.

Employees who believe that their rights under a CBA have been violated have recourse to the contractual grievance procedure. In reviewing the actions of an employer that are being grieved, one of the primary questions is whether or not the employer has acted reasonably. In periods of emergency, it may well be reasonable for an employer to change the manner in which it typically administers a contractual benefit, such as use of vacation time. Denying vacation to essential workers during emergencies seems reasonable. But the secondary question is whether the employer is being reasonable in addressing the consequences of the change in how the benefit is administered. "Use it or lose it" provisions are generally enforceable, as long as the employee has a reasonable opportunity to "use it". But if the restriction on vacation usage essentially deprives employees of an opportunity to "use it", strict enforcement of the "lost it" aspect could be seen by an arbitrator as unreasonable. An arbitrator could potentially order an employer to re-credit employees with the lost vacation time.

Non-represented employees generally have less recourse than those covered by union contracts with grievance procedures. But generally it is not a good HR practice to treat non-represented employees worse than you treat represented employees, as this is practically an invitation for those employees to try to unionize.

Let me know if you would like to further discuss these issues. Regards,

Mark T. Broth
 Attorney

603.792.7415 Direct | 603.520.4040 Cell
MBroth@dwmlaw.com

670 N. Commercial Street, Suite 207, Manchester, NH 03101
 800.727.1941 | 603.716.2899 Fax | dwmlaw.com

DrummondWoodsum
 ATTORNEYS AT LAW

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From: Donna Fitzpatrick [<mailto:DFitzpatrick@hooksett.org>]
Sent: Friday, May 29, 2020 1:44 PM
To: NHMA Hotline <ehotline@dwmlaw.com>
Cc: Andre Garron <agarron@hooksett.org>
Subject: FW: Hooksett: Town of Hooksett - Vacation Policy - COVID-19

Hi,

Please see below e-mails.

Thanks,

Donna

Donna J. Fitzpatrick
Administrative Services Coordinator (HR)
Town of Hooksett
35 Main Street
Hooksett NH 03106
603-268-0060 – office
603-340-8419 - cell
603-485-2439 - fax
dfitzpatrick@hooksett.org
www.hooksett.org
Town Hall Hours:
Monday, Tuesday, Thursday 8:00am-4:30pm
Wednesday 8:00am-6:30pm
Friday 8:00am-12:00pm

From: Legal Inquiries [<mailto:legalinquiries@nhmunicipal.org>]
Sent: Friday, May 29, 2020 1:36 PM
To: Donna Fitzpatrick
Subject: Hooksett: Town of Hooksett - Vacation Policy - COVID-19

Good afternoon Donna,

It would seem likely that, given the effective inability of employees to take vacation during a time when they would otherwise be entitled to take vacation, e.g. police or fire, that those employees are likely entitled to either a roll-over of vacation time (even above the cap) or compensation in lieu of that time. However, I don't ordinarily practice employment law, so I'm going to have to refer you to our employment law hotline. The flyer for that free service is attached. I would defer to the opinion given to you by those attorneys.

Please let me know if I can be of further assistance.

Natch Greyes, Esq.
Municipal Services Counsel
NH Municipal Association
25 Triangle Park Drive
Concord NH 03301
Tel: (603) 224-7447
Email: legalinquiries@nhmunicipal.org

From: Donna Fitzpatrick <DFitzpatrick@hooksett.org>
Sent: Friday, May 29, 2020 8:49 AM
To: Legal Inquiries <legalinquiries@nhmunicipal.org>
Cc: Andre Garron <agarron@hooksett.org>
Subject: Town of Hooksett - Vacation Policy - COVID-19

Good morning,

Our Town of Hooksett Town Personnel Plan and 3 Union Contracts have maximum carry overs or no carry overs of vacation accrued time either at June 30th or at the employee's employment anniversary date. "Use it or lose it."

Based on the recent COVID-19, employees have either cancelled their vacation time and are working or have been told by their department head they cannot take vacation time due to the effective continuation of Town operations.

Does an employee have any recourse to require the Town (employer) to allow he/she to either carry over this unused vacation time or be able to buy this vacation time? These employees will forfeit this time.

Thanks,

Donna

Donna J. Fitzpatrick
Administrative Services Coordinator (HR)
Town of Hooksett
35 Main Street
Hooksett NH 03106
603-268-0060 – office
603-340-8419 - cell
603-485-2439 - fax
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Friday 8:00am-12:00pm

Town Council
STAFF REPORT



To: Town Council
Title: Wastewater Treatment Plant - Authority to file State Revolving Fund (SRF) application - Asset Management Program
Meeting: Town Council - 10 Jun 2020
Department: Sewer Department
Staff Contact: Linda O'Keefe, Office Assistant

BACKGROUND INFORMATION:

Upon the approval of Article 3 of the March 10, 2020 Town election, to determine that the construction of certain works, generally described as:

Develop an Asset Management program for the Wastewater Public Facilities is desirable and in the public interest, and to that end it is necessary to apply for assistance from the State Revolving Fund (SRF)

FINANCIAL IMPACT:

Provided by SRF principal forgiveness and therefore no impact of the user rate

RECOMMENDATION:

Make suggested motion.

SUGGESTED MOTION:

The governing body of said Applicant, as follows:

1. That Sidney Baines, Chairman of the Hooksett Sewer Commission, is authorized on behalf of the Applicant (Town of Hooksett) to file an application for a loan to be made in accordance with the New Hampshire Code of Administrative Rules Chapter Env-Wq 500;
2. That if such loan be made, the Applicant agrees to repay the loan as stipulated in the loan agreement;
3. That Sidney Baines is hereby authorized to furnish such information and to take such other action as may be necessary to enable the Applicant to qualify for the loan;
4. That Sidney Baines is designated as the authorized representative of the Applicant for the purpose of furnishing such information, data and documents pertaining to the Applicant for a loan as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application.
5. That certified copies of this resolution be included as part of the application to be submitted for a loan;
6. That if such loan be made, the Applicant agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[WWTP SRF](#)



Town of Hooksett

WARRANT ARTICLE REQUEST FORM

Date of Request: November 19, 2019

Date of Town Meeting:

Name of Department Submitting Request: Hooksett Sewer Commission

1. Please provide the wording of the proposed article.

To see if the Town will vote to raise and appropriate the sum of **\$30,000.00** for the purpose of developing an Asset Management Program for the Wastewater Public Facilities that will qualify the Town for federal and state funds (the "Project"); to authorize the issuance of not more than \$30,000.00 of bonds and notes in accordance with the provisions of the Municipal Finance Act (RSA 33); to authorize the Town Council to determine the date, maturities, interest rate, and other details of such bonds or notes; and to authorize the Town Council to apply for, obtain, and accept federal, state, or other aid for the Project, including the Clean Water State Revolving Fund program, which may provide principal forgiveness in the amount of up to \$30,000.

(3/5 ballot vote required) Recommended by the Town Council (tally),
Recommended by the Budget Committee (tally)

2. What is the intent and purpose of article?

The Hooksett Sewer Commission has been approved for \$30,000 in principal forgiveness from NHDES as part of the Clean Water State Revolving Fund (CWSRF) towards the development of **Phase 2** of an asset management program for the sewer system. The Hooksett Sewer Commission has been approved for this CWSRF loan conditional upon approval of the Town obligating \$30,000 in funds towards the project. Once the funds are approved, the CWSRF loan agreement with NHDES can be finalized / secured and upon expenditure of funds towards the Wastewater Public Facilities Asset Management Project (AMP) by the Hooksett Sewer Commission, the maximum \$30,000 in loan forgiveness will be made by NHDES as part of the program.

3. If this article is not passed at Town Meeting or approved by the Town Council, what affect would this have on your department goals and programs?

This development of the AMP will assist to identify vertical assets (Treatment plant, pumping stations, etc.) and the condition of each component and the replacement plan of these assets. See Attachment B for a complete description of the program.

This project involves generating a AMP document which will serve as a guideline for the Hooksett Sewer Commission to plan for, fund, and implement necessary capital upgrades to their existing Public Facilities infrastructure in a logical and

timely manner. This project will protect public health by scheduling upgrades to avoid catastrophic failures of the existing infrastructure which would affect water quality in the Merrimack River.

4. Estimated cost?

\$30,000 - 100% principal forgiveness by NHDES – See attached description of CWSRF Asset Management Loan Forgiveness Guidance Document (3 pages).

5. Is any further information necessary for the deliberation?

Yes. Attached A is a copy of the 2019 NHDES CWSRF priority list showing Hooksett listed for Phase 2

Attachment B is the CWSRF Asset Management Loan Forgiveness Guidance Document explaining the phased approach for Wastewater Asset Management programs and the \$30,000 available for each phase.

INSTRUCTIONS

All forms should be submitted with the operating budget to the Town Administrator. Please use additional sheet if necessary.

Attachment A

2019 NHDES CLEAN WATER SRF PRIORITY LIST

| WASTEWATER PLANNING EVALUATIONS | | | | |
|---------------------------------|--------------------------------|---|-------------|--------------------------------------|
| No. | APPLICANT | PROJECT NAME | TOTAL COST | Principal Forgiveness ^{1,2} |
| 1 | Ashland | Facility Analysis | \$75,000 | \$75,000 |
| 2 | Epping | Lagoons 1 & 2 Decommissioning | | \$75,000 |
| 3 | Exeter | Westside Drive Sewer & Stormwater Planning | | \$75,000 |
| 4 | Lancaster | WW Master Plan | \$75,000 | \$75,000 |
| 5 | Milford | WWTF Nutrient & Metals Removal Upgrade | \$75,000 | \$75,000 |
| 6 | Northumberland | WWTF & PS Flood Mitigation Study | \$75,000 | \$75,000 |
| 7 | Franklin | Wastewater Collection System Planning | \$120,000 | \$0 |
| 8 | Conway Village Fire Dist. | Sewer System Evaluation Survey - Phase 2 | \$75,000 | \$0 |
| 9 | Newmarket | Sewer System Evaluation - Phase 2 | \$75,000 | \$0 |
| 10 | Northumberland | The Hill Sewer Replacement | \$83,000 | \$0 |
| 11 | Winchester | WWTF Solids & Septage Improvements | \$66,000 | \$0 |
| 12 | Rochester | Septage Receiving Facility | \$82,500 | \$0 |
| 13 | Rochester | Sewer Collection System Master Plan | \$150,000 | \$0 |
| 14 | Rochester | Tara Estates PS Upgrade Planning | \$15,000 | \$0 |
| 15 | North Conway Water Precinct | Wastewater Master Plan Update | \$75,000 | \$0 |
| 16 | Dover | Wastewater Pump Station Evaluation | \$75,000 | \$0 |
| 17 | Dover | Sewer and Force Main Study | \$160,000 | \$0 |
| 18 | Newfields | Sludge Removal & Aeration System Planning | \$25,500 | \$0 |
| 19 | Concord | Collection System CIP Prioritization | \$110,000 | \$0 |
| 20 | Salem | Wastewater Collection System Improvements | \$10,000 | \$0 |
| 21 | Winnepesaukee R. Basin Program | CMDM Implementation & Pipeline Rehabilitation | \$120,000 | \$0 |
| 22 | Winnepesaukee R. Basin Program | Solids Handling Master Plan & Residual Upgrades | \$114,500 | \$0 |
| 23 | Hampton | System wide Infiltration/Inflow Study | \$75,000 | \$0 |
| 24 | Hooksett | Route 3A Sewer Expansion Phase I | \$75,000 | \$0 |
| | | | \$1,790,000 | \$450,000 |

NOTES:

1. Principal Forgiveness for Planning may be adjusted based on information provided during the scope approval process.
 2. Due to limited funding availability the top six Wastewater Planning projects will receive Planning loans.
- * See Wastewater project priority list for total cost.

| STORMWATER PLANNING EVALUATIONS | | | | |
|---------------------------------|------------------|---|-------------|--------------------------------------|
| No. | APPLICANT | PROJECT NAME | TOTAL COST | Principal Forgiveness ^{1,2} |
| 1 | Manchester | MS4 Compliance | \$1,000,000 | \$75,000 |
| 2 | Dover | MS4 Monitoring Program | \$75,000 | \$75,000 |
| 3 | Littleton | Partridge Lake Watershed Restoration Plan | \$75,000 | \$75,000 |
| 4 | Salem | MS4 Permit Compliance | \$75,000 | \$75,000 |
| 5 | Ellingham | Province Lake Drainage Improvements Study | \$75,000 | \$75,000 |
| 6 | Harts Location | Upper Saco River Floodplain Mapping & Threat Analysis | \$75,000 | \$75,000 |
| 7 | University of NH | Nutrient Pollution Implementation planning | \$75,000 | \$0 |
| 8 | Newfields | Stormwater Planning | \$75,000 | \$0 |
| | | | \$1,525,000 | \$450,000 |

NOTES:

1. Principal Forgiveness for Planning may be adjusted based on information provided during the scope approval process.
2. Due to limited funding availability the top six Stormwater Planning projects will receive Planning loans.

| ASSET MANAGEMENT PROGRAMS | | | | |
|---------------------------|-------------------|-------------------------------------|------------|------------------------------------|
| No. | APPLICANT | PROJECT NAME | TOTAL COST | Principal Forgiveness ¹ |
| 1 | Bedford | Wastewater & Stormwater | \$60,000 | \$60,000 |
| 2 | Bethlehem | Wastewater | \$30,000 | \$30,000 |
| 3 | Derry | Wastewater & Stormwater | \$60,000 | \$60,000 |
| 4 | Hampton | Wastewater Phase 2 | \$30,000 | \$30,000 |
| 5 | Hooksett | Wastewater Phase 2 | \$30,000 | \$30,000 |
| 6 | Hopkinton | Wastewater & Stormwater | \$50,000 | \$60,000 |
| 7 | Laconia | Wastewater | \$40,000 | \$30,000 |
| 8 | Newfields | Stormwater | \$28,000 | \$28,000 |
| 9 | Nottingham | Stormwater | \$30,000 | \$30,000 |
| 10 | Pembroke | Stormwater | \$50,000 | \$30,000 |
| 11 | Plaistow | Stormwater | \$30,000 | \$30,000 |
| 12 | Rochester | Sewer Collection System Master Plan | \$160,000 | \$30,000 |
| 13 | Rollinsford | Stormwater | \$30,000 | \$30,000 |
| 14 | Salem | Wastewater Phase 2 | \$30,000 | \$30,000 |
| 15 | Sunapee | Wastewater | \$30,000 | \$30,000 |
| 16 | Waterville Valley | Wastewater | \$30,000 | \$30,000 |
| 17 | Williston | Stormwater | \$29,088 | \$29,088 |
| | | | \$747,088 | \$587,068 |

NOTES:

1. Principal Forgiveness for Asset Management Programs may be adjusted based on information provided during the scope approval process.

| Energy Audit Measure Implementation | | | | |
|-------------------------------------|-----------|---|------------|--------------------------------------|
| No. | APPLICANT | PROJECT NAME | TOTAL COST | Principal Forgiveness ^{1,2} |
| 1 | Ashland | Energy Audit Measure Implementation | \$105,000 | \$52,500 |
| 2 | Troy | Energy Audit Measure Implementation | \$42,000 | \$21,000 |
| 3 | WRBP | Aeration Blower Upgrade | \$341,350 | |
| 4 | WRBP | Return Activated Sludge (RAS) Pump Upgrades | \$98,000 | |
| | | | \$586,350 | \$73,500 |

NOTES:

1. Principal Forgiveness for Energy Audit Measure Implementation may be adjusted based on information provided during the scope approval process.
2. Principal Forgiveness for Energy Audit Measure Implementation offered for one project per loan recipient.

Attachment B



CWSRF Asset Management Loan Forgiveness Guidance Document September 2019

The NHDES Clean Water State Revolving Fund (CWSRF) program is currently offering up to \$30,000 per phase in loan forgiveness on loans made for the development of an asset management program for wastewater assets **AND** a maximum of \$30,000 in loan forgiveness on loans made for the development of an asset management program for stormwater assets. Loan forgiveness for stormwater assets is limited to a one-time eligibility. Loan forgiveness for wastewater assets can be phased and loan recipients are eligible for up to \$30,000 for *each* approved phase.

The CWSRF program is a federal-state-local partnership that provides communities with below market financing (loans) for a wide range of water quality infrastructure projects. Once all eligible project expenses are incurred, and subsequently disbursed, the loan is finalized and loan forgiveness is then applied to the principal balance. Potential loan recipients must receive the authority to borrow the full loan amount through town warrant article or city equivalent process. The CWSRF loan amount may be greater than \$30,000 depending upon the estimated cost for the project, but a maximum of \$30,000 in loan forgiveness will be offered for stormwater assets and each approved phase for wastewater assets.

Stormwater and Wastewater Asset Management Programs:

All asset management programs, while having the same elements from one community to the next, are community-specific. For an asset management program development loan to qualify for loan forgiveness, all of the following **core** elements of asset management must be addressed and fulfilled to result in a **complete community-specific "decision making tool"**. If well developed and maintained up-to-date, these core elements are effective tools for communicating with stakeholders.

- **VISION STATEMENT**-Define a vision that describes what the community wishes to achieve through development of an asset management program. When properly crafted, this community-specific vision statement will help communicate to stakeholders, the purpose and overarching goals of what asset management will do for the community. The vision statement should identify and define all of the stakeholders (both internal and external).
- **ASSET INVENTORY**- Create an asset inventory, including a naming convention that makes sense for the specific community. The asset inventory should include each asset name, location and all pertinent information known about each asset.
- **LEVEL OF SERVICE (LOS) WORKSHOP**- Using a workshop approach, develop a defined LOS. The workshop should include input from stakeholders, such as: system operators, management, ratepayers and supporting input from the engineer (if applicable). Participation in the workshop by outside stakeholders is encouraged. Many communities have found that a balanced scorecard type matrix is helpful in developing and using LOS. LOS goals need to be specific, measurable, achievable, relevant and timely (SMART). These LOS goals should be reviewed frequently and modified accordingly.
- **PRIORITIZATION OF ASSETS**- Prioritize assets based on condition assessment and criticality. Many communities have found that a risk assessment type matrix comparing likelihood of failure vs. consequence of failure is an effective and useful tool for helping to prioritize assets and to visualize the state of the community's assets.

- **LIFE CYCLE COST ANALYSIS (LCCA)**- Analyze life cycle costs of each asset including capital costs, operating costs (including energy costs for all vertical assets) and maintenance costs for the life of the assets.
- **FUNDING STRATEGY**- Identify a funding strategy for asset maintenance and replacement, showing the need for increased revenue or justification of adequate revenue for the long term management of the assets. This funding strategy needs to move the community toward being able to identify the actual cost to provide the service of collecting and treating wastewater and/or the cost of collecting and discharging or treating stormwater. This funding strategy should also identify the current day value of the assets (included in the asset management program) owned by the community.
- **IMPLEMENTATION PLAN**- Develop an implementation plan that explains how the community will continue to maintain and use the asset management program. The implementation plan also needs to include a description of how the community will incorporate energy and water conservation into day to day operations. For projects completed by a consultant, this implementation plan should include a description of training conducted by the consultant as part of the asset management program development to enable the system operators to successfully continue with the asset management program to manage the community's assets. This implementation plan is critical to the continuation of using and adapting the asset management program to meet the stakeholder's needs. The project schedule must allow for adequate and reasonable time for the system operators to use the asset management tool and return to the consultant, with questions, changes or clarification, if applicable.
- **COMMUNICATION PLAN**- Prepare a communication plan with time frame for completion of deliverables to inform stakeholders about the asset management program and its capabilities. This communication plan will identify the most effective methods of communicating with each stakeholder group identified during the development of the community's vision statement.

Wastewater Asset Management Phased Programs:

NHDES realizes that the wastewater infrastructure in each sewer New Hampshire community varies greatly in size and complexity. Based on this variability, NHDES is allowing a phased approach for larger communities or communities with complex systems to develop their asset management programs for wastewater. The asset management work completed in each wastewater phase must be for a defined group of assets, such as vertical assets (all pumping stations and WWTF) or horizontal assets (all piping, manholes, vents, drains, etc.). Communities may apply for up to \$30,000 of loan forgiveness for each phase of a wastewater project. Communities may also apply for all eligible phases at one time. The number of eligible wastewater phases will be determined by NHDES staff.

Eligibility of Costs:

All loan disbursements directly related to asset management program development are eligible for loan forgiveness, subject to **prior** approval by NHDES. Expenses must meet the documentation requirements of the CWSRF program. Typical expenses that may be incurred include but are not limited to:

- Software purchases – must be selected using a qualifications-based selection (QBS) process following the current CWSRF procurement process;
- Equipment purchases/rentals such as GPS and tablets- must follow the current CWSRF procurement process;

- Consulting fees – consultants must be selected using the standard CWSRF QBS process for engineering services; and
- In-house personnel* assigned to work on asset management program elements.

* If in-house personnel time will be used, a proposal for allocation of these costs must receive approval from NHDES prior to the initiation of work. In-house personnel time must be documented using a NHDES-approved method. An in-house labor report template is available from NHDES, if needed.

NHDES Review and Approval:

Pre-applications, work scopes, report phase engineering contract and phasing plans need to be pre-approved by NHDES prior to submitting the CWSRF loan application AND prior to initiating work.

Deliverables and NHDES Oversight:

To maintain eligibility for CWSRF loan forgiveness, NHDES must attend the kick off meeting, the LOS workshop and the wrap up meeting. The wrap up meeting must include a final presentation of the asset management program development to the system and community management at a meeting open to the public. NHDES encourages the community staff responsible for implementing and continuing the asset management work for the community to be the presenter or co-presenter. NHDES encourages the community to use this funding to:

- focus on developing a tool that will help the community better manage its valuable water infrastructure assets; and
- better communicate with stakeholders relative to the value of the assets owned and the services provided.

The standard operating procedures needed to continue using the asset management program, as well as the key decision points made in moving the asset management program forward must be documented in a brief summary report. The summary report should include, at a minimum:

- the vision statement developed by the community and the stakeholders identified;
- summary of software selection process (what factors were included in the QBS) or a statement to why software was determined to be unnecessary;
- key notes relative to asset inventory, such as summarizing the thought process for determining the naming convention for assets, or notes relative to condition assessment;
- the LOS goals identified by the community and the review frequency for the LOS goal attainment;
- a description of the LCCA completed to date and a description of how the LCCA will be updated as additional information becomes available going forward;
- a description of the funding strategy with a description of additional data that is needed to fully understand the cost of providing the wastewater and/or stormwater services;
- description of the implementation plan, including standard operating procedures for reference, staff positions and responsibilities relative to implementing the asset management program on an ongoing basis; and
- a description of the communication plan with timelines for deliverables.

Questions/Contact Information

For wastewater projects/questions/approvals, contact Sharon Nall, P.E. at Sharon.Nall@des.nh.gov

For stormwater projects/questions/approvals, contact Deb Loiselle at Deborah.Loiselle@des.nh.gov

For CWSRF Loan Administration questions, contact Kathie Bourret at Kathleen.Bourret@des.nh.gov

Town Council

STAFF REPORT



To: Town Council
Title: Civil Forfeiture Process
Meeting: Town Council - 10 Jun 2020
Department: Town Clerk's Office
Staff Contact: Todd Rainier, Town Clerk

BACKGROUND INFORMATION:

466:14 Warrants; Proceedings. — The town or city clerk shall annually, between June 1 and June 20, present to the local governing body a list of those owners of dogs that have failed to license or not renewed their dog licenses pursuant to RSA 466:1. The local governing body shall, within 20 days from June 20, issue a warrant to a local official authorized to issue a civil forfeiture for each unlicensed dog. The warrant may also authorize a local law enforcement officer to seize any unlicensed dog. The civil forfeiture may be sent by certified mail, or delivered in hand, or left at the abode of the dog owner. The cost of service shall not exceed \$7 and may be recovered by the city or town in addition to the amount of the civil forfeiture. If the unlicensed dog is seized, it shall be held in a town or city holding facility for a period of 7 days, after which time full title to the dog shall pass to the facility, unless the owner of the dog has, before the expiration of the period, caused the dog to be licensed. The owner shall pay the facility a necessary and reasonable sum per day, as agreed upon by the governing body of the town or city and the facility, for each day the dog has been kept and maintained by the facility, plus any necessary veterinary fees incurred by the facility for the benefit of the dog. Before a local law enforcement officer seizes any unlicensed dog, a written warning shall be given to the dog owner.

FINANCIAL IMPACT:

N/A

POLICY IMPLICATIONS:

No town policy implications

RECOMMENDATION:

Recommend Council sign warrant authorizing civil forfeiture process and assign civil forfeiture process to Town Clerk.

SUGGESTED MOTION:

Motion for Council to sign warrant authorizing civil forfeiture process and assign civil forfeiture process to Town Clerk.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Dog Warrant 2020](#)



Town of Hooksett

Office of the Town Clerk

WARRANT FOR UNLICENSED DOGS

Presented to Hooksett Town Council by Todd Rainier, Hooksett Town Clerk, on
Wednesday, June 10, 2020

Pursuant to New Hampshire RSA 466:14 titled "Warrants: Proceedings", you are hereby directed to proceed with the issuance of a civil forfeiture for each unlicensed dog included in this warrant. The civil forfeiture may be sent by certified mail, delivered in hand, or left at the abode of the dog owner.

Pursuant to New Hampshire RSA 466:16 titled "Returns", this warrant must be returned on or before August 31 and state the number of owners who received and paid the civil forfeiture, the number of dogs in Hooksett that have been seized and held under the provisions of RSA 466:14, and the number of owners who have received summons to a district or municipal court for failure to pay the civil forfeiture pursuant to RSA 466:13 or to license the dog pursuant to RSA 466:1.

Hooksett, NH Town Council:

| Signature | Print name | Date |
|-----------|------------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Town Council

STAFF REPORT



To: Town Council
Title: Budget Transfer #2020-02 in the amount of \$85,000 for Lilac Bridge Memorial
Meeting: Town Council - 10 Jun 2020
Department: Finance
Staff Contact: Christine Soucie, Finance Director

BACKGROUND INFORMATION:

Transfer \$85,000 to the Bridge Professional Service line in DPW for the Lilac Bridge Memorial from the following health insurance accounts:

- Police \$20,000
- DPW Admin \$10,000
- Road Maintenance \$20,000
- Parks & Recreation \$20,000
- Recycle and Transfer \$15,000

Savings in the health insurance lines are from vacant positions and better than anticipated renewal rates.

FINANCIAL IMPACT:

None

SUGGESTED MOTION:

Motion to have the Council Chair sign Budget Transfer Request #2020-02 for \$85,000.00 transferring funds to the DPW Bridge Professional Service line from various health insurance lines.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[2020-02](#)

**TOWN OF HOOKSETT
BUDGET TRANSFER REQUEST FORM**

TRANSFER # 2020-02

Please explain the purpose of this transfer request: Transfer needed to cover cost of the Lilac Bridge Memorial. Funds to come for the savings in the health insurance lines due to vacant positions.

NEED OF FUNDS

WHERE WILL THE MONEY GO?

| Account # | Description | Current Budget | Amount Added | New Budget |
|----------------------|-------------------------|----------------|------------------|------------|
| 001-450.4313-330.000 | DPW Bridge Professional | 1.00 | 85,000.00 | 85,001.00 |
| | | | | |
| | | | | |
| | | | | |
| Total | | | 85,000.00 | |

SOURCES OF FUNDS

WHERE WILL YOU GET THE MONEY FROM?

| Account # | Description | Current Budget | Amount Reduced | New Budget |
|----------------------|-------------------------|----------------|--------------------|------------|
| 001-400.4210-210.000 | PD Health Insurance | 559,869.00 | (20,000.00) | 539,869.00 |
| 001-450-4311-210.000 | DPW Admin Health Ins | 36,508.00 | (10,000.00) | 26,508.00 |
| 001-450.4312-210.000 | RD MNT Health Insurance | 147,843.00 | (20,000.00) | 127,843.00 |
| 001-450.4520-210.000 | P&R Health Insurance | 112,581.00 | (20,000.00) | 92,581.00 |
| 001-500.4324-210.000 | R&T Health Insurance | 42,333.00 | (15,000.00) | 27,333.00 |
| Total | | | (85,000.00) | |

Recommended by:


Town Administrator


Finance Director

Approved by:

Town Council

Council Meeting Date

ORIGINAL – Finance

COPY – Departments

Revision date 5/15/2012

Christine Soucie

To: Earl Labonte
Subject: Budget Transfer

Hi Earl,

I wanted to let you know that we are going to ask Council on June 10th to transfer \$65,000 from a few of your health insurance lines and \$20,000 from the PD health insurance to cover the Lilac Bridge Memorial.

| | DPW Admin Health | RD MNT Health | P&R Health | R&T Health |
|----------------------|-------------------|--------------------|-------------------|-------------------|
| Budget | 36,508.00 | 147,843.00 | 112,581.00 | 42,333.00 |
| Spent as of 5/28/20 | -20,431.91 | - 110,903.09 | -79,607.92 | -17,697.45 |
| Less Budget Transfer | <u>-10,000.00</u> | <u>- 20,000.00</u> | <u>-20,000.00</u> | <u>-15,000.00</u> |
| Anticipated Balance | 6,086.09 | 16,939.91 | 12,973.08 | 9,635.55 |
| June's estimates | 2,000.00 | 11,000.00 | 7,500.00 | 2,000.00 |

In each of the account you will have enough to cover June's costs.

Please let me know if you have any concerns.

Christine Soucie

Finance Director
 603-485-2712

Town Council
STAFF REPORT



To: Town Council
Title: Budget Transfer #2020-01 in the amount of \$50,000 for Computer Software
Meeting: Town Council - 10 Jun 2020
Department: Finance
Staff Contact: Christine Soucie, Finance Director

BACKGROUND INFORMATION:

Transfer funds to the computer software and programs line in Administration from Fire and Police health insurance lines for upgrades to the Vision software used for the assessing database and Office 365 emails used by all departments.

Savings in the health insurance lines are from vacant positions and better than anticipated renewal rates.

FINANCIAL IMPACT:

None

SUGGESTED MOTION:

Motion to have the Council Chair sign Budget Transfer Request #2020-01 for \$50,000.00 transferring funds to the computer software and programs line from health insurance lines.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[2020-01](#)

**TOWN OF HOOKSETT
BUDGET TRANSFER REQUEST FORM**

TRANSFER # 2020-01

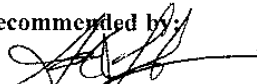
Please explain the purpose of this transfer request: Transfer needed to cover cost for additional software. Vision upgrade used by Assessing and Office 365 Email upgrades used by all town employees. Funds to come for the savings in the health insurance lines due to vacant positions.

**NEED OF FUNDS
WHERE WILL THE MONEY GO?**

| Account # | Description | Current Budget | Amount Added | New Budget |
|----------------------|-------------------------|----------------|------------------|------------|
| 001-100.4150-342.000 | Comp Software & Program | 77,471.00 | 50,000.00 | 127,471.00 |
| | | | | |
| | | | | |
| | | | | |
| Total | | | 50,000.00 | |

**SOURCES OF FUNDS
WHERE WILL YOU GET THE MONEY FROM?**

| Account # | Description | Current Budget | Amount Reduced | New Budget |
|----------------------|---------------------|----------------|--------------------|------------|
| 001-350.4220.210.000 | PD Health Insurance | 579,896.00 | (15,000.00) | 564,896.00 |
| 001-400.4210-210.000 | PD Health Insurance | 594,869.00 | (35,000.00) | 559,869.00 |
| | | | | |
| | | | | |
| Total | | | (50,000.00) | |

Recommended by: 
Town Administrator


Finance Director

Approved by:

Town Council

Council Meeting Date

ORIGINAL – Finance

COPY – Departments

Revision date 5/15/2012

Christine Soucie

From: Christine Soucie
Sent: Thursday, May 28, 2020 3:13 PM
To: James Burkush
Cc: Andre Garron
Subject: Budget Transfers

HI Chief

I wanted to let you know that we are going to ask Council on June 10th to transfer \$15,000 from the FD Health insurance line to cover some software cost.

| | |
|---|-------------------|
| FD Health insurance line 001-350-4220-210.000 | |
| Budget | \$579,896.00 |
| Spent as of 5/28/20 | - 511,502.08 |
| Less Budget transfer | <u>-15,000.00</u> |
| Anticipated balance | \$ 53,393.92 |

The \$53,393.92 will cover your June expenses which typically run about \$48,000.

Please let me know if you have any questions.

Thanks

Christine Soucie

Finance Director
 603-485-2712

Christine Soucie

From: Christine Soucie
Sent: Thursday, May 28, 2020 3:04 PM
To: Janet Bouchard
Cc: Andre Garron
Subject: Budget Transfer

Hi Janet,

I wanted to let you know that we are going to ask Council on June 10th to transfer \$50,000 from the PD Health insurance line to cover the lilac bridge memorial and some software cost.

| | |
|---|-------------------|
| PD Health insurance line 001-400.4210-210.000 | |
| Budget | \$594,869.00 |
| Spent as of 5/28/20 | - 481,410.03 |
| Less Budget transfer | <u>-50,000.00</u> |
| Anticipated balance | \$ 63,458.97 |

The \$63,485.97 will cover your June expense which typically run about \$50,000.

Please let me know if you have any questions.

Thanks

Christine Soucie

Finance Director
 603-485-2712

Town Council

STAFF REPORT



To: Town Council
Title: FY 2019-20 Budget Encumbrances Review
Meeting: Town Council - 10 Jun 2020
Department: Finance
Staff Contact: Christine Soucie, Finance Director

BACKGROUND INFORMATION:

In accordance with RSA 32:7, all appropriations shall lapse at the end of the fiscal year unless it meets one of six exceptions:

- I. Encumbered by a legally enforceable obligation created by contract
- II. Capital Reserve Funds and Trust Funds
- III. Issuance of Bonds or Notes
- IV. Anticipated Grants from State, Federal or private sources
- V. Special warrant article at properly noticed meeting for which appropriations is available
- VI. Special warrant articles that are written longer than one year, but not over five years

Attached are two lists of contracts/obligations that meet one of these exceptions.

Budget Summary will be submitted at the June 24th Council meeting.

FINANCIAL IMPACT:

Will be provided at the June 24th Council meeting.

ATTACHMENTS:

[Encumbrane list](#)

Encumbrances

As of 5/28/20

| | | |
|---------------------------------|---|----------------------|
| 1 | FY 2018-19 Audit - 001-300.4150-314.000 -Contract with Vachon Clukay & Company | \$ 1,766.64 |
| 2 | GASB 75 Full Valuation - 001-300.4150-321.000 - Aquarius Capital for GASB 75 updates | \$ 4,000.00 |
| 3 | Fire Hose - 001-350.4220-751.000 - Order with Harrison Shrader Enterprises | \$ 10,206.00 |
| 4 | 2 Sets of Turnout Gear - 001-350.4220-751.000 - Order with Bergeron Protective Clothing | 6,206.70 |
| 5 | Line Striping - 001-450.4312-330.000 - Contract with Hi-Way Safety Systems | \$ 9,383.45 |
| 6 | LED Streetlight Conversion Proposal - 001-450.4312-330.000 - Contract with | |
| 7 | Town Wide Road Paving - 001-450.4312-720.000 - Contract with Advanced Paving | \$ 126,254.82 |
| 8 | 2019 Pavement Management - 001-450.4312-720.000 - Contract with BETA Group | \$ 4,167.00 |
| 9 | Roadway Crack Sealing - 001-450.4312-720.000 - Contract with Superior Sealcoat | \$ 73,318.56 |
| 10 | Fire Station Driveway - 001-450.4312-720.000 - Contract with Advanced Paving | \$ 52,234.00 |
| 11 | Air Conditioning Unit for Transfer - 001-451.4194-436.010 - Order with | |
| 12 | Lilac Bridge Memorial - 001-450.4313-330.000 - Contract with No Limits Metalwork's | \$ 85,000.00 |
| 13 | Painting: GYM, Town Hall & Prescott Library Exterior Trim - - Contract with Pescinski Painting | \$ 17,600.00 |
| 14 | Build-Out Analysis for Route 3A TIF - 001-950.4191-330.000 - Contract with SNH Planning Commission | \$ 86,605.92 |
| 15 | Stormwater Asset Management Program - 001-950.4312-330.000 - Contract with Hoyle, Tanner & Associates | \$ 1,461.44 |
| | | |
| Grand Total Encumbrances | | \$ 478,204.53 |

Non-budgetary Purchase Orders.

As of 5/28/20

| | | |
|-------------------------------------|---|-----------------|
| 20 | Landfill Monitoring - Capital Reserves - Contract with GEOINSIGHT, Inc. | \$ 336.50 |
| 21 | Master Plan Update - Capital Reserves - Contract with So NH Planning Commission | \$ 2,160.00 |
| 22 | SCBA Units - Capital Reserves - Contract with Fire Tech & Safety Co | \$ 817.35 |
| 23 | Winter Drive Drainage - Capital Reserves - Contract with Advanced Excavating & Paving | \$ 64,538.26 |
| 24 | Police Portable Radios - Capital Reserves - Contract with Motorola, Ossipee Mountain & Block 5 | \$ 96,958.91 |
| 25 | Stewardship Contract 2020 - Conservation Fund - Contract with Bear Paw Regional Greenway | \$ 17,475.00 |
| 26 | Stewardship Plan - Conservation Fund - Contract with Moosewood Ecological | \$ 1,460.00 |
| 27 | Merrimack River Trail Project - Conservation Fund - Contract with Stantec Consulting Services | \$ 6,762.56 |
| 28 | TIF Engineering - 023-823-4909-330.000 - Contract Underwood Engineers | \$ 893,664.19 |
| | | |
| Total Non-budgetary Purchase Orders | | \$ 1,084,172.77 |

Town Council

STAFF REPORT



To: Town Council
Title: Painting Town Hall and the Prescott Library Trim Bid Acceptance
Meeting: Town Council - 10 Jun 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

This Request for Proposal was advertised twice and posted on the Town's website. Deadline for submission was originally set for 3/26/2020 but had to be extended to 4/29/2020 due to Covid-19. We called paint contractors in the area individually to advise them that this work was being advertised. Nevertheless, the Town only received one proposal from Pescinski Painting, LLC for \$17,600.

FINANCIAL IMPACT:

\$17,600.

POLICY IMPLICATIONS:

Policy for 3-bid rule will have to be waived.

RECOMMENDATION:

Staff recommends waiving the 3-bid rule and accepting the bid from Pescinski Painting, LLC in the amount of \$17,600 for painting the Town Hall and the Prescott Library trim.

SUGGESTED MOTION:

Motion to waive the 3-bid rule and accept the bid from Pescinski Painting, LLC in the amount of \$17,600 for painting the Town Hall and the Prescott Library trim.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Town Council voted to allow staff to present this lone proposal. The proposal addresses the items Hooksett outlined in the RFP. This is Hooksett's second attempt to address the painting issue at Town Hall and Library.

ATTACHMENTS:

[Painting RFP](#)

[Painting_rfp_opening](#)

Town of Hooksett



February 10, 2020

Prepared by:

Department of Public Works
35 Main Street
Hooksett, NH 03106
(603) 485-8471

REQUEST FOR PROPOSAL

RFP 20-02 – Painting Town Hall and the Prescott Library Trim

Acceptance Date: 2:45 PM Thursday, March 26, 2020

Sealed bid proposals, plainly marked, “RFP 20-02– Painting Town Hall and the Prescott Library Trim” on the outside of the mailing envelope as well as the sealed bid envelope, addressed to the Administration Department, Town Hall, 35 Main Street, Hooksett, New Hampshire, 03106, will be accepted until **2:45 PM Thursday, March 26, 2020** when all bids will be publicly opened and read aloud.

Bid packages may be obtained from the Town’s web site: www.hooksett.org, or by contacting the Administration Department at the above address, or by calling (603) 485-8472.

The Town of Hooksett reserves the right to reject any or all bids, to waive technical or legal deficiencies, and to accept any bid that it may deem to be in the best interest of the Town.

Inquiries

All questions regarding the scope of the work for this job should be directed to the Town of Hooksett Public Works Director Earl Labonte at elabonte@hooksett.org.

Competition

It is the Town’s intent that this RFP shall permit competition. It shall be the respondent’s responsibility to advise the Town Administrator, in writing if any language, requirement, specification etc., or any combination thereof, inadvertently restricts or limits the requirements stated in this RFP to a single source. Such notifications must be received not later than seven (7) days prior to the proposal acceptance date.

Introduction

Guidelines to Perspective Firms

RFP 19-02 – Painting Town Hall and the Prescott Library Trim

1

It is the policy of the TOWN that contracts are awarded only to responsible offerors. In order to qualify as responsible, a prospective CONTRACTOR must meet the following standards as they relate to this request:

1. Have the adequate financial resources for performance or have the ability to obtain such resources as required during performance:
2. Have the necessary experience, organization, technical and professional Proposals, skills and facilities:
 - a. Be able to comply with the proposed or required time of completion or performance schedule:
 - b. Have a satisfactory record of performance.
 - c. Be certified as a lead safe contractor in New Hampshire.
3. There will be a mandatory Pre-proposal meeting to be held on site, 35 Main Street, Room 204, Hooksett on the 4th of March at 2 pm.

4. Timetable:

Mandatory Pre-proposal meeting March 4, 2020 At 2 PM

RFP Due March 26, 2020

Required Completion date June 30, 2020

5. **Limitations:** This Request for Proposals does not commit the TOWN to award a contract, to pay any costs incurred in the preparation of a response to this request, or to procure or contract for services or supplies.

The TOWN reserves the right to accept or reject any or all statements received as a result of this request, or to cancel in part or in its entirety this Request for Proposals, if in the best interest of the TOWN to do so.

6. **Revisions to Request for Proposals:** Any questions or inquiries must be submitted in writing and must be received by the Public Works Department no later than seven (7) calendar days before the RFP date in order to be considered. Any changes to the RFP will be provided to all offerors of record.
7. **Technical Evaluation:** In the evaluation of the proposal the TOWN, at its discretion, may obtain technical support from outside sources. The offerors will agree to fully cooperate with the personnel of the above organization.

Background

The Town of Hooksett is home to an estimated 14,000 residents and is located in south-central New Hampshire.

Scope of work:

The Town Hall (35 Main Street) building currently serves as town offices. The services requested are, Paint Preparation – Scrape, prime, and seal entrance doors, windows and trim work. And Minor Carpentry – replace rotted clapboards, fascia, and trim boards as needed. The **Project Objectives / Goals** are to remove bubbling paint from the exterior of TOWN Hall and prepare surface for painting. Also included in this proposal are all interior walls, doors and window areas of the gym. If lead based paint is encountered, properly document quantities removed and ship to an approved receiving location in accordance with NH DES and US EPA regulations. Work also includes the interior walls of the town Gym. For the Prescott Library the work only includes the exterior trim of the building.

There will be a mandatory Pre-proposal meeting to be held on site, 35 Main Street, Room 204, Hooksett on the 4th of March at 2 pm.

Vendor Proposals

Please list similar projects or work the Company has completed and other municipalities that have been serviced by the proposer and recent references on similar painting contracts.

Insurance

The awarded vendor at their cost will be required to provide certificate of liability insurance before installation can commence naming the Town of Hooksett as additional insured. The following standard insurance shall be required:

Umbrella Insurance Coverage

| | |
|----------------|-------------|
| Per Occurrence | \$1,000,000 |
|----------------|-------------|

Commercial General Liability Insurance

| | |
|---|-------------|
| Each Occurrence Limit | \$1,000,000 |
| General Aggregate Limit | \$2,000,000 |
| Products/Completed Operations Aggregate Limit | \$2,000,000 |
| Personal and Advertising Limit | \$1,000,000 |

Commercial Automobile Insurance (for Owned, Hired, and Non-owned Autos:

| | |
|---|--------------|
| Bodily Injury and Property Damage Liability Combined Single Limit (Per Occurrence) | \$ 1,000,000 |
|---|--------------|

Workers Compensation/Employers Liability Insurance

| | |
|--|-----------|
| Bodily Injury by Accident Each Accident (Coverage B – Employer's Liability) | \$500,000 |
| Bodily Injury by Disease Aggregate Limit | \$500,000 |
| Bodily Injury by Disease- Each Employee (Coverage A – Statutory) | \$500,000 |

Reservation of Rights

The Town of Hooksett reserves the right to reject all or any part of any or all proposals, to waive technical or legal deficiencies, and to accept any proposal that it deems to be in the best interest of Town.

Criteria for Reviewing Proposals

In reviewing proposals, the Town will carefully weigh: 1) vendor's Proposals 2) municipal experience, 2) pricing 3) delivery of services.

Submission Requirements:

Items Addressed

The proposal should address all the points outlined in the request for proposals. The proposal should be prepared simply and economically, providing a straightforward, concise description of the firm's capabilities to satisfy the requirements of the request for proposals. While additional data may be presented, the following subjects and questions must be addressed:

1. Name, address, telephone number, fax number and e-mail address of the company.
2. Name of contact person and telephone number for purposes of following up on proposal.
3. Narrative including the Proposals of the company and municipal experience.
4. Has the company been in bankruptcy, reorganization or receivership in the last five years? If so please explain current status.
5. Has the company been disqualified or terminated by any public agency or Town? If so please explain under what circumstances this disqualification or termination occurred.
6. Proposal must include 5 copies of the proposal one for the finance Department.

Firm Pricing

Proposed fees must be firm for Town acceptance for 120 days from acceptance date of proposals. Pricing must be inclusive, clear, and concise, including such other information as requested or required.

Submission

Be sure the proposal is completely and properly identified. The face of the package shall indicate "**RFP 20-02– Painting Town Hall and the Prescott Library Trim**" and the acceptance date and time.

Prospective bidders must monitor the Town's website for any addendums.

Proposals must be received by the Town of Hooksett ON or BEFORE the hour specified on the acceptance date. Proposals may be either mailed to the Town Administrator, 35 Main Street, Hooksett, NH 03106 or hand delivered to the Hooksett Municipal Center, 35 Main Street, Hooksett, NH, and Attention: Town Administrator.

LATE BIDS WILL NOT BE ACCEPTED

END OF REQUEST FOR PROPOSAL

Bid #20-02
Painting Town Hall and the Prescott Library Trim
April 29, 2020 @ 1:45 pm

Attendees: Andre Garron, Town Administrator; Christine Soucie, Finance Director; Earl Labonte
 Public Works Director

| Bidders | Costs |
|------------------------|--------------|
| Pescinski Painting LLC | \$ 17,600.00 |
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Bid opening closed: 1:50pm

Town Council

STAFF REPORT



To: Town Council
Title: Electrical Support Bid Acceptance
Meeting: Town Council - 10 Jun 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

This Request for Proposal was advertised and posted on the Town's website and newspaper. Deadline for submission was originally set for 3/26/2020 but had to be extended to 4/29/2020 due to Covid-19. We called electrical contractors in the area to advise them that we have released a request for proposal to designate a primary call electrician. By designating a primary call electrician we would be able to authorize work to be done without attempting to obtain three quotes. In the past we had called for electrical work and had to wait weeks to obtain a second or third quote. The few that did respond became annoyed with the constant calling for quotes and not receiving the work, they stopped responding to our calls. Nevertheless, the Town only received one proposal for this request from IC Electric. The quote from IC provided us with hourly rates that were varied based on the skill level of craftsman. We validated the hourly rate with some of the other electrical contractors in the area and found that IC's rates were comparable with the rates for a master electrician, IC's rate for Journeyman was lower than a master electrician, the other electrical contractors charge at the master electrician rate, no reduced rates.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

Policy for 3-bid rule will have to be waived and allow electrical work to be authorized without three quotes and to accept only one proposal. Any work that is anticipated to exceed \$3,000 would require a PO issued. Again there would only be the one quote. Any work anticipated to exceed \$15,000 would require Council consent (with only the one quote) and over \$30,000 would require formal bidding, three quotes.

RECOMMENDATION:

Staff recommends waiving the 3-bid rule and accepting the bid from IC Electric for Electrical Support as submitted. Any work that is anticipated to exceed \$3,000 would require a PO issued. Again there would only be the one quote. Any work anticipated to exceed \$15,000 would require Council consent (with only the one quote) and over \$30,000 would require formal bidding, three quotes.

SUGGESTED MOTION:

Motion to waive the 3-bid rule and accept the bid from IC Electric for Electrical Support as submitted. Any work that is anticipated to exceed \$3,000 would require a PO issued. Again there would only be

the one quote. Any work anticipated to exceed \$15,000 would require Council consent (with only the one quote) and over \$30,000 would require formal bidding, three quotes.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Electrical Support RFP](#)

[Electrical_rfp_opening](#)

Town of Hooksett



February 2020

Prepared by:
Department of Public Works
35 Main Street
Hooksett, NH 03106
(603) 485-8471
REQUEST FOR PROPOSAL

RFP 20-01– Electrical Support for Town of Hooksett

Acceptance Date: 2:00 PM Thursday, March 26, 2020

Sealed bid proposals, plainly marked, “**RFP 20-01– Electrical Support for Town of Hooksett**” on the outside of the mailing envelope as well as the sealed bid envelope, addressed to the Administration Department, Town Hall, 35 Main Street, Hooksett, New Hampshire, 03106, will be accepted until **2:00 PM Thursday, March 26, 2020** when all bids will be publicly opened and read aloud.

Bid packages may be obtained from the Town’s web site: www.hooksett.org, or by contacting the Administration Department at the above address, or by calling (603) 485-8472.

The Town of Hooksett reserves the right to reject any or all bids, to waive technical or legal deficiencies, and to accept any bid that it may deem to be in the best interest of the Town.

Background

The Town of Hooksett is home to an estimated 13,000 residents and is located in south-central New Hampshire.

Inquiries

All questions regarding the scope of the work for this job should be directed to the Town of Hooksett Public Works Director Earl LaBonte at elabonte@hooksett.org. Questions received less than seven (7) days prior to the bid opening date may not be answered. Only answers issued by Addenda will be binding. All addendums will be posted on The Hooksett Town website www.hooksett.org.

Competition

It is the Town's intent that this RFP shall permit competition. It shall be the respondent's responsibility to advise the Town Administrator, in writing if any language, requirement, specification etc., or any combination thereof, inadvertently restricts or limits the requirements stated in this RFP to a single source. Such notifications must be received not later than seven (7) days prior to the proposal acceptance date.

Introduction

Guidelines to Perspective Firms

1. A **mandatory** Pre-Bid Meeting will be held at The Hooksett Town Hall, Room 204, 35 Main Street, Hooksett, NH 03106 on **25 February 2020**, 1:00 p.m.
2. INTERPRETATIONS AND ADDENDA- All questions about the meaning or intent of the Bidding Documents and the Contract Documents shall be submitted in writing to Earl LaBonte, Director Hooksett Public Works via email elabonte@hooksett.org. Interpretations, questions, or clarifications will be considered by the Town and if necessary be responded to by issuance of an Addendum. All questions are to be received no later than February 2, 2020 at 3:30 p.m. Questions received less than seven (7) days prior to the bid opening date may not be answered. Only answers issued by Addenda will be binding. All addendums will be posted on The Hooksett Town website Hooksett.org.
3. **Sealed bids**, addressed to Town Administrator, 35 Main Street, The Hooksett, New Hampshire 03106, must be received at the above address no later than **March 26, 2020, 2** p.m. for furnishing all labor, materials, supplies, equipment, licensing, supervision and performing all work necessary to provide electrical services based on the bid documents for Hooksett, New Hampshire. Bids shall be submitted in sealed envelopes using the blank Proposal forms furnished with this bid package. Sealed envelopes shall be marked in the upper left hand corner as follows: **RFP 20-01– Electrical Support for Town of Hooksett**. No electronic bids or emailed bids will be accepted.
4. All companies bidding on this project must include the information outlined in the **ITEMS TO BE INCLUDED IN BID SUBMITTAL** such as bid bond, statement of qualifications, list of subcontractors, list of equipment, references, list of proposed equipment, licenses, financial statements and other items requested in this bid document.
5. Proposal must include 3 copies of the proposal one for the Finance Department.
6. ANY ALTERATIONS, ADDITIONS OR DELETIONS, TO EITHER THE INSTRUCTIONS TO BIDDERS, OR THE PROPOSAL FORM SHALL CONSTITUTE THE BID(S) AS UNACCEPTABLE.
7. Bidder is required to submit three (3) references of current or previous work and projects of similar or like nature.
8. Bid prices shall be firm for 60 days from bid opening.

9. Unit prices shall remain in effect for the Initial Term of the Electrical Services Agreement.
10. If deemed advantageous, The Town reserves the right to make multiple awards. In the event that multiple awards are made, the lowest responsive bidder will be awarded a primary contract. “Secondary” contracts may be awarded based on the pricing order of responsive bids. Multiple awards may be made in order to insure timeliness of response to The Town’s needs. Secondary contracts will be used only when the primary contractor cannot respond in a timely manner.
11. It is understood, that in addition to the items outlined in this bid package, The Hooksett Town’s facilities, offices, terminals, parks, pools and sports fields are continually growing and the successful contractor must be capable of handling contract additions throughout the term of the contract to the same standards, frequencies and expectations outlined herein.
12. No bid bond is required.
13. Within ninety (90) days before the expiration of the Initial Term (May 30, 2022), The Hooksett may give written notice to Contractor of its desire to extend the Agreement (the “Renewal Notice”) for an additional period of time. (the “Renewal Term”). If The Hooksett Town delivers the Renewal Notice, the Parties shall within thirty (30) days from the date of receipt of the Renewal Notice, use good faith efforts to negotiate the terms and conditions of the Renewal Term. Any agreed upon Renewal Terms shall be in writing and executed as a Modification of the Agreement. In the event the Parties are unable to agree upon the terms and conditions for the Renewal Term, then the Agreement shall expire upon the expiration of the current Term or otherwise terminate pursuant to the terms of the Agreement. Renewal Terms will be limited to a maximum of two (2), three (3) year renewal periods.
14. Upon award of Bid the effective date of the subsequent Electrical Services Contract is anticipated to be July 1, 2020.

ITEMS TO BE INCLUDED IN BID SUBMITTAL:

- General Specifications and Acknowledgments
- Addendum Acknowledgment
- Bid Tabulation Form
- List of Equipment
- Statement of Bidders Qualifications
- Reference Form
- Insurance Requirements
- Appendix A: List of major Town Facilities

General Specifications and Acknowledgment

Bidder shall complete every space in the bidder proposal column with either a check mark to indicate the item being bid is exactly as specified or a description to indicate any deviation of item being bid from the specifications. Bidder may submit additional information explaining any proposed deviation.

| Item # | Description of Requirements | Bidder's Initials or Proposal |
|--------|---|-------------------------------|
| 1 | The Initial Term of the contract for these services, if awarded, shall be for twelve (12) months (July 1, 2020-June 30, 2021). A maximum of two (2), for twelve (12) month renewal periods may be extended after the Initial Term contract period. | |
| 2 | Contractor shall be capable of receiving communication by web, email, or via phone call/message. | |
| 3 | Contractor shall provide all equipment, labor, trucks, and material necessary to perform the required service. No equipment, material or personnel shall be provided by The Town to Contractor unless agreed upon in advance in writing by the Town. | |
| 4 | Contractor shall remove all rubbish, waste and discarded material on a daily basis that is a result of their services provided to the Town. If Contractor fails to comply with this obligation, and the Town is required to remedy, the Contractor agrees to reimburse the Town for all expenses incurred for the remedy. | |
| 5 | Contractor's employees and agents must contact personnel at the entry point of the designated Facility and will be required to wear identification badges at all times while on The Town's premises. | |
| 6 | Work Orders (WO) and service requests may be sent to Contractor multiple times a week. Contractor will be required to send a completion notification to the Town designee via email after each WO and service request is completed. | |

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|----|--|--|
| 7 | <p>Monthly invoices from the selected vendor must contain the following information:</p> <ul style="list-style-type: none"> • Name of Town agent requesting the service • Work Order (WO) Number – (Town Provided) • Service Site/Facility/Address • Service Completion Date • Service Completion Time • Hourly Rate • Brief Description of Services and Material provided • Verification of Cost of Material • Total Amount <p>Contractor shall submit to the Town invoices upon completion of the service request and/or Work Order but no later than monthly or thirty (30) days after completion of the work. Invoices may include multiple service requests and Work Orders.</p> | |
| 8 | The Town will remit payment for each invoice to Contractor within 15 days of receipt of an approved Invoice, unless the Town disputes any portion of the Invoice and the Contractor is not in default under the provisions of the Electrical Services Contract. | |
| 9 | Contractor warrants that for one (1) year from The Town's acceptance, evidenced by payment in full for the work, the work will be free from defects in material and workmanship and that all services and material furnished shall be in accordance with the requirements of the Electrical Services Agreement. | |
| 10 | Contractor warrants that all material (including repair and replacement parts) will function properly for a period of one (1) year from The Town's acceptance (or the manufacturer's warranty) and that such material will be new and of original manufacture. | |
| 11 | At Contractor's own cost and expense, Contractor shall comply with all laws, ordinances, rules, and regulations of the federal, state and local and OSHA authorities and departments relating to or affecting the work hereunder, and shall secure and obtain any and all permits, licenses and consents as may be necessary in connection therewith. | |
| 12 | Contractor shall furnish to The Town copies of said licenses, permits and insurance certificates prior to the commencement of any work hereunder. | |

| | | |
|----|--|--|
| 13 | All work, repairs, preventative maintenance and installations shall be made in compliance with the National Electrical Code as adopted by the State of New Hampshire. | |
| 14 | Contractor must possess a valid State of New Hampshire Master Electrician's License as specified in RSA 319-C:2 a copy of which shall be submitted with Bid. | |
| 15 | The Town requires the Contractor be available to perform emergency work on a 24-hour basis for any electrical emergency that may occur. The Contractor must respond to The Town site within two (2) hours after an emergency service request has been received. Emergency Work shall be compensated at a separate unit rate. | |
| 16 | Selected Contractor to supply all necessary, personnel, tools, machinery, materials, supplies and equipment to perform the work as specified herein. | |
| 17 | Contractor is responsible for obtaining such supplies, materials and parts if not provided directly by The Town. Such supplies, materials and parts shall be of good quality and the cost of such shall be billed as reflected in the proposal from the Contractor. Installed materials that fail before warranty shall be replaced by the contractor with new material at no cost to the Town other than labor to reinstall. | |
| 18 | Contractor is expected to be able to provide boring trenching services for electrical lines under roads, sidewalks, cement pads, etc., either directly or through a sub-contractor. | |
| 19 | An hour of work is defined as one person (Master Electrician, Journeyman, Apprentice) working one hour (60 minutes). Chargeable work hours can start when entering the Hooksett Town boundaries. Town shall not be charged for time spent commuting from contractor office sites to the Hooksett. Contractor is expected to arrive to work sites with supplies needed for typical repairs in order to avoid time wasted traveling to and from supply houses. | |
| 20 | Straight time is defined as time occurring Mondays through Fridays between 7 am and 7 pm | |
| 21 | Overtime is defined as time occurring Mondays through Fridays between 7 pm and 7 am | |
| 22 | Saturdays and Sundays are defined as time occurring between Saturdays at 12:01 am to Sundays at 11:59 pm | |

| | | |
|----|---|--|
| 23 | Emergencies are defined as any time the Town deems an emergency and requires a two-hour response. | |
| 24 | Holidays are defined as the annual holidays for which The Hooksett Town observes. | |
| 25 | A Master Electrician is defined as holding a license that meets the terms and conditions of RSA 319-C:2 | |
| 26 | A Journeyman Electrician is defined as holding a license that meets the terms and RSA 319-C:2 | |
| 27 | An Apprentice/Temporary Apprentice is defined as labor that meets the terms and conditions RSA 319-C:2 | |
| 28 | All per hour cost shall be inclusive of any and all charges (truck charges, shop costs, service, fuel surcharges, etc.) | |
| 29 | Aerial maintenance equipment typical required from time-to-time for the scope of work includes but is not limited to: 36- foot scissor lift capable of fitting through office facility doorways; and 60/80-foot boom lift. Bidder shall provide a list of equipment owned by the Bidder available for performing the scope of work. In the event this equipment is out of service during the contract term the cost to rent similar equipment to perform the work shall be paid by the contractor with no pass through or mark up costs expensed to the Town. | |
| 30 | Any rental equipment necessary for Town repairs and projects not listed above shall be rented and coordinated solely by the Contractor. A cost plus an additional markup percentage as identified in the tiered bid tabulation shall be used for such rental equipment. | |
| 31 | Cost for material, supplies and equipment will be billed at cost plus an additional mark-up percentage as identified in the tiered bid tabulation. A verification of cost of materials shall be provided for any and all materials, supplies and equipment. | |
| 32 | The Town reserves the right to require the Contractor to submit quotes from multiple suppliers for materials and supplies on a case-by-case service request basis. | |

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|----|---|--|
| 33 | The Town will not provide, nor pay for routine supplies that may be required for any job. Routine supplies shall include, but not limited to tape, cement, solder, pipe dope, duct tape, wire nuts, and any miscellaneous routine supplies that are normally stocked on a fully equipped service vehicle. The contractor when submitting the unit price quotes shall take into consideration the cost of these supplies in the price bid. No other compensation for these routine supplies will be allowed. | |
| 34 | Contractor is expected to complete all work orders, repairs, maintenance work and special projects in a timely manner, without hesitation or delay. Certain electrical services may be more of an urgent nature than others while some special projects can be planned well in advance. Town will provide contractor with the desired time-frame for each Work Order, service request, special projects or event services and Contractor will be expected to respond accordingly and work with the Town on a mutually agreeable schedule for each Work Order or routine service request. Town and Contractor will work together in advance to plan known special projects and services for special events. In the event Contractor fails to perform any portion of the Work as agreed, Contractor may be found to be in Default, for which the Town reserves the right to remedy per the terms of the Electrical Services Contract. | |
| 35 | Contractor shall provide The Hooksett Town acceptable proof of insurance and endorsement forms which meets the requirements as identified herein. Proof of Insurance must be provided before any Work is to begin. | |
| 36 | Bidder has reviewed the facility information provided as part of this bid packet. | |
| 37 | Contractor is able and willing to begin the Work on or about July 1, 2020, conditioned upon execution of Electrical Services Agreement, submission of Certificate of Insurance, and licenses. | |
| 38 | Bidder has familiarized himself with the major Town facilities as listed in Appendix B and agrees to perform the scope of services at any Town owned, leased or managed property as directed by the Town. | |

I, _____, certify that this bid is made without prior understanding, agreement or connection with any corporation, firm, or person submitting a bid for the same materials, supplies or equipment and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder.

Signature

Name (please print)

Company

**Bid Tabulation
Form**

| Item | Unit | Apprentice/Temporary Apprentice | Journeyman | Master |
|--|----------|------------------------------------|------------|--------|
| Straight time (M-F) 7 a.m. – 7 p.m. | Per Hour | | | |
| Overtime (M-F) 7 p.m. - 7 a.m. | Per Hour | | | |
| Saturdays and Sundays | Per Hour | | | |
| Holiday- Town observed | Per Hour | | | |
| Emergency Rate – 2 hour response | Per Hour | | | |

| Item | Definition | | |
|---|--|----------|---------|
| Supplies, Materials, Parts (cost) Large Items: Panels, light poles, cable, etc. | Cost for items is less than \$250 each | Cost + % | _____ % |
| Supplies, Materials, Parts (cost), Sub-contracts, Capital and Special | Cost for items is MORE than \$250 each | Cost + % | _____ % |
| Equipment Rental | | Cost + % | _____ % |

I, _____, certify that the above listed unit prices as written are made without prior understanding, agreement or connection with any corporation, firm, or person submitting a bid for the same materials, supplies or equipment and is in all respects fair and without collusion or fraud. I agree to honor the unit prices as submitted throughout the Initial Term of the Electrical Services Agreement and abide by all conditions of this bid and again certify that I am authorized to sign this bid for the bidder.

Signature

Name (please print)

Company

LIST OF EQUIPMENT:

Please list the heavy machinery and mechanical equipment your company owns that will be used to perform the scope of services identified in the bid documents. Cost for use of this equipment shall be factored into the hourly costs:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

STATEMENT OF BIDDER'S QUALIFICATIONS - (Required with Bid Submittal)

DATE SUBMITTED _____

All questions must be answered, and the data given must be clear and comprehensive. ***This statement must be notarized.*** If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information that is pertinent.

Name of Company _____

Name and title of Person submitting this bid and relationship to the company _____

3. Permanent main office address _____

4. Are you a licensed business in the State of New Hampshire? Provide business Identification number_

5. If a corporation, where incorporated _____

6. How many years have you been engaged in the electrical services business? Under what firm or trade names and how long under each?

7. Are you licensed as a Master Electrician in the State of New Hampshire? Yes_No ____ If "Yes", please provide license number and copy of your license?

8. Please provide the current number of employees that are classified as Master Electrician, Journeyman Electrician and Apprentice Electrician as defined by RSA 319-C:2

9. Please provide the current number of employees that are full time, part time, and seasonal and identify the number that have the primary function of administrative and production (field) work.

10. Has your firm ever failed to complete any work awarded to you.

Yes___No___If “Yes”, where and why

11. Has your firm ever defaulted on a contract?

Yes___No___If “Yes”, where and why.

12. List the municipalities, political sub-divisions, special purpose districts or property owner’s associations that your company is currently under contract with or has been previously under contract involving electrical services maintenance.

Firm Name Date/s of Service Contact Person and Phone #Information

1. _____
2. _____
3. _____
4. _____
5. _____

13. Are any lawsuits pending against you or your firm at this time?

Yes___No___If “Yes”, PROVIDE DETAILS.

14. Have any charges been filed against you or your company or the bidding entity with the New Hampshire Office of Contract Compliance, the Equal Opportunity Commission, the State of New Hampshire Civil Rights Commission, or any other similarly constituted entity charged by any state or local government with the enforcement of anti-discrimination legislation or regulations?

Yes___No___If “Yes”, PROVIDE DETAILS.

15. Provide a current bank / and or other financial Reference _____

16. What are the limits of your company's public general liability? Provide detail and carrier's contact information.

17. The undersigned hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the Town in verification of the recitals composing this Statement of Bidder's Qualifications.

DATED AT _____, this _____ day of _____ 2020.

(Name of Bidder)

By: _____
(Signature)

Title: _____

STATE OF _____

COUNTY OF _____

Sworn/Subscribed to before me personally appeared ___on this _day of _20____.

_____ My commission expires: _____

BID BOND – Not Required

References

Please provide information from three (3) references

1. Agency/Company: Contact Name: Contact Phone: Products delivered:

2. Agency/Company: Contact Name: Contact Phone: Products delivered:

3. Agency/Company: Contact Name: Contact Phone: Products delivered:

Insurance Requirements

The awarded vendor at their cost will be required to provide certificate of liability insurance before installation can commence naming the Town of Hooksett as additional insured. The following standard insurance shall be required:

Umbrella Insurance Coverage

| | |
|----------------|-------------|
| Per Occurrence | \$1,000,000 |
|----------------|-------------|

Commercial General Liability Insurance

| | |
|---|-------------|
| Each Occurrence Limit | \$1,000,000 |
| General Aggregate Limit | \$2,000,000 |
| Products/Completed Operations Aggregate Limit | \$2,000,000 |
| Personal and Advertising Limit | \$1,000,000 |

Commercial Automobile Insurance (for Owned, Hired, and Non-owned Autos:

| | |
|---|--------------|
| Bodily Injury and Property Damage Liability Combined Single Limit (Per Occurrence) | \$ 1,000,000 |
|---|--------------|

Workers Compensation/Employers Liability Insurance

| | |
|--|-----------|
| Bodily Injury by Accident Each Accident (Coverage B – Employer’s Liability) | \$500,000 |
| Bodily Injury by Disease Aggregate Limit | \$500,000 |
| Bodily Injury by Disease- Each Employee (Coverage A – Statutory) | \$500,000 |

Contractor shall, before the Contract is signed, and at any time following execution thereof at the request of the Owner, furnish Owner with a certificate and proof of such additional endorsements or other documentary evidence that the aforementioned insurance policies have been procured with such additional endorsements, that premiums have been paid and that such policies remain in place. Such certificate or other evidence shall bear an agreement that Owner will be given thirty (30) days prior written notice by the Insurance Company furnishing the certificate before the insurance is cancelled or changed in any manner or for any reason during the period of coverage as stated on the certificate.

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Occupied Buildings

| | | | |
|--------------------|-----------------------|----------|----|
| WWTP Main Building | 1 Egawes Dr | Hooksett | NH |
| Courthouse | 101 Merrimack St | Henniker | NH |
| Highway Department | 210 West River Rd | Hooksett | NH |
| Solid Waste Office | 210 West River Rd | Hooksett | NH |
| Fire Station | 10 Riverside St | Hooksett | NH |
| Public Library | 31 Mt. St. Mary's Way | Hooksett | NH |
| Safety Center | 15 Legends Dr | Hooksett | NH |
| Town Offices | 35 Main St | Hooksett | NH |

Unoccupied Buildings

| | | | |
|--|------------------|----------|----|
| Castle Drive Pump Station | 46 Castle Driver | Hooksett | NH |
| Aeration Basin | 1 Egawes Dr | Hooksett | NH |
| Chlorine Contact Basin | 1 Egawes Dr | Hooksett | NH |
| Clarifier #1 | 1 Egawes Dr | Hooksett | NH |
| Clarifier #2 | 1 Egawes Dr | Hooksett | NH |
| Chemical Building #1 | 1 Egawes Dr | Hooksett | NH |
| Chemical Building #2 | 1 Egawes Dr | Hooksett | NH |
| Chlorine Splitter Box | 1 Egawes Dr | Hooksett | NH |
| Sewer Department Office | 1 Egawes Dr | Hooksett | NH |
| Effluent Splitter Box/Plank Flow Meter | 1 Egawes Dr | Hooksett | NH |
| Sludge Holding Tank #1 | 1 Egawes Dr | Hooksett | NH |
| Sludge Holding Tank #2 | 1 Egawes Dr | Hooksett | NH |
| Influent Splitter Box | 1 Egawes Dr | Hooksett | NH |

| | | | |
|-------------------------------|-------------------|----------|----|
| Sludge Holding Tank #3 | 1 Egawes Dr | Hooksett | NH |
| BNR Tank #1 & #2 | 1 Egawes Dr | Hooksett | NH |
| Chapel | 16 Pleasant St | Hooksett | NH |
| Clothing Bank | 101 Merrimack St | Hooksett | NH |
| Concession Stand/Bathroom | 45 Main St | Hooksett | NH |
| Main Street Park Field House | 45 Main St | Hooksett | NH |
| Parks Office - Garage | 45 Main St | Hooksett | NH |
| Equipment Shed | 210 West River Rd | Hooksett | NH |
| Recycling Building | 210 West River Rd | Hooksett | NH |
| Salt Storage Shed | 210 West River Rd | Hooksett | NH |
| Sand Shed | 210 West River Rd | Hooksett | NH |
| Storage Building | 210 West River Rd | Hooksett | NH |
| Storage Shed #1 | 210 West River Rd | Hooksett | NH |
| Storage Shed #2 | 210 West River Rd | Hooksett | NH |
| Highway Garage Office | 210 West River Rd | Hooksett | NH |
| Firing Range Building | Railroad Rd | Hooksett | NH |
| Firing Range Storage Building | Railroad Rd | Hooksett | NH |
| Hooksett Road Pump Station | 1271 Hooksett Rd | Hooksett | NH |
| Generator Building | 37 Hooksett Rd | Hooksett | NH |
| Main Street Pump Station | 14 Main St | Hooksett | NH |
| Martins Ferry Pump Station | 42 Depot Rd | Hooksett | NH |
| Merrimack Street Pump Station | 2 Veterans Drive | Hooksett | NH |
| Historical Society Building | 16 Main St | Hooksett | NH |
| Municipal Building/Town Hall | 16 Main St | Hooksett | NH |
| Shed (beside tower) | Parker Bailey Dr | Hooksett | NH |

| | | | |
|-----------------------|-------------------|----------|----|
| Radio Tower Building | South Bow Rd | Hooksett | NH |
| Radio Tower Building | 15 Legends Dr | Hooksett | NH |
| Safety Center Carport | 15 Legends Dr | Hooksett | NH |
| Shed | 15 Legends Dr | Hooksett | NH |
| Storage Pod Building | 210 West River Rd | Hooksett | NH |

LATE BIDS WILL NOT BE ACCEPTED

END OF REQUEST FOR PROPOSAL

Bid #20-01
Electrical Support for the Town of Hooksett
April 29, 2020 @ 1:00 pm

Attendees: Andre Garron, Town Administrator; Christine Soucie, Finance Director; Earl Labonte
 Public Works Director

Bidders

| | | Costs Per hour | | |
|-------------|-------------------------------|----------------|-------------|-------------|
| | | Apprentice | Journeyman | Master |
| IC Electric | Straight time M-F 7am to 7pm | \$ 55.00 | \$ 75.00 | \$ 85.00 |
| | Overtime M-F 7pm to 7am | \$ 82.00 | \$ 112.00 | 127.00 |
| | Saturdays/Sunday | \$82/\$110 | \$112/\$150 | \$127/\$170 |
| | Town Observed Holiday | \$ 82.00 | \$ 112.00 | \$ 127.00 |
| | Emergency Rate | \$ 55.00 | \$ 112.00 | \$ 127.00 |
| | Supplies less than \$250 each | Cost +20% | | |
| | Supplies more than \$250 each | Cost +15% | | |
| | Equipment rental | Cost | | |

| | |
|--|--|
| | |
| | |
| | |
| | |
| | |

Bid opening closed: 1:15pm

Town Council

STAFF REPORT



To: Town Council
Title: Replacement of Public Works/Parks and Recreation Division Pick-up Truck
Meeting: Town Council - 10 Jun 2020
Department: Public Works
Staff Contact: Earl Labonte, Director of Public Works

BACKGROUND INFORMATION:

We are constantly reviewing the state and operational condition of our fleet and the Fleet Replacement Plan which was developed to augment the budget process. While attempting to develop a life cycle/replacement plan for the Public Works Fleet we projected pickups for budgetary purposes to have a 13 year life expectancy, 20 years for larger trucks and equipment, 10 years for auto trucks (garage). Life expectancy was not set for trailers. These life expectancies were for planning and budget purposes, we planned that each asset would be evaluated at least annually and/or as needed before the scheduled/projected replacement time. Some would require earlier replacement others could be programmed to remain in the fleet longer.

Circumstances have dictated this vehicle needs to be replaced now. This vehicle is a 2008 with over 100,000 miles. Maintenance records show we have spent \$32,000 to date. It is developing operations and safety issues and is no longer dependable. It will soon need costly repairs, which include brakes, exhaust (\$2,300), oil leaks (front engine seals and oil pan \$3,200) and a full bed replacement due to rust.

The replacement vehicle would be purchased from Grappone Ford, provided under State Bid procurement. This vehicle is a F-350 pickup priced at \$30,919, there is no trade associated with this purchase. The existing vehicle will be offered for sale on GovDeals. As authorized by the Towns Purchasing Policy, we are authorized to use State Bid Contracts or approved Cooperative Purchasing Programs to order a replacement, no additional bids are required.

Replacing this vehicle now would allow for improved safety, productivity and the efficient use of assigned assets. Not replacing would delay crews and could result in larger or ineffective vehicles being used. This asset also has an assigned winter operations route and takes care of all sidewalks and parking lots around various town facilities, i.e., library, town hall, safety center, etc. For the remainder of the year this asset supports maintenance of various parks and recreation areas.

FINANCIAL IMPACT:

Funding would come from the Public Works Vehicle Capital Reserve Fund currently has a balance of \$50,657.27 (\$92,980.27 less \$42,323 for a pending payment). There will be an additional \$200,000 added to this account on July 1st per the Town vote of 3/10/2020 for a total of \$250,657.27. Currently, we have a request to authorize the purchase of a new front-end loader for \$102,247, resulting available balance of \$148,410.27. The purchase of this vehicle at \$30,919 would leave \$117,491.27 in the fund.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Approve to replace the vehicle and purchase a F-350 pick up truck from Grappone Ford priced at \$30,919 through a State Bid procurement.

SUGGESTED MOTION:

Motion to approve vehicle replacement and purchase a F-350 pick-up truck from Grappone Ford priced at \$30,919 through State Bid procurement.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Based on the current condition of the vehicle and past maintenance record, replacing this vehicle now is reasonable.

ATTACHMENTS:

[P3-08 P&R Expense Summary](#)
[2020 Ford F-350](#)

Equipment Expenditures Summary

Hooksett (NH)

All Dates Selected

Classification: VEHICLES

Type: PICKUP TRUCK

| Item Number Description | Labor Hrs | Labor Costs | Material Costs | Sales Tax | Total Costs | WO Count | Avg Hours Per WO | Avg Cost Per WO |
|---|--------------|----------------|-------------------|--------------|--------------------|-------------|---------------------|--------------------|
| P3-08 | 154.25 | \$2,855.26 | \$29,752.10 | \$0.00 | \$32,607.36 | 47 | 3.28 | \$693.77 |
| Parks Foreman Truck | | | | | | | | |
| Sub Total for Type: PICKUP TRUCK | 154.25 | \$2,855.26 | \$29,752.10 | \$0.00 | \$32,607.36 | 47 | .07 | \$693.77 |
| Sub Total for Classification: | 154.25 | \$2,855.26 | \$29,752.10 | \$0.00 | \$32,607.36 | 47 | .07 | \$693.77 |
| VEHICLES | | | | | | | | |
| Grand Totals | 154.25 | \$2,855.26 | \$29,752.10 | \$0.00 | \$32,607.36 | 47 | .07 | \$693.77 |

Prepared for: Mario Desaulniers

Town of Hooksett

Prepared by: Jeff Harsin

05/15/2020

Grappone Ford | 530 Route 3A Bow New Hampshire | 033043104



2020 F-350 4x4 SD Regular Cab 8' box 142" WB SRW XL (F3B)

Price Level: 35 | Quote ID: hooksett8

Mario Desaulniers, Town of Hooksett

210 West River Rd

Hooksett, NH 03106

Office: 603-668-8019

Re: Quote ID hooksett8 05/15/2020

Hi Mario,

Quote for 2020 Ford F-350 Regular Cab XL 4x4 Pickup with gas engine. I have attached a vehicle profile for you to review. Let me know if you have any questions. Thanks again.

Quote Price: \$30,919

Sincerely

Jeff Harsin

Fleet Mgr

603-226-8010

jharsin@grappone.com

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



Prepared by: Jeff Harsin

02/24/2020

Grappone Ford | 530 Route 3A Bow New Hampshire | 033043104

2020 F-350 4x4 SD Regular Cab 8' box 142" WB SRW XL (F3B)

Price Level: 35

As Configured Vehicle

| Code | Description | MSRP |
|-------------------|--|-------------|
| Base Vehicle | | |
| F3B | Base Vehicle Price (F3B) | \$38,020.00 |
| Packages | | |
| 610A | Order Code 610A | N/C |
| | <i>Includes:</i> - Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel - Transmission: TorqShift 10-Speed Automatic Includes SelectShift and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery. - GVWR: 10,400 lb Payload Package - Wheels: 17" Argent Painted Steel Includes painted hub covers/center ornaments. - HD Vinyl 40/20/40 Split Bench Seat Includes center armrest, cupholder, storage and driver's side manual lumbar. - Radio: AM/FM Stereo w/MP3 Player Includes 4 speakers. - SYNC Communications & Entertainment System Includes enhanced voice recognition with 911 Assist, 4.2" LCD center stack screen, AppLink and 1 smart-charging USB-C port. | |
| Powertrain | | |
| 996 | Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel | Included |
| 44G | Transmission: TorqShift 10-Speed Automatic | Included |
| | <i>Includes SelectShift and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery.</i> | |
| X4M | Electronic-Locking w/4.30 Axle Ratio | \$390.00 |
| STDGV | GVWR: 10,400 lb Payload Package | Included |
| Wheels & Tires | | |
| TBM | Tires: LT245/75Rx17E BSW A/T (4) | \$165.00 |
| | <i>Spare may not be the same as road tire.</i> | |
| 64A | Wheels: 17" Argent Painted Steel | Included |
| | <i>Includes painted hub covers/center ornaments.</i> | |
| Seats & Seat Trim | | |
| A | HD Vinyl 40/20/40 Split Bench Seat | Included |
| | <i>Includes center armrest, cupholder, storage and driver's side manual lumbar.</i> | |
| Other Options | | |

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



Prepared by: Jeff Harsin
02/24/2020

Grappone Ford | 530 Route 3A Bow New Hampshire | 033043104

2020 F-350 4x4 SD Regular Cab 8' box 142" WB SRW XL (F3B)

Price Level: 35

As Configured Vehicle (cont'd)

| Code | Description | MSRP |
|-------|---|----------|
| 142WB | 142" Wheelbase | STD |
| PAINT | Monotone Paint Application | STD |
| 90L | Power Equipment Group <i>Deletes passenger-side lock cylinder. Includes upgraded door trim panel.</i> <i>Includes:</i> - Accessory Delay - Trailer Tow Mirrors w/Power Heated Glass Includes power heated glass, heated convex spotter mirror and integrated clearance lights and turn signal indicators. - Advanced Security Pack Includes SecurILock Passive Anti-Theft System (PATS) and inclination/intrusion sensors. - Power Locks - Power Tailgate Lock - Power Front Seat Windows Includes 1-touch up/down driver/passenger window. - Remote Keyless Entry | \$915.00 |
| 47B | Snow Plow/Camper Package Requires Extra Extra Heavy-Duty Alternator (67E) when ordered with Upfitter Switches (66S) and 110V/400W Outlet (43C). <i>Includes computer selected springs for snowplow application and heavy service front springs (1 up upgrade above the spring computer selected as a consequence of options chosen. Not included if maximum springs have been computer selected as standard equipment) and slide-in camper certification. NOTE 1: Salesperson's Source Book or Ford RV Trailer Towing Guide should be consulted for specific trailer towing or camper limits and corresponding required equipment, axle ratios and model availability. Restrictions apply; see Supplemental Reference or Body Builders Layout Book for details. Expect firmer ride when vehicle is not equipped with snowplow and/or camper. NOTE 2: May result in deterioration of ride quality when vehicle is not equipped with snowplow and/or camper.</i> <i>Includes:</i> - Rear Stabilizer Bar - 200 Amp Alternator | \$245.00 |
| 52B | Trailer Brake Controller <i>Verified to be compatible with select electric over hydraulic brakes. Includes smart trailer tow connector.</i> | \$270.00 |
| 18B | Platform Running Boards | \$320.00 |
| 66S | Upfitter Switches (6) Requires Extra Extra Heavy-Duty Alternator (67E) when ordered with 110V/400W Outlet (43C) and Snow Plow Pkg. (473) or Snow Plow/Camper Pkg. (47B). <i>Located in overhead console.</i> <i>Includes:</i> - 200 Amp Alternator | \$165.00 |
| 587 | Radio: AM/FM Stereo w/MP3 Player <i>Includes 4 speakers.</i> <i>Includes:</i> - SYNC Communications & Entertainment System Includes enhanced voice recognition with 911 Assist, 4 2" LCD center stack screen, AppLink and 1 smart-charging USB-C port. | Included |
| 76C | Exterior Backup Alarm (Pre-Installed) | \$140.00 |

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



Prepared by: Jeff Harsin

02/24/2020

Grappone Ford | 530 Route 3A Bow New Hampshire | 033043104

2020 F-350 4x4 SD Regular Cab 8' box 142" WB SRW XL (F3B)

Price Level: 35

As Configured Vehicle (cont'd)

| Code | Description | MSRP |
|------------------------|---------------------------|------------------------|
| Emissions | | |
| 425 | 50-State Emissions System | STD |
| Interior Colors | | |
| AS_01 | Medium Earth Gray | N/C |
| Primary Colors | | |
| Z1_01 | Oxford White | N/C |
| SUBTOTAL | | \$40,630.00 |
| Destination Charge | | \$1,595.00 |
| TOTAL | | \$42,225.00 |

** Quote Price \$30,929*

Truck only - NO flow or Tommy Gate

42

Town Council STAFF REPORT



To: Town Council
Title: 2020-2021 Town Council Meeting Schedule
Meeting: Town Council - 10 Jun 2020
Department: Administration
Staff Contact: Donna Fitzpatrick, Administrative Services Coordinator

BACKGROUND INFORMATION:

The Town Council meeting schedule is based on the fiscal year. Per Town Charter Section 3.5 c "*regular meetings (minimum one per month)*". Per Town Council Rules of Procedure Section 3.a "*The Council shall meet in regular session on the 2nd and 4th Wednesday of every month, except as noted on Town Calendar, at 6:00pm.*"

July 1st falls on a Wednesday in 2020. Per Town Council Rules of Procedure Section 2.a "*The Town Administrator shall act in the role of Council Chair from July 1st until such time the new Town Council has their first meeting to choose their Chair, Vice Chair and a Secretary. The Town Administrator, as acting Council Chair, shall lead this meeting through Town Council Reorganization – Part I.*"

Per Town Council Rules of Procedure Section 3.e. "*The Council may meet for an informal workshop session or special meetings by Council vote on an as needed basis, in accordance of Section 3.5 C of the Town Charter. The place of meeting shall be the Council Chambers.*"

Additional meetings occur in February & September due to budgets & warrants.

In December, regular meeting on December 9th (2nd Wednesday of the month). Scheduling a Special Meeting for December 16th for last minute end of calendar year items such as Public Works' union contract vs. having the 4th Wednesday December 23rd regular meeting due to holiday season.

FINANCIAL IMPACT:

None.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

Approve Town Council meeting schedule for July 2020-June 2021 as presented.

SUGGESTED MOTION:

Council motion to approve the Town Council meeting schedule for July 2020-June 2021 as presented.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. Staff is recommending, based on discussions from last year, to conduct it first July meeting on July 1 instead of July 8th. Minimizing the time that Council will be without a Chairman.

ATTACHMENTS:

[2020-21 TC MEETING SCHEDULE 060120](#)

TOWN COUNCIL MEETING SCHEDULE @ 6:00 pm
July 2020 – June 2021

| | | |
|--------------------|-----------------|---|
| July 1, 2020 | Regular Meeting | Council Chambers |
| July 15, 2020 | Regular Meeting | Council Chambers |
| August 12, 2020 | Workshop | Council Chambers |
| August 26, 2020 | Regular Meeting | Council Chambers |
| September 2, 2020 | Budget Review | Council Chambers |
| September 9, 2020 | Regular Meeting | Council Chambers |
| September 16, 2020 | Budget Review | Council Chambers |
| September 23, 2020 | Regular Meeting | Council Chambers |
| October 14, 2020 | Regular Meeting | Council Chambers |
| October 28, 2020 | Regular Meeting | Council Chambers |
| November 4, 2020 | Regular Meeting | Council Chambers |
| November 18, 2020 | Regular Meeting | Council Chambers |
| December 9, 2020 | Regular Meeting | Council Chambers |
| December 16, 2020 | Special Meeting | Council Chambers |
| January 6, 2021 | Regular Meeting | Council Chambers |
| January 20, 2021 | Regular Meeting | Council Chambers |
| February 6, 2021 | Town Meeting | Cawley School 9:00am |
| February 6, 2021 | Special Meeting | Cawley School – immediately following Town Meeting |
| February 10, 2021 | Regular Meeting | Council Chambers |
| February 24, 2021 | Regular Meeting | Council Chambers |
| March 9, 2021 | Town Election | Cawley School (6:00am-7:00pm) |
| March 10, 2021 | Regular Meeting | Council Chambers |
| March 24, 2021 | Regular Meeting | Council Chambers |
| April 14, 2021 | Regular Meeting | Council Chambers |
| April 28, 2021 | Regular Meeting | Council Chambers |
| May 12, 2021 | Regular Meeting | Council Chambers |
| May 26, 2021 | Regular Meeting | Council Chambers |
| June 9, 2021 | Regular Meeting | Council Chambers |
| June 23, 2021 | Regular Meeting | Council Chambers |

Meetings are subject to change with at least a week's notice.

AS OF 06/01/2020

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 - 10 Jun 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 June 10, 2020 and continue discussion/make motion at the Council meeting of June 24, 2020.

SUGGESTED MOTION:

No motion needed at the Town Council June 10, 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.

**DRAFT
Town Council Workshop
2020**

| |
|---|
| Discussion Items – TO BE DEVELOPED BY TOWN COUNCIL |
|---|

1. **Administrative Code**
2. **Town Council Rules of Procedures**
 - a. **Process of Town Administrator Evaluation**
 - b. **Process for Donation of items to Town**
 - c. **Process for Councilor Discussion on Agenda Items**
3. **Town Administrator Goals for July 1, 2020 – June 30, 2021**
4. **Other**
 - a. **Health Insurance for Elected Officials**
 - b. **Petition Warrant Articles – language in voter guide**
 - c. **Miscellaneous Workshop Items**

| |
|--|
| <p>Note: No motions/votes are made at workshops. Items discussed above that warrant action will be placed on a future regularly scheduled Council agenda.</p> |
|--|

| |
|--|
| <p>Workshops are typically scheduled for 2 hours.</p> |
|--|

AS OF 06/02/2020

**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 Agway Site Letter of Credit Release of \$346,363.00 to Farm Credit East, ACA**

284

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

290

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

292

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

294

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

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

299

300 **TOWN ADMINISTRATOR'S REPORT**

301

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

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

306

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

310

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

312

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

314

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

318

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

322

323 **OLD BUSINESS**

324 **TIF District Sewer Final Design Amendment**

325

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

328

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

340

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

351

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

354

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

357
358 Chair Sullivan: I understand your concern, Councilor Duhaime, is going up Cross Street to the Larrabee
359 property.

360
361 R. Duhaime: It goes out of the TIF District.

362
363 B. Thomas: One reason for us to do the design is so that it will be complete. We have a history of
364 developers disappearing. Second, we have more control over the design if we do it ourselves. Third, we
365 are trying to make a deal with developers; this will make it easier for them to come to the table. They
366 will do all of the construction after a certain point. The design goes out of the TIF District because it is
367 the simplest and easiest way. Supreme Industries has been involved in many of the discussions and
368 they are very much interested in this. What we have designed is the most efficient way to get to their
369 property. We can service the whole neighborhood. There is a benefit to getting the one property not in
370 the TIF District developed too.

371
372 R. Duhaime: By 2023, Supreme may not own that property. I don't see the benefit in going there until
373 Phases 1 and 2 are done. Three years from now, none of this may be developed.

374
375 B. Thomas: There is no guarantees that anybody stays. This is a decent property and a good location.
376 We are designing outside of the district to get to another part of the district. Supreme would do the
377 construction; this is just the design.

378
379 C. Karolian: I want to go to the map to clarify the area to which Councilor Duhaime is referring.

380
381 B. Thomas: Supreme Industries, the Larrabee property, is the yellow-shaded area.

382
383 C. Karolian: What will be developed there?

384
385 B. Thomas: I am not sure what will be developed there.

386
387 R. Duhaime: There is no concrete agreement to develop that property.

388
389 Chair Sullivan: Phase 2 raises the same question.

390
391 T. Tsantoulis: One side is in the TIF District and one is not.

392
393 R. Duhaime: This is an \$800,000 design.

394
395 B. Thomas: This is a very small part of the design.

396
397 R. Duhaime: Where the blue line is, a dry line is already there.

398
399 A. Garron: The TIF Committee worked from July through December on this plan. These items were
400 debated. For Phases 1 and 2, businesses are already there. It is a good start. Water and sewer
401 projects are expensive. We want to design them ourselves so they fit into our system. We will build
402 some and the private entities will build the rest. There was a lot of discussion about Phase 3. Supreme
403 Industries attended a lot of meetings. We will back off on construction but provide the design. It is
404 topographically the best, and the Town could more easily get the needed wetland easements from the
405 State than private property owners. January 22nd was the time to flesh this out.

406

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

408

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

413

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

415

416 R. Duhaime: Correct.

417

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

419

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

423

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

425

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

427

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

429

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

433

434 R. Duhaime: What is the cost?

435

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

437

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

439

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

441

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

444

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

446

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

449

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

451

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

453

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

455

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

497 Chair Sullivan called for a vote on the motion to approve Amendment Number 1 of Underwood
498 Engineering's contract with the Town to increase the existing contract by \$807, for a new contract
499 amount of \$1,239,000.
500

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. 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

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

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

224 **SCHEDULED APPOINTMENTS**

225 **Appointment with Judy Mason**

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

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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 **CONSENT AGENDA (continued)**

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

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552

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

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

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

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

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

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

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

936

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

946

A. Comai Nay

947

C. Jones Not present

948

A. Walczyk Aye

949

J. Durand Aye

950

R. Duhaime Nay

951

T. Tsantoulis Aye

952

J. Levesque Aye

953

C. Karolian Aye

954

J. Sullivan Aye

955

Voted in favor (6-2).

956

957
958
960 **Town of Hooksett, NH - Municipal Volunteers**
961
962 Chair Sullivan: We should skip this item.
963
964 ***R. Duhaime motioned to table this item. T. Tsantoulis seconded the motion.***
965
966 **Roll Call Vote #16**
967 ***A. Walczyk Aye***
968 ***J. Levesque Aye***
969 ***C. Jones Not present***
970 ***R. Duhaime Aye***
971 ***J. Durand Aye***
972 ***C. Karolian Aye***
973 ***T. Tsantoulis Aye***
974 ***A. Comai Aye***
975 ***J. Sullivan Aye***
976 ***Voted unanimously in favor (8-0).***
977
978 **NHRS Certification Form - needed when new Police Patrol Officer (DOH 03/16/2020) fills a vacant**
979 **slot (vs. replaces another Officer leaving)**
980
981 D. Fitzpatrick: This does not require a motion, but one can be made. This is another document requiring
982 the signatures of the Town Councilors by Friday.
983
984
985 ***T. Tsantoulis motioned to have the Town Councilors sign the NHRS Certification form. A. Comai***
986 ***seconded the motion.***
987
988 T. Tsantoulis withdrew his motion.
989
990 ***C. Karolian motioned to extend the meeting. A. Walczyk seconded the motion.***
991
992 **Roll Call Vote #17**
993 ***T. Tsantoulis Aye***
994 ***C. Jones Not present***
995 ***R. Duhaime Aye***
996 ***A. Walczyk Aye***
997 ***J. Levesque Aye***
998 ***C. Karolian Aye***
999 ***J. Durand Aye***
1000 ***A. Comai Aye***
1001 ***J. Sullivan Aye***
1002 ***Voted unanimously in favor (8-0).***
1003
1004 ***A. Walczyk motioned to reconsider item 16.4, COVID-19 – Request to Town Council to Ease***
1005 ***Town Personnel Plan Sick Leave prior to April 1, 2020. R. Duhaime seconded the motion.***
1006
1007 Chair Sullivan: Can we debate this?
1008

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.**

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, May 13, 2020**

The Hooksett Town Council met on Wednesday, May 13, 2020 at 6:00 in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the meeting of 13 May 2020 to order at 6:03 pm.

Chair Sullivan: Please note that there is no physical location to observe and listen contemporaneously to this meeting, which is authorized by the Governor's Emergency Order. The public may access the meeting as it is ongoing by dialing (1) 877-853-5247, entering the Meeting ID: 856 0400 9084, and entering the Passcode: 3365. The public can also "join" this meeting via the Zoom website, using the same Meeting ID and Passcode. As a third option, the public may watch/listen with a delay on the Town's website.

This access notice was posted on www.hooksett.org/town-council and was physically posted at the Main Entrance at 35 Main Street in Hooksett.

If anybody has a problem, please call 603-485-8472 Ext. 1 or email ngermain@hooksett.org. In the event the public is unable to access the meeting, the meeting will adjourn and be rescheduled. 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 them during this meeting, which is required under the Right-to-Know law. One item of public input was received and will be read into the record.

PROOF OF POSTING

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL

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

Joining Late: Councilor Robert Duhaime arrived at 6:18 pm.

Missing: Councilor Avery Comai

Councilor Levesque: My wife is with me in the room.

PLEDGE OF ALLEGIANCE & AND MOMENT OF SILENCE

Chair Sullivan called for the Pledge of Allegiance and a moment of silence for two Hooksett residents who have passed away since the last meeting. Leon Boisvert died on March 29th, the day after his 97th birthday. He was a World War II veteran and lived in Hooksett from after the war until retirement in 1985. He worked for the Air Force at Grenier Field in Manchester as an accounting supervisor, then for Duracrete Block Co. for ten years, and lastly as manager of the New England Brace Company. He also served as a call firefighter on the South Hooksett Fire Department for 39 years and as a Deputy Chief for many of those years. He published a book in 1975 on the history of the South Hooksett Fire Department. Bernadette Severette passed away on April 28th at the age of 96. She worked at Leavitt's

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Cafeteria and Beauty Parlor, the Hosiery Mills in Manchester, and the Bee Bee Shoe Company. She loved music and was the organist at Holy Rosary Parish in Hooksett for 60 years. She helped organize the Hooksett-ites Entertainers and was active with the historical society and the Hooksett Happy Helpers, a thrift store which donated its proceeds to the Hooksett Fire Department and also distributed dictionaries to the 3rd grade students. In 1992, she and her husband were chosen as Hooksett's Citizens of the Year.

J. Durand motioned to give back \$58,170 to Lamontagne Builders. C. Karolian seconded the motion.

Chair Sullivan: You can do that, but we didn't close the public hearing on this item. We should go to this item and remove the item from the table, record input for the public hearing, and close the hearing.

J. Durand: I didn't think we had to remove the item to make a motion.

Chair Sullivan: The item was not removed from the table at the April 22, 2020 meeting.

A. Garron: The item was tabled at the March 11, 2020 meeting and remained tabled through the April 22, 2020 meeting. I was asked to invite the Chair of the Planning Board to the next meeting and to obtain input from legal counsel. I did both of these and am ready to report.

J. Durand: This is a rule of order. I made a motion and we have to go with it. I would say it negates the table.

Chair Sullivan: No. You are going to be able to do what you want to do. If you want to talk about it, you must remove it from the table.

J. Durand: I want to talk about it.

PUBLIC HEARINGS

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-Cb, III (a). (public hearing opened, tabled at 3/11/2020 Town Council Meeting; 4/22/2020 motion to remove from table failed)

Chair Sullivan motioned to remove item 7.1 from the table. T. Tsantoulis seconded the motion.

Roll Call Vote #2

R. Duhaime Aye

J Durand Aye

C. Jones Aye

J. Levesque Aye

A. Walczyk Aye

A. Comai Not present

C. Karolian Aye

T. Tsantoulis Aye

J. Sullivan Aye

Voted unanimously in favor (8-0).

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Chair Sullivan closed the Public Hearing on this item.

J. Durand motioned to give back \$58,170 plus any interest due to Lamontagne Builders. C. Karolian seconded the motion.

J. Durand: In light of some emails I received, I want to proceed this way.

A. Garron: Do you want me to read the letter from the Planning Board Chair and from the Town Attorney?

Chair Sullivan: Yes.

J. Levesque: I would like to hear the letters.

C. Karolian: I asked for evidence that, before and after 2004, other developers were required to pay the Hooksett Roadway Maintenance Fee. I didn't see that evidence in the letter from the Planning Board Chair. I just got emails yesterday, forwarded from the Town Administrator, indicating that the Town Planner requested legal counsel in March and received a response on April 9th. The attorney's opinion was that he did not see the payment from Lamontagne as unanticipated revenue. We were never told. The Town Council was not informed of this.

Chair Sullivan: When did you ask for the information?

C. Karolian: The information was requested at the March 11th meeting. We were never advised that opinions were being requested of the Town Attorney. On April 22nd we did not know.

R. Duhaime: Let's move forward.

J. Levesque: Yes, let's move forward.

J. Durand: We should have been enlightened about those discussions. It was deceptive.

Chair Sullivan: It is not the case that every time the Town Administrator discusses something with legal counsel, the Town Council is informed.

Chair Sullivan called for a five-minute recess at 6:32 pm.

Chair Sullivan reconvened the meeting at 6:37 pm.

A. Garron: Going back to the March 11th meeting, I was asked to invite the current developer of Beaver Brook to the next meeting. On March 25th, we did not have a quorum. I sought legal advice about how to collect this revenue. The current developer was not able to attend the April 22nd meeting, but he sent a letter, which I read in its entirety to the Council. Councilor Karolian then successfully motioned to table the item and no more discussion was permitted at that time. The answer to Councilor Karolian's question is yes; two other developers were assessed the Roadway Maintenance Fee. In June of 2007, Stillwater Developers was assessed \$30,178 for the Quimby Mountain project. The University Heights developer also paid this fee. Information from the Town Planner indicates that a partial payment was received – this according to Joann Duffy, the former Town Planner. No payment has been received

149 from this developer toward the sweeper. You received information from Planning Board Chair Marshall.
150 He is joining this meeting and ready to speak.

151
152 R. Marshall: I submitted a memo dated April 29, 2020. It deals only with Beaver Brook and the
153 conditions of approval. If Councilor Karolian is asking about others, Mr. Garron already answered that
154 question. The Planning Board approved the project. I am not an attorney or a financial officer. There
155 were two notes, two conditions of approval. These were filed with the Registry of Deeds. The project
156 changed hands; conditions of approval run with the property. I say it falls under 'buyer beware.' It is a
157 waste if these funds are not collected.

158
159 Chair Sullivan: What is the answer to the question of whether these were anticipated or unanticipated?
160

161 A. Garron: This was somewhat addressed by legal counsel. I would like to have the Finance Director
162 address this.

163
164 C. Soucie: Unanticipated revenue is a way to collect funds that were not part of the budget process.
165 Since these funds were not collected for years and years, they represent unanticipated revenue.

166
167 Chair Sullivan: So, they were anticipated in 2008, but not now. I am going to ask the Town
168 Administrator to share the Town Attorney's response to our request for clarification.

169
170 A. Garron: In today's email, the Town Attorney said, as far as unanticipated funds, these are different
171 because of prior approval. They are not akin to grants or gifts. Regardless, because a hearing was
172 held, it is not relevant now.

173
174 C. Karolian: What is the date of that email? The last one I have is dated May 12th.
175

176 A. Garron: The Chair asked me to request clarity about the funds today.
177

178 Chair Sullivan: I received email communications yesterday at the same time that the other Councilors
179 received them.

180
181 C. Karolian: Are you saying that the Town Attorney changed his opinion from April 9th?
182

183 A. Garron: He is saying it is not relevant at this point in time.
184

185 Chair Sullivan: It doesn't matter whether these are anticipated funds or not because there is a motion
186 on the floor to not accept them.

187
188 R. Duhaime: Councilor Karolian has had several follow-ups. As Vice Chair, I am trying to assist you,
189 Chair Sullivan.

190
191 Chair Sullivan: Everyone will have a chance to talk.
192

193 J. Durand: Councilor Karolian didn't get a chance to finish. He was interrupted, and now you are
194 blowing him off. Chair, you can't see raised hands, just as you could not at the last meeting. You have
195 had a month to fix your system.

196
197 C. Karolian: I was interrupted by the Vice Chair when I had the floor. At the end of November of 2019,
198 two checks were written. They were not brought forward in January or February. In March, a Public

199 Hearing was scheduled to accept unanticipated revenue. The Town Planner got a response on April 9th
 200 from the Town Attorney, and even today, this is listed as unanticipated revenue. Why was this not on
 201 the agenda in January or February?

202
 203 T. Tsantoulis: First, I want to apologize to the public listeners or anyone not used to this format.
 204 Anticipated or not, this item should have been handled two meetings ago. These are conditions of
 205 approval and they are legal. I want to thank Mr. Lamontagne for being here tonight. He runs a
 206 successful operation, and when the project changed hands, probably someone in his organization
 207 missed this. We have a responsibility to collect these funds. It was legal in 2008 and it is legal now.

208
 209 R. Duhaime: Our Rules of Order limit Councilors to one or two follow-up questions. Councilor Karolian
 210 likes clarifications, and he likes to keep following up. It is not fair because others are not able to speak.
 211 He is not yielding. He continues without making a point. The Planning Board Chair is saying what I said
 212 two months ago. It is in the interest of the Town to collect these fees. They are conditions of approval.
 213 Other developers are now negotiating and agreeing to similar conditions.

214
 215 J. Durand: It would be fair to have Mr. Lamontagne speak.

216
 217 Chair Sullivan: According to our rules, we certainly can do that.

218
 219 J. Durand: You let everyone else speak, but you don't want to hear him.

220
 221 T. Tsantoulis: Councilor Durand, you ended the Public Hearing, so Mr. Lamontagne cannot speak.

222
 223 J. Durand: The Town Administrator did. Do we play by the rules when we feel comfortable?

224
 225 J. Levesque: I have not spoken and I would like to let Mr. Lamontagne speak in my place.

226
 227 Chair Sullivan: No. That is not allowed under our rules, but the Council as a whole can agree to allow
 228 someone to speak.

229
 230 Chair Sullivan called for a roll call vote on the question of allowing Mr. Lamontagne to address the
 231 Council.

232
 233 **Roll Call Vote #3**
 234 **A. Walczyk Aye**
 235 **J. Levesque Aye**
 236 **C. Jones Aye**
 237 **R. Duhaime Nay**
 238 **J. Durand Aye**
 239 **C. Karolian Aye**
 240 **T. Tsantoulis Nay**
 241 **A. Comai Not present**
 242 **J. Sullivan Aye**
 243 **Voted in favor (6-2).**

244
 245 Mr. Lamontagne: I wrote "paid in protest" on the check because we have had no use for a sweeper. I
 246 thought the Town would plow for us until the road was accepted by the Town. All of that went away
 247 when the Public Works director left Town. We got nothing.

248
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249 Chair Sullivan: What about your second check?

250

251 Mr. Lamontagne: I do not think I wrote "paid in protest" on that check.

252

253 Chair Sullivan called for a Roll Call vote on the motion to give back \$58,170 to Lamontagne Builders.

254

255 **Roll Call Vote #4**

256 **A. Comai Not present**

257 **C. Jones Nay**

258 **A. Walczyk Nay**

259 **J. Durand Aye**

260 **R. Duhaime Nay**

261 **T. Tsantoulis Nay**

262 **J. Levesque Aye**

263 **C. Karolian Aye**

264 **J. Sullivan Nay**

265 **The motion failed (3-5).**

266

267 **Chair Sullivan motioned to accept \$28,000 from Lamontagne Builders for recreational**
268 **improvements. R. Duhaime seconded the motion.**

269

270 R. Duhaime: I was on the Planning Board when this subdivision was approved. We were protecting the
271 Town's interest as we negotiated the conditions of approval.

272

273 T. Tsantoulis: I don't understand why we would entertain changing the conditions of approval
274 established 12 years ago just because of the passage of time. It is in the Town's best interest to keep
275 them as they are.

276

277 C. Karolian: The plans were very specific about what these funds could be used for, per the Planning
278 Board. That got changed. Can the funds be used for another site?

279

280 D. Fitzpatrick: The suggested motion on page 53 of your packet indicates that the funds would be used
281 to update the bathroom facilities at Donati Field to be ADA complaint per RSA 31:95-b, III (a).

282

283 Chair Sullivan: The funds were to go to any recreation project. I will amend my motion.

284

285 R. Duhaime: I will withdraw my second to the original motion

286

287 **Chair Sullivan motioned that the \$28,000 donation for the Recreation Department be used to**
288 **update the bathroom facilities at Donati Field to be ADA complaint per RSA 31:95-b, III (a). R.**
289 **Duhaime seconded the motion.**

290

291 **Roll Call Vote #5**

292 **T. Tsantoulis Aye**

293 **C. Jones Aye**

294 **R. Duhaime Aye**

295 **A. Walczyk Aye**

296 **J. Levesque Aye**

297 **C. Karolian Nay**

298 **J. Durand** **Nay**
 299 **A. Comai** **Not present**
 300 **J. Sullivan** **Aye**
 301 **Voted in favor (6-2).**

302
 303 **C. Karolian motioned to return \$30,178 to Lamontagne Builders, including interest if any is**
 304 **accruing in the unanticipated revenue account. J. Durand seconded the motion.**

305
 306 C. Karolian: The combination Basin Cleaner/Sweeper was not with the original plan. Former Town
 307 Planner Joanne Duffy indicated there may have been a partial payment made.

308
 309 J. Durand: I call the question.

310
 311 Chair Sullivan: I would like to suggest that the Planning Board not be as specific in the future about
 312 what the funds should be used for.

313
 314 R. Duhaime: Maybe the Planning Board Chair can clarify why the street sweeper was designated.

315
 316 D. Marshall: The Highway Department recommended that the funds be designated for a street
 317 sweeper.

318
 319 C. Karolian: It was stipulated that these funds be collected before the first CO was issued. We didn't
 320 collect it. Many CO's have been issued.

321
 322 T. Tsantoulis: As I have said at other times, it is not our responsibility to step on the toes of the
 323 Planning Board. This is a legal, binding contract, whether or not we like the language and whether the
 324 funds were collected in a timely fashion or not. The Basin Cleaner/Sweeper is a modified sweeper.

325
 326 R. Duhaime: This was a phasing plan. Mr. Lamontagne bought all of the responsibilities and rights.

327
 328 Chair Sullivan called for a roll call vote on the motion to return \$30,178 to Lamontagne Builders.

329
 330 **Roll Call Vote #6**

331 **J. Durand** **Aye**
 332 **J. Levesque** **Nay**
 333 **C. Karolian** **Aye**
 334 **A. Comai** **Not present**
 335 **C. Jones** **Aye**
 336 **T. Tsantoulis** **Nay**
 337 **A. Walczyk** **Nay**
 338 **R. Duhaime** **Nay**
 339 **J. Sullivan** **Nay**
 340 **Motion failed (3-5).**

341
 342 **R. Duhaime motioned to accept the donation of \$30,178 from Lamontagne Builders to be used**
 343 **to offset the purchase cost of the combination Basin Cleaner/Sweeper unit delivered earlier this**
 344 **year. T. Tsantoulis seconded the motion.**

345

346 J. Levesque: Years ago, during the development of Exit 10, a developer reneged on a plan to give land
347 to the Town of Hooksett.

348
349 C. Karolian: The money has already been accepted by the Town. This is a moot point. The check was
350 cashed and deposited in a Town of Hooksett account and taken out of Mr. Lamontagne's account.

351
352 Chair Sullivan: Deposited doesn't always mean accepted.

353
354 C. Soucie: In this case, the checks were collected on November 27, 2019. In general, deposited does
355 not mean accepted in 100% of cases. Unanticipated funds less than \$1,500 are held until the Town
356 Council makes a decision on whether or not to accept them. Amounts over \$1,500 are recorded and
357 deposited as deferred until accepted by the Town Council, per DRA Revenue Chapter #1700.

358
359 Chair Sullivan called for a roll call vote on the motion to accept the donation of \$30,178 from
360 Lamontagne Builders.

361
362 **Roll Call Vote #7**

363 **C. Jones** *Nay*

364 **C. Karolian** *Nay*

365 **J. Levesque** *Aye*

366 **R. Duhaime** *Aye*

367 **A. Walczyk** *Aye*

368 **J. Durand** *Nay*

369 **T. Tsantoulis** *Aye*

370 **A. Coma** *Not present*

371 **J. Sullivan** *Aye*

372 ***Voted in favor (5-3).***

373

374 **Public Hearing to discuss the proposed amendments to Recycling & Transfer Ordinance #00-31.**

375

376 E. Labonte: This is being done to shake out the inconsistencies in the ordinance. An ordinance was
377 drafted but never adopted. We have adjusted the prices because they didn't cover commercial users.

378

379 J. Levesque: We have one of the most reasonable pricing systems in the State. This is good, and we
380 can revisit it if we find glitches.

381

382 Chair Sullivan: I will close the Public Hearing and we will vote at our next meeting.

383

384
385 **Public hearing for the Town Council to accept the \$12,944.82 from the Coronavirus Aid, Relief,**
386 **and Economic Security (CARES) Act from the US Health and Human Services to the Town of**
387 **Hooksett for the Hooksett Fire Rescue Department's Ambulance Revenue Line under RSA**
388 **31:95-b III (a).**

389

390
391 Fire Chief Burkush: This is for funding from the CARES Act to be used to offset lost revenue because of
392 the COVID-19.

393

394 C. Karolian: The last sentence of the background information says, "The funding will be used to support
395 healthcare-related expenses or lost revenue attributable to coronavirus and to ensure uninsured

396 Americans can get the testing and treatment they need without receiving a surprise bill from a provider.”
 397 Can you explain how that applies to your department?
 398

399 Chief Burkush: We operate an ambulance service and are not allowed to balance-bill patients being
 400 transported for COVID-19 or possible COVID-19 treatment. We did 22 of these transports in April. The
 401 government is thus paying the balance for those patients.
 402

403 D. Fitzpatrick: You will need to waive the rules in order to vote on this tonight. It is time sensitive.
 404

405 ***R. Duhaime motioned to waive the rules and vote to accept \$12,944.82 in relief funding from the***
 406 ***Department of Health and Human Services for the Fire and Rescue Department for lost revenue***
 407 ***attributable to COVID-19. T. Tsantoulis seconded the motion.***
 408

409 **Roll Call Vote #8**

410 ***J. Levesque Aye***

411 ***R. Duhaime Aye***

412 ***T. Tsantoulis Aye***

413 ***A. Walczyk Aye***

414 ***J. Durand Aye***

415 ***C. Jones Aye***

416 ***A. Comai Not present***

417 ***C. Karolian Aye***

418 ***J. Sullivan Aye***

419 ***Voted unanimously in favor (8-0).***
 420

421 **SPECIAL RECOGNITION**

422 **Hooksett Youth Achiever - Parker Boulanger**
 423

424
 425 Chair Sullivan: We offer our congratulations to Parker Boulanger and will recognize him at a future
 426 meeting.
 427

428
 429
 430 **Hooksett Municipal Employee - New Hire**
 431

432 A. Garron: There are no new hires at this time.
 433

434
 435
 436 **Lion's Club Citizens of the Year - John Pieroni**
 437

438 N. Germain: I spoke with the Lion's Club president, Wayne Garrish, and he confirmed that there will be
 439 no dinner and ceremony this year. He said that Mr. Pieroni will be recognized at their next meeting. I
 440 have written up a proclamation which you can present to Mr. Pieroni at a future time.
 441

442 Chair Sullivan: Mr. Pieroni was a long-time member of the Budget Committee and served on the School
 443 Board Budget Committee as well. He also was active with the Parks & Rec Department.
 444

445 ***R. Duhaime motioned that the Town Council appoint Councilor Sullivan to read and present the***
 446 ***Citizen of the Year Proclamation to John Pieroni at the Lion Club's yearly dinner. T. Tsantoulis***
 447 ***seconded the motion.***
 448

449 **Roll Call Vote #9**

450 **J. Durand** *Aye*
 451 **A Comai** *Not present*
 452 **C. Jones** *Aye*
 453 **R. Duhaime** *Aye*
 454 **C. Karolian** *Aye*
 455 **A. Walczyk** *Aye*
 456 **T. Tsantoulis** *Aye*
 457 **J. Levesque** *Aye*
 458 **J. Sullivan** *Aye*

459 **Motion carried unanimously (8-0).**

460
 461 **SCHEDULED APPOINTMENTS**

462
 463 **Cindy Robertson, Chair of the Conservation Commission, Approval of Sole Source Agreement**
 464 **with the Student Conservation Association (SCA)**

465
 466 C. Robertson: Similar to last year, the Conservation Commission wants to contract with SCA for a Sole
 467 Source Agreement for trail development. The Conservation Commission has approved this and we are
 468 seeking Town Council's approval. The SCA is affiliated with Americore. The plan is to have between
 469 five and seven students camping at Bear Brook and working on trail development in the Clay Pond
 470 area. Specifically, this is the southern loop trail on Pinnacle Mountain, and will enable hikers to hike
 471 Pinnacle Mountain without going to the top of the mountain. The amount is \$10,500 and the work will
 472 be done from July 14th to July 24th. Bear Paw will monitor this for us. Since this work may not take the
 473 full ten days, we just added work on the River Walk Trail, at no extra cost. The contract you have is not
 474 the final one; it was finalized today, or maybe yesterday. Regarding insurance, we have had
 475 discussions with Primex, and SCA will be responsible for the insurance.

476
 477 J. Levesque: Wasn't there an issue with a family having problems with the trail being so close to their
 478 home?

479
 480 C. Robinson: Yes, that was the Locke family. We had a conversation with the woman who complained,
 481 and we moved the trail as far away as we could.

482
 483 J. Levesque: I think she was on the checklist committee and was a State Representative at one time.
 484 Her husband once took pictures of kids on the trail and the police were called about a pedophile taking
 485 pictures of children. The kids were admonished by the police.

486
 487 C. Robinson: We can let Mrs. Locke know that the students will be working on the trail. We can post
 488 signs and put down some rough brush to keep people away from their home.

489
 490 A. Walczyk: Thank you for all that you have done with the trails. Pinnacle is a fun hike. Have you
 491 considered closing the trail during the renovations?

492
 493 C. Robinson: That is a good question. Their work won't interfere with those hiking to the top.

494
 495 R. Duhaime: Also, most of the work will be done during the week days, while more hiking is done on the
 496 weekends.

497
 498 C. Karolian: Which budget is this coming out of, this year's or next?

499
 500 C. Robinson: It is coming out of our Capital Reserve Fund, not an operating budget.

501
502 ***R. Duhaime motioned to approve the sole source agreement with the Student Conservation***
503 ***Association, Inc. for the work to be completed in July 2020 in the amount of \$10,500. A. Walczyk***
504 ***seconded the motion.***
505

506 **Roll Call Vote #10**

507 ***C. Karolian Aye***
508 ***T. Tsantoulis Aye***
509 ***J. Levesque Aye***
510 ***C. Jones Aye***
511 ***A. Comai Not present***
512 ***J. Durand Aye***
513 ***A. Walczyk Aye***
514 ***R. Duhaime Aye***
515 ***J. Sullivan Aye***
516 ***Voted unanimously in favor (8-0).***
517

518 C. Robinson: While I am here, I would like to request something which is not on the agenda. We would
519 like to ask for a letter of support from the Town Council to the Conservation Commission as we apply
520 for a grant for Phase 3 work on the River Walk.
521

522 ***R. Duhaime motioned for the Town Council to send a letter of support to the Conservation***
523 ***Commission for their grant application which would provide funds for Phase 3 work on the***
524 ***River Walk. J. Levesque seconded the motion.***
525

526 **Roll Call #11**

527 ***T. Tsantoulis Aye***
528 ***J. Levesque Aye***
529 ***J. Durand Aye***
530 ***C. Jones Aye***
531 ***C. Karolian Aye***
532 ***A. Walczyk Aye***
533 ***R. Duhaime Aye***
534 ***A. Comai Not present***
535 ***J. Sullivan Aye***
536 ***Voted unanimously in favor (8-0).***
537

538 **CONSENT AGENDA**

539
540 **Motion to accept a donation in the amount of \$100.00 from Jameson Saykaly and Tracy Saykaly,**
541 **to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return**
542 **said amount to the Police Departments, 2019/2020 FY budget and applied to the donation line.**
543

544
545 **Motion to accept a donation in the amount of \$200.00 from Jameson Saykaly and Tracy Saykaly,**
546 **to the Town of Hooksett for the Hooksett Fire- Rescue Department per RSA 31:95-b, III (b) and**
547 **return said amount to the Fire-Rescue Department, 2019/2020 FY budget and apply \$100.00 to**
548 **the Ambulance Fund Donation and \$100.00 to the Fire donation line.**
549

550
551 **Town Council to accept the UV Disinfecting Lights, valued at \$2,050.00, through a grant from the**
552 **Gary Sinise Foundation for the Town of Hooksett for the Hooksett Fire Rescue Department's**
553 **Ambulances under RSA 31:95-e, II.**
554

556 Release Landscape Surety of \$10,000 for #88/#90 West River Road (Site of Dunkin Donuts and
557 Subway)

558
559 *T. Tsantoulis motioned to approve the Consent Agenda as presented. J. Levesque seconded the*
560 *motion.*

561
562 **Roll Call Vote #12**

563 **A. Comai Not present**

564 **A. Walczyk Aye**

565 **J. Durand Aye**

566 **C. Karolian Aye**

567 **J. Levesque Aye**

568 **T. Tsantoulis Aye**

569 **R. Duhaime Aye**

570 **C. Jones Aye**

571 **J. Sullivan Aye**

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

573

574 **TOWN ADMINISTRATOR'S REPORT**

575

576 A. Garron: The Governor has designated GOFERR funds of \$40 million, of which \$32 million is for
577 municipalities. This is to defray costs associated with local government actions in responding to
578 COVID-19 issues. It is economic support for employment-related losses, losses due to business
579 interruptions, items not accounted for in the current budget as of March 27, 2020, and COVID expenses
580 from March 31 through December 31, 2020. In order to access these funds, the Town Council must
581 sign an agreement at our next meeting on May 27th. This item will be on the May 27th meeting agenda.

582

583 Chair Sullivan: How much will Hooksett receive?

584

585 A. Garron: It is based on population. Hooksett has 1.08% of the State population and will receive
586 \$346,080 if we have legitimate allowable COVID expenses. Funds are also available through the
587 CARES Act for first responder stipends. This includes Police and Fire. This is for those engaged in first
588 responder activities in the public arena. We have prepared a roster but have taken no action yet
589 because the Town Council must first approve this. Costs of \$150,000 will be reimbursed by this
590 program. Payroll taxes are the responsibility of the Town, but we can submit these costs under
591 GOFERR. To the extent that these stipends represent overtime pay, we must account for that. I would
592 like to ask Finance Director Soucie to explain that.

593

594 C. Soucie: If \$300 is being added to the base pay of an employee, that is an increase of \$7.50 per hour,
595 which increases overtime by \$7.50 per hour. Since overtime pays time and a half, the Town is
596 responsible for the overtime portion. It is unclear at this time if that is covered, but the Town has the
597 right to submit the cost.

598

599 ***A. Walczyk motioned to have the Town Administrator proceed with participation in the first***
600 ***responder stipend COVID-19 program. Mr. Levesque seconded the motion.***

601

602 **Roll Call Vote #13**

603 **C. Karolian Aye**

604 **A. Comai Not present**

605 **T. Tsantoulis Aye**

606 **J. Levesque Aye**

607 **A. Walczyk Aye**

608 **R. Duhaime Aye**

609 **J. Durand Aye**

610 **C. Jones Aye**

611 **J. Sullivan Aye**

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

613

614 A. Garron: I appreciate your support.

615

616 Chief Burkush: I also appreciate this very much.

617

618 R. Duhaime: I assume that the Town Administrator will find out about the overtime pay for the first
619 responders.

620

621 A. Garron: Lots of questions are being asked. The NHMA has been doing a fantastic job of receiving
622 our questions and obtaining answers for us.

623

624 A. Garron: I have had a lot of calls about the dog park from residents who would like it to be open. This
625 comes as Order #40 slowly opens various aspects of the economy, including interior parks at the State
626 level. Hooksett has done a good job of adhering to my directives. However, although our number of
627 cases is low, the number is still expanding. My confidence level is low regarding opening the dog park.

628

629 J. Levesque: I have had four or five calls about the dog parks. When I was taking my dog there, about
630 30% of the visitors to the park were from out of town. It may be a bit too soon.

631

632 T. Tsantoulis: We have all made a lot of sacrifices. I think we should keep things as they are. People
633 can still walk their dogs. We are not out of the woods yet.

634

635 Police Chief Bouchard: I agree with Councilor Tsantoulis. We are often called to the park because of
636 dog bites. This is a risk to my officers because if the dog is from out of town, the officer involved must
637 go to the city or town where the dog is from to follow through on the licensing and rabies.

638

639 J. Levesque: These dogs from out of town are often big and aggressive. If we post signs saying that the
640 park is for Hooksett residents only, this will add to the workload of the Police Department. I agree with
641 the Police Chief.

642

643 Chair Sullivan: We can leave this as it is and see what the Governor says on May 31st.

644

645 A. Garron: I have a letter from the Old Home Day Committee saying that they are cancelling the Old
646 Home Day celebration scheduled for September 18, 2020. Chair Carrie Hyde said in the letter that this
647 was a difficult choice for the Committee, but since the best way to prevent the spread of the virus is to
648 limit large gatherings, they felt this was the best decision. She said they look forward to the celebration
649 on the third Saturday of September in 2021.

650

651 A. Garron: Next, I have a request to close the Transfer Station on Saturday, July 4th. The holiday is
652 observed on Friday, July 3rd.

653

654 J. Levesque: I am all for this. Those workers don't get many days off. This is a way to thank them for
655 the good job they do. We can give proper notice, and it is only a half day.

656

657 ***J. Levesque motioned to close the Transfer Station on Saturday, July 4, 2020. R. Duhaime***
 658 ***seconded the motion.***

659

660 T. Tsantoulis: Could you consider keeping the Transfer Station open, using someone who doesn't mind
 661 working and who could use the time as comp time later? I don't know if this is possible.

662

663 E. Labonte: It was the Transfer Station people who asked for this. It is a five-hour day and is overtime
 664 as it is. We have only three employees licensed for this.

665

666 C. Karolian: For clarification, is July 4th a paid holiday for DPW workers?

667

668 D. Fitzpatrick: Per the Town Personnel Policy, these employees get Friday, July 3rd off as a paid
 669 holiday.

670

671 J. Durand: What is the cost to the Town?

672

673 E. Labonte: This is overtime pay, so no pay is involved.

674

675 J. Durand: So, this is not costing the Town anything; the Town is saving money.

676

677 J. Levesque: Those people are very good at making signs, and those who use the Transfer Station
 678 regularly will know.

679

680 Chair Sullivan: Seven weeks is a good amount of leeway.

681

682 C. Karolian: Can we provide the number for members of the public to call?

683

684 Chair Sullivan: The number is 485-8472 Ext. 1.

685

686 Chair Sullivan called for a vote on closing the Transfer Station on Saturday, July 4, 2020.

687

688 **Roll Call Vote #14**

689 ***R. Duhaime Aye***

690 ***J Durand Aye***

691 ***C. Jones Aye***

692 ***J. Levesque Aye***

693 ***A. Walczyk Aye***

694 ***A. Comai Not present***

695 ***C. Karolian Aye***

696 ***T. Tsantoulis Aye***

697 ***J. Sullivan Aye***

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

699

700 A. Garron: I would like to ask Donna Fitzpatrick to read into the record a letter from the Library
 701 Trustees.

702

703 D. Fitzpatrick: This is a letter from the Hooksett Library Board of Trustees dated May 6, 2020.

704

705 May 6th, 2020

706

707 To: The members of the Hooksett Town Council From:

708 The Hooksett Library Board of Trustees

709

710 The Hooksett Library plays a vital role in providing information and resources to taxpayers in
711 a wide variety of ways:

712 During this unprecedented public health crisis, librarians and library staff have been locating
713 and curating necessary information from reputable sources, to make it available to the community for
714 easy consumption through our website. This resource portal functions as our virtual branch 24/7. We
715 increased our email marketing and social media presence to make townspeople aware of digital
716 offerings available with their library cards. Online library card registration continues for town
717 residents, and free public Wi-Fi extends out from our physical building.

718 Librarians are monitoring patron demand for popular titles as a way to gauge expenditures. In
719 addition to providing digital copies of books and audiobooks, librarians have added e-resources in
720 anticipation of the evolving needs of our community. Professional development courses, basic digital
721 literacy and job seeker assistance, and reference databases designed specifically for our small
722 business community are a focus point for service delivery.

723 Library staff responds quickly to community requests through our new Live Chat service, as well as via
724 email, phone, and social media.

725 The library provides cultural enrichment opportunities for all community members.

726 Children's room staff were among the first in the state to jump into virtual story time programming.

727 Our Youth Services Librarian realized the immediate value in offering kids continuity with faces they
728 knew from the library and recognizing "our librarians *are* the celebrities to these young kids," and the
729 positive community response proved this!

730 Story times and baby rhymes, virtual crafts, Saturday STEM activities, and a spring butterfly
731 hatching program on Facebook Live continue to engage children and parents. These eight weekly
732 programs are seeing an average attendance of 10 to 20 families attending each session live with
733 viewings in the weeks following reaching into the hundreds. Teens and tweens have responded well to
734 the virtual Dungeons & Dragons program, led by a dynamic patron services assistant who applied for
735 and received a grant for digital materials. An extensive list of vetted educational resources is available
736 on the library website for parents who are homeschooling during this pandemic. Statewide summer
737 reading initiatives are forthcoming, and adult book groups and technology classes continue virtually,
738 as more programs evolve.

739 The Library Director is closely following the Governor's Economic Reopening Task Force and
740 the NH State Library's recommendations on best practices for safely handling materials
741 and proceeding with public service in a global pandemic. Remote management of employee task
742 tracking, and communication are priorities, as is ordering physical materials and supplies for safely re-
743 opening.

744 The members of this board of trustees work together with the library staff to provide vital
745 services to Hooksett; we will continue to inform the town council, committee members, and the town
746 taxpayers regarding the library's role of community support. Please reach out to us at any time with
747 questions, suggestions, or concerns, as we continue to do our best to serve the town of Hooksett.

748

749 Thank you,

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15

750 Mary Farwell, Chair
 751 Tammy Hooker
 752 Mac Broderick
 753 Linda Klienschmidt
 754 Barbara Davis
 755

756 A. Garron: My last item is about easing the personnel policy, which was discussed at the last
 757 meeting. Two employees used sick time to care for their children at home from March 16th when the
 758 schools closed, until COVID-19 began coverage on April 1, 2020. The Council asked us to provide
 759 the cost of paying these employees and restoring their sick time.
 760

761 D. Fitzpatrick: The cost of providing pay for these two employees is \$3,771.45.
 762

763 **PUBLIC INPUT**
 764

765 David Ross, 56 Sherwood Drive: I have been trying to follow this meeting on line and it is very difficult
 766 at best. The Conservation Committee meeting went well, and I don't know what is different. You need
 767 to figure out a better way. I would be amazed if anyone in the public has the patience which I have had
 768 to follow this. It has been a freak show, as far as the ability to participate.
 769

770 J. Levesque: Can you send to the Chair in writing your suggestions for running the meeting better?
 771

772 D. Ross: I don't claim to have that knowledge. I am a lay person.
 773

774 J. Levesque: It is getting better.
 775

776 Chair Sullivan: We are adhering to the Right-to-Know law. Members of the public have the ability to
 777 make public comments via telephone. They can also email comments and questions to the Town
 778 Administrator.
 779

780 R. Duhaime left the meeting at 9:14 pm.
 781

782 **OLD BUSINESS**
 783
 784

785 **Storm Water Management Program Ordinance #2020-1**
 786

787 ***C. Karolian motioned to adopt the proposed Storm Water Management Program Ordinance #***
 788 ***2020-01. J. Levesque seconded the motion.***
 789

790 **Roll Call Vote #15**
 791

792 ***A. Comai Not present***
 793 ***C. Jones Aye***
 794 ***A. Walczyk Aye***
 795 ***J. Durand Aye***
 796 ***R. Duhaime Not present***
 797 ***T. Tsantoulis Aye***
 798 ***J. Levesque Aye***
 799 ***C. Karolian Aye***
 800

801 **J. Sullivan Aye**
 802 **Voted unanimously in favor (7-0).**

803
 804 **Volunteer Appreciation Night (tabled at 4/22/2020 Town Council Meeting)**
 805

806 This item remained on the table.

807
 808 **NOMINATIONS AND APPOINTMENTS**
 809

810 **May Nominations and Appointments**

811
 812 ***T. Tsantoulis motioned to appoint Cassandra Brown to a term on the Bicentennial Committee***
 813 ***expiring June 30, 2023. Chair Sullivan seconded the motion.***
 814

815 C. Karolian: Is there a residency requirement for this position? Ms. Brown has not lived in Hooksett for
 816 a full year.

817
 818 Chair Sullivan: I don't know if there is a residency requirement.
 819

820 N. Germain: There are boards and committees without residency requirements, such as the EDC and
 821 the TIF Advisory Board.

822
 823 C. Karolian: For the record, I am not trying to block this appointment.
 824

825 **Roll Call Vote #16**

826 **A. Walczyk Aye**
 827 **J. Levesque Aye**
 828 **C. Jones Aye**
 829 **R. Duhaime Not present**
 830 **J. Durand Aye**
 831 **C. Karolian Aye**
 832 **T. Tsantoulis Aye**
 833 **A. Comai Not present**
 834 **J. Sullivan Aye**
 835 **Voted unanimously in favor (7-0).**

836
 837
 838 **NEW BUSINESS**

839 **Conservation Commission Request for Approval of a Sole Source Agreement with the Student**
 840 **Conservation Association, Inc. (SCA)**
 841

842
 843 This item was approved during a **Scheduled Appointment** earlier in the meeting.
 844

845
 846
 847 **License to use the Town of Hooksett's land off of Merrimack Street and surrounding fields at**
 848 **161 Merrimack Street**
 849

850 ***J. Levesque motioned to have the Town Administrator sign the License to allow Iraklis Lazaridis***
 851 ***to use the Town of Hooksett's land off of Merrimack Street and the surrounding fields located at***
 852 ***161 Merrimack Street. A. Walczyk seconded the motion.***
 853

854 J. Levesque: He grows, cuts and bales hay, I believe.

855

856 C. Robinson: This is conservation land and we have no concerns. In fact, we are very much in favor of
857 this motion because it fulfills the agricultural piece of our grant.

858

859 **Roll Call Vote #17**

860 ***T. Tsantoulis Aye***

861 ***C. Jones Aye***

862 ***R. Duhaime Not present***

863 ***A. Walczyk Aye***

864 ***J. Levesque Aye***

865 ***C. Karolian Aye***

866 ***J. Durand Aye***

867 ***A. Comai Not present***

868 ***J. Sullivan Aye***

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

870

871 ***A. Walczyk motioned to extend the meeting. Chair Sullivan seconded the motion.***

872

873 **Roll Call Vote #18**

874 ***J. Durand Aye***

875 ***J. Levesque Aye***

876 ***C. Karolian Nay***

877 ***A. Comai Not present***

878 ***C. Jones Nay***

879 ***T. Tsantoulis Aye***

880 ***A. Walczyk Aye***

881 ***R. Duhaime Not present***

882 ***J. Sullivan Aye***

883 ***Voted in favor (5-2).***

884

885

886 **Community Development Permitting Software Recommendation**

887

888 ***A. Walczyk motioned to accept the bid from Full Circle Technologies for a first-year cost of***
889 ***\$39,070, of which \$31,000 is to come from the operating budget and the additional \$8,070 to***
890 ***come from this year's surplus. J. Levesque seconded the motion.***

891

892 C. Karolian? Why the switch?

893

894 A. Garron: The current software is not supported after June 30th of this year. View Permit is going to
895 View Permit Cloud.

896

897 C. Karolian: When did you find out?

898

899 A. Garron: We found out last year and that is why we budgeted for it. We had seven proposals. I want
900 to commend and thank Councilor Walczyk, Nick Germain, LeeAnn Fuller and Kathy Lawrence who
901 served on the review committee with me.

902

903 J. Levesque: Is this the same company?

904

L. Fuller, Community Development Clerk: The company we have now is View Permit and they are offering View Permit Cloud, which is very expensive. We have chosen a different company which has similar projects and is less expensive. There will be less downtime and less training.

908

909 C. Karolian: What is the price difference?

910

911 L. Fuller: View Permit Cloud would cost \$47,000 for the first year and \$17,000 per year thereafter.

912

913 A. Garron: View Permit did not provide a proposal.

914

915 Chair Sullivan called for a roll call vote on the motion to accept the bid of Full Circle Technologies.

916

917 **Roll Call Vote #19**

918 **C. Jones Aye**

919 **C. Karolian Aye**

920 **J. Levesque Aye**

921 **R. Duhaime Not present**

922 **A. Walczyk Aye**

923 **J. Durand Aye**

924 **T. Tsantoulis Aye**

925 **A. Comai Not present**

926 **J. Sullivan Aye**

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

928

929 **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).**

932

933 This item was approved during the **Public Hearing** session earlier in the meeting.

934

935 **Donation to the Town of Hooksett, for the Hooksett Fire-Rescue Department from the Leon C Boisvert Revocable Trust.**

940

941 **Chair Sullivan motioned to establish the Leon C Boisvert Fire Department Trust Fund under 31:19 for the purpose of purchasing Hooksett Fire Department equipment, naming the Fire Chief as the agent to expend, and accepting a \$50,000 donation to the Leon C Boisvert Fire Department Trust Fund from the estate of Leon C Boisvert. T. Tsantoulis seconded the motion.**

945

946 **Roll Call Vote #20**

947 **J. Levesque Aye**

948 **R. Duhaime Not present**

949 **T. Tsantoulis Aye**

950 **A. Walczyk Aye**

951 **J. Durand Aye**

952 **C. Jones Aye**

953 **A. Comai Not present**

954 **C. Karolian Aye**

955 **J. Sullivan Aye**

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19

Voted unanimously in favor (7-0).

Quarterly Financial Report as of March 31, 2020

C. Soucie: Before I review the operating budget as of the end of the third quarter, I would like to provide an update on the impact of COVID-19 on the Town of Hooksett. The Governor declared a State of Emergency on March 13, 2020. As of April 30, 2020, the Town had spent \$35,228 on COVID-19 related expenses. This is mostly due to Fire Department overtime; each shift has seven staff members. Welfare has seen no significant cost increase, partly because utilities cannot shut off service during the pandemic, landlords cannot evict tenants, and banks/mortgage companies cannot foreclose on properties. The government has mandated additional paid leave for employees who are quarantined, sick due to the virus, or having to care for children who are out of school. Thus far, four employees have received additional pay because of the mandate, the amount totaling \$5,278. An additional employee was added this week, and we can assume there will be more as the months go by. The mandate is in effect through the end of December 2020. Five virtual meetings have added \$500 to the budget expenses. The first responder stipend will cost \$150,000 over eight weeks. On the bright side, there have been savings in training, fuel and overtime expenses. There also is funding available from three sources. The first is supplemental funding of up to \$60,000 from the US Department of Justice for Fire, Police and Public Works sanitation. The second is FEMA funds for life-saving activities; FEMA will pay 75% of these expenses and the Town will pay 25%. The third source is State GOFERR funds to be used when all other sources are exhausted. Therefore, the Town can cover 85% to 90% of these additional costs.

C. Karolian: This goes back to what we discussed at the last meeting – pay for parents who must stay home with school-age children.

C. Soucie: This has an April 1st start date and refunds two-thirds of lost pay for up to 12 weeks. What you discussed at the last meeting was covering the time from the date when schools closed – March 16th, through the end of March. Looking at Motor Vehicle registrations, I spoke today with the Tax Collector, and we agreed that revenue here is delayed but not lost. It is a timing issue. Interest rates have gone down and will probably stay down, meaning that lost revenue from Interest on Deposits will not be recovered, and we will probably be about \$50,000 short for the year. Building permits are down about 50%, representing \$9,000 of revenue. However, permits have picked up in May and we should meet our goal for the year. We have concern about next year and the following year. The revenue from the State's Room and Meals tax is based on the prior year's collections. This will be an unfortunate hit. Grants are generally not available for lost revenue, with the exception of the \$13,000 for lost ambulance revenue discussed earlier by Chief Burkush.

C. Soucie: As of the end of quarter three, which is 75% of the fiscal year, expenses are at about 75% and revenue is at 84%. Your packets have more detail on this.

COVID-19 - Request to Town Council to Ease Requirements of Employee-Earned Vacation Time Carry Over Limits through December 31, 2020

D. Fitzpatrick: Many of our employees are getting near their thresholds for carry over of vacation time. The three categories of employees – non-union, union and contract – have different guidelines. For non-union employees, the maximum carry over as of June 30th of each year is 100 hours. Fire-Rescue union employees are allowed to carry over no more than 120 hours of earned vacation time as of their anniversary date. Police union employees, as of their anniversary date, are allowed to carry over 42.5 hours of vacation time, per the new contract beginning July 1, 2020, while the current contract does not allow carry over unless approved by the Police Chief. Public Works union employees with 0-14 years of

1009 employment can carry over 240 hours and those with 15+ years of employment can carry over 320
 1010 hours, both based on a June 30th cutoff. The Town Administrator may have no more than 30 days of
 1011 vacation leave at any given time, and the Fire Chief has no carry over, with a May 1st cutoff date. We
 1012 propose offering as much flexibility as possible, and are following the policy of the federal government.
 1013 We would like to offer one of three options,

1014

1015 1) carry over excess vacation time for 2020, but must use that time by their respective vacation time
 1016 carry over limit in 2021 (June 30, 2021 for non-union & Public Works Union; anniversary date for 2020
 1017 Fire-Rescue Union or Police Union).

1018

1019 2) buy out excess vacation time for 2020 on their respective vacation carry over in 2020 (June 30, 2021
 1020 for non-union & Public Works Union; anniversary date for 2020 Fire-Rescue Union or Police Union).

1021

1022 3) do a combination of 1 (carry over) & 2 (buy out).

1023

1024 Chair Sullivan: So, in some cases, we are not stopping them from taking vacation time, but they want to
 1025 go somewhere and cannot do so. They could take their vacation time at home. On the other hand,
 1026 some employees we are asking to work because we need them.

1027

1028 A. Garron: This does not take away the manager's authority to say an employee cannot take vacation
 1029 because of staffing needs.

1030

1031 T. Tsantoulis: We are trying to meet employee needs as much as we can. There are extenuating
 1032 circumstances, and this is not their fault. Flexibility is good, if we can manage it.

1033

1034 C. Karolian: For clarification, the bottom line is this would allow employees to accrue vacation time and
 1035 carry it to the next year or get paid an increased amount.

1036

1037 A. Garron: They must use the time or be paid for it by their next anniversary date or the contract kicks
 1038 back in.

1039

1040 Chair Sullivan: Employees with two weeks of vacation time over the amount they are normally allowed
 1041 to carry over can carry it over or be paid for the two weeks. This may increase overtime. I would rather
 1042 pay them off this year.

1043

1044 A. Walczyk: Continuing with the Chair's thoughts, there is no perfect way to do this. Both have
 1045 challenges and downsides. Is there enough flexibility there?

1046

1047 D. Fitzpatrick: For 11 individuals who are non-union, and for the Town Administrator, there is no
 1048 backfill, and thus no overtime, when they are out. Their work is simply waiting for them when they
 1049 return. With the Fire Department, where there are only 12 employees, so there may be some backfill.
 1050 However, anniversary dates are spread throughout the year, as opposed to all having the same cutoff
 1051 date of June 30th. The Police Department has ten employees and their cutoff dates are their
 1052 anniversary dates. All three unions favor giving employees the three options. The third option offers the
 1053 most flexibility. Our employees are overworked and stressed, and as the Town Administrator said,
 1054 managers have the authority to grant or deny vacation time requests.

1055

1056 Chair Sullivan: For the third option, is that a 50/50 split?

1057

1058 D. Fitzpatrick: Not necessarily.

1059

1060 J. Durand: Nothing is going well in the country. We are talking about extending vacations when some
1061 people are not working at all. This is not going to work out too well in 2021.
1062

1063

1064 C. Karolian: They say we are all in this together, and we are. We are all stuck at home. There are
1065 difficult decisions to make. If vacations are cancelled, the carryover is going to be costly. We don't know
1066 what will happen with the budget next year. Everyone is in this. We have contracts to abide by. Putting
1067 this under the umbrella of COVID-19 is not the right thing to do. It is a terrible slope. The employees
1068 know that the Town Council is usually behind them. We appreciate our workforce. I don't support a
1069 carryover. If you can't use the time, you lose it.

1070

1071 A. Walczyk: This is just through December 31, 2020. It is not indefinite, is it?

1072

1073 D. Fitzpatrick: That is correct. We are following the federal government guidelines.

1074

1075 **A. Walczyk motioned to approve COVID-19 HOOKSETT ADMINISTRATIVE ORDER 2020-B Town**
1076 **Council, due to COVID-19 orders, to provide that employees exceeding their threshold of**
1077 **vacation time carryover through December 31, 2020 be allowed to:**

1078

1079 **1) carry over excess vacation time for 2020, but then must use that time by their respective**
1080 **vacation time carryover limit in 2021 (June 30, 2021 for non-union & Public Works union;**
1081 **anniversary date for 2020 Fire-Rescue Union or Police union).**

1082

1083 **2) buy out excess vacation time for 2020 on their respective vacation carryover in 2020 (June 30,**
1084 **2021 for non-union & Public Works union; anniversary date for 2020 Fire-Rescue Union or**
1085 **Police union).**

1086

1087 **3) do a combination of 1 (carry over) & 2 (buy out) above.**

1088

1089 A second for this motion was not offered.

1090

1091 C. Karolian: For clarification, vacation time may be accumulated until December 31, 2020 and must be
1092 used in 2021.

1093

1094 D. Fitzpatrick: Yes.

1095

1096 Chair Sullivan: For the third option, is it a 50/50 split or could it be 60/40?

1097

1098 D. Fitzpatrick: That could be up to the department head, based on operational needs, or could be
1099 decided by the Town Council.

1100

1101 T. Tsantoulis: Initially, I was inclined to support this, but listening to the scenarios, we are not in a
1102 position to discuss the economic impact. We need to understand the costs.

1103

1104 Chair Sullivan: Maybe we should hold off on this because we are confused.

1105

1106 D. Fitzpatrick: The ratio of carry over versus buy out could be determined by the Council. The
1107 employees are anxious to find out tonight. Those with the non-union cutoff date of June 30th can't just
1108 go home and sit; they need to be in the office because others are out. We are very busy because we
are near the end of the fiscal year.

1109
 1110 C. Karolian: Can't they just request the money instead?
 1111
 1112 D. Fitzpatrick: As it stands now, they must use it or lose it.
 1113
 1114 ***C. Karolian motioned to table this item until the Council knows what the financial impact is***
 1115 ***going to be. T. Tsantoulis seconded the motion.***
 1116
 1117 J. Levesque: We should do something to protect these people.
 1118
 1119 Chair Sullivan: For the third option, we could make that 90/10, 70/30 or 50/50.
 1120
 1121 C. Karolian: It sounds to me like the employees dictate that ratio.
 1122
 1123 Chair Sullivan called for a roll call vote on the motion to table this item.
 1124
 1125 **Roll Call Vote #21**
 1126 ***J. Durand Aye***
 1127 ***A Comai Not present***
 1128 ***C. Jones Aye***
 1129 ***R. Duhaime Not present***
 1130 ***C. Karolian Aye***
 1131 ***A. Walczyk Nay***
 1132 ***T. Tsantoulis Aye***
 1133 ***J. Levesque Aye***
 1134 ***J. Sullivan Aye***
 1135 ***Voted in favor (6-1).***
 1136
 1137 J. Durand: If employees roll over 100%...where are we at now? We need a realistic impact.
 1138
 1139 D. Fitzpatrick: I have that information, but you have already tabled this item.
 1140
 1141 **Town of Hooksett, NH - Municipal Volunteers (tabled at 04/22/2020 Town Council Meeting)**
 1142
 1143 This item remained on the table.
 1144
 1145
 1146 **APPROVAL OF MINUTES**
 1147
 1148 **Public: 03/11/2020 (tabled at the 04/22/2020 Town Council Meeting)**
 1149
 1150 **Public: 04/22/2020**
 1151
 1152 **Non-Public: 03/11/2020 (tabled at the 04/22/2020 Town Council Meeting)**
 1153
 1154 **Non-Public: 04/22/2020**
 1155
 1156
 1157
 1158
 1159 Approval of minutes was postponed until a future meeting.
 1160
 1161 ***Chair Sullivan motioned to enter non-public session at 10:40 pm in accordance with RSA 91-***
 1162 ***A:3, II (a, c, e & I). T. Tsantoulis seconded the motion.***
 1163
 1164 RSA 91 - A:3, II (a) *The dismissal, promotion, or compensation of any public employee or*
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1165 *the disciplining of such employee, or the investigation of any charges against him or her,*
 1166 ***unless*** *the employee affected (1) has a right to a public meeting, and (2) requests that the*
 1167 *meeting be open, in which case the request shall be granted.*

1168
 1169 RSA 91-A:3, II (c) *Matters which, if discussed in public, would likely affect adversely the reputation*
 1170 *of any person, **other than a member of this board**, unless such person requests an open meeting.*
 1171 *This exemption shall extend to include any application for assistance or tax abatement or waiver of*
 1172 *a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

1173
 1174 RSA 91-A:3, II (e) *Consideration or negotiation of pending claims or litigation which has been*
 1175 *threatened in writing or filed by or against this board or any subdivision thereof, or by or against*
 1176 *any member thereof because of his or her membership therein, until the claim or litigation has*
 1177 *been fully adjudicated or otherwise settled*

1178
 1179 RSA 91-A:3 II (I) *Consideration of legal advice provided by legal counsel, either in writing or orally, to*
 1180 *one or more members of the public body, even where legal counsel is not present.*

1181

1182 **Roll Call Vote #22**

1183 ***C. Karolian Aye***

1184 ***T. Tsantoulis Aye***

1185 ***J. Levesque Aye***

1186 ***C. Jones Aye***

1187 ***A. Comai Not present***

1188 ***J. Durand Aye***

1189 ***A. Walczyk Aye***

1190 ***R. Duhaime Not present***

1191 ***J. Sullivan Aye***

1192 ***Voted unanimously in favor (7-0).***

1193

1194 J. Levesque: I am now alone.

1195

1196 **#1 – Fire Chief Burkush - Governor’s First Responder Stipend***

1197 **This item was taken up during the non-public session, but it was determined that it should be part of*
 1198 *the public minutes.*

1199

1200 ***J. Sullivan motioned to approve Hooksett Fire Chief James Burkush (contracted employee) to***
 1201 ***receive the Governor’s First Responder Stipend. Seconded by T. Tsantoulis.***

1202

1203 **Roll Call #23**

1204 ***T. Tsantoulis Aye***

1205 ***J. Levesque Aye***

1206 ***J. Durand Aye***

1207 ***C. Jones Aye***

1208 ***C. Karolian Aye***

1209 ***A. Walczyk Aye***

1210 ***R. Duhaime Not present***

1211 ***A. Comai Not present***

1212 ***J. Sullivan Aye***

1213 ***Voted unanimously in favor (7-0).***

1214

1215 J. Levesque left the meeting at 10:56 pm.

1216

1217 ***J. Sullivan motioned to exit non-public session of 05/13/2020. Seconded by A. Walczyk.***

1218 **Roll Call Vote # 24**

1219 ***R. Duhaime Not present***

1220 ***J Durand Aye***

1221 ***C. Jones Aye***

1222 ***J. Levesque Not present (left meeting at 10:56 pm)***

1223 ***A. Walczyk Aye***

1224 ***A. Comai Not present***

1225 ***C. Karolian Aye***

1226 ***T. Tsantoulis Aye***

1227 ***J. Sullivan Aye***

1228 ***Voted unanimously in favor (6-0).***

1229

1230 **Back in public session at 11:14 pm**

1231

1232 ***J. Sullivan motioned to seal the minutes of the non-public session (except for the first item***
 1233 ***dealing with the Governor's First Responder stipend for Fire Chief James Burkush) because it is***
 1234 ***determined that divulgence of this information likely would affect adversely the reputation of***
 1235 ***any person other than a member of this Board or render a proposed action ineffective. C.***
 1236 ***Karolian seconded the motion.***

1237

1238 **Roll Call Vote #25**

1239 ***A. Comai Not present***

1240 ***C. Jones Aye***

1241 ***A. Walczyk Aye***

1242 ***J. Durand Aye***

1243 ***R. Duhaime Not present***

1244 ***T. Tsantoulis Aye***

1245 ***J. Levesque Not present***

1246 ***C. Karolian Aye***

1247 ***J. Sullivan Aye***

1248 ***Voted unanimously in favor (6-0).***

1249

1250 **ADJOURNMENT**

1251

1252 ***Chair Sullivan motioned to adjourn at 11:17 pm. T. Tsantoulis seconded the motion.***

1253

1254 **Roll Call Vote #26**

1255 ***A. Walczyk Aye***

1256 ***J. Levesque Not present***

1257 ***C. Jones Aye***

1258 ***R. Duhaime Not present***

1259 ***J. Durand Aye***

1260 ***C. Karolian Aye***

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25

1261 ***T. Tsantoulis Aye***
1262 ***A. Comai Not present***
1263 ***J. Sullivan Aye***
1264 ***Voted unanimously in favor (6-0).***
1265
1266
1267 Respectfully submitted,
1268
1269 *Kathleen Donnelly*
1270 Kathleen Donnelly
1271 Recording Clerk
1272
1273

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, May 27, 2020**

The Hooksett Town Council met on Wednesday, May 27, 2020 at 6:00 in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the meeting of 27 May 2020 to order at 6:00 pm.

Chair Sullivan: 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 is authorized by the Governor's Emergency Order. The public may access the meeting as it is ongoing by dialing (1) 877-853-5247, entering the Meeting ID: 856 0400 9084, and entering the Passcode: 3365. The public can also "join" this meeting via the Zoom website, using the same Meeting ID and Passcode. As a third option, the public may watch/listen with a delay on the Town's website.

This access notice was posted on www.hooksett.org/town-council and was physically posted at the Main Entrance at 35 Main Street in Hooksett.

If anybody has a problem, please call 603-485-8472 Ext. 1 or email ngermain@hooksett.org. In the event the public is unable to access the meeting, the meeting will adjourn and be rescheduled. 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 them during this meeting, which is required under the Right-to-Know law. One item of public input was received and will be read into the record.

ROLL CALL

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

Missing: Councilor Robert Duhaime, Councilor Clifford Jones

PLEDGE OF ALLEGIANCE

Chair Sullivan called for the Pledge of Allegiance.

C. Karolian motioned to remove item # 15.2 (COVID-19 – Request to Ease Requirements of Employee Earned Vacation Time Carry Over Limits) from the agenda.

C. Karolian: The Council requested specific dollar figures for the cost to the Town of this item, and that information was not received. Why is this on the agenda?

Chair Sullivan: We keep items on the agenda so that we don't lose track of them.

A. Garron: The information requested will be presented tonight.

C. Karolian: Why was it not in our packets? We are getting it at the eleventh hour.

Chair Sullivan: When are the packets sent out?

50 D. Fitzpatrick: Packets are mailed one week prior to the meeting. This packet was sent on Wednesday,
51 May 20, 2020, and the information for #15-2 contained specific employee information.

52
53 A. Garron: The information includes salary information and we may need to go into non-public session
54 to discuss it.

55
56 C. Karolian: We did not request specific information. We are just looking for a dollar amount for the
57 cost. I don't know if we even have the authority to do this. The budget was passed by the voters in
58 March, and this hasn't gone to the voters.

59
60 Chair Sullivan: Let's proceed to the next item.

61
62 C. Karolian: I have a procedural issue. The Chair did not ask for a second to my motion.

63
64 ***T. Tsantoulis seconded the motion to remove item #15-2 from the agenda.***

65
66 T. Tsantoulis: We have a full agenda and there is a question about whether we have all of the
67 information.

68
69 Chair Sullivan called for a roll call vote on the motion to remove #15-2 from the agenda.

70
71 **Roll Call Vote #2**
72 ***R. Duhaime Not present***
73 ***J Durand Aye***
74 ***C. Jones Not present***
75 ***J. Levesque Nay***
76 ***A. Walczyk Nay***
77 ***A. Comai Aye***
78 ***C. Karolian Aye***
79 ***T. Tsantoulis Aye***
80 ***J. Sullivan Nay***
81 ***Voted in favor (4-3).***

82
83 C. Karolian: I want to clarify that we are looking for dollar figures for Item #15-2.

84
85 Chair Sullivan: Those figures could have been given to you tonight.

86
87 **PUBLIC HEARINGS**
88
89 **Public hearing for the Town Council to accept the \$37,000.00 Emergency Management**
90 **Performance Grant (EMPG) to the Town of Hooksett for the Hooksett Fire-Rescue Department**
91 **under RSA 31:95-b III (a); grant funds to update the EOC Security System at the Hooksett Safety**
92 **Center.**

93
94 Chair Sullivan: I am going to read the Public Notice for this hearing:
95 The Hooksett Town Council will be holding a public hearing on Wednesday, May 27th @ 6:00 pm at the
96 Hooksett Town Hall chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to
97 accept the \$37,000.00 from the Emergency Management Performance Grant (EMPG) to the Town of
98 Hooksett for the Hooksett Fire Rescue Department under RSA 31:95-b, III (a). For documentation or
99 questions, contact the Hooksett Fire Rescue Department at 603-623-7272.

100

101 Pursuant to the Governor's Emergency Order, the Town will conduct meetings remotely until further
 102 notice. The Public will be able to have telephonic access. The specific instructions for accessing this
 103 meeting (and any changes to the Governor's Emergency Orders) are posted on the Town website,
 104 <http://www.hooksett.org>.
 105

106 Chief Burkush: In October of 2019, we applied for an Emergency Management grant to update the
 107 security system at the Fire Department side of the Safety Center. Construction costs incurred will be
 108 used for the match, so no matching funds from the Town are required.
 109

110 A. Garron: This is something we were going to do anyway, and I commend the Fire Department for
 111 pursuing and receiving the grant.
 112

113 Chief Burkush: I will come back to you when the project is awarded to a vendor. We have not selected
 114 a vendor yet.
 115

116 J. Levesque: I commend Chief Burkush. This will save the Town a lot of money.
 117

118 T. Tsantoulis: This is a slam dunk for the Town.
 119

120 A. Walczyk: Thank you. This is helpful and great for the Town. Could you explain about the connectivity
 121 requirement being sole source?
 122

123 Chief Burkush: Our goal is to attach to the Police section of the Safety Center. Theirs is a proprietary
 124 system, so we are limited on vendors. The cost would increase if we had to purchase a different server.
 125 We hope to connect to the Police Department, with each of us managing our own sides.
 126

127 C. Karolian: Is \$37,000 the entire amount needed or will you need Town funds?
 128

129 Chief Burkush: For the Safety Center, \$37,000 is the entire amount needed. We are looking to dovetail
 130 to Station I, and we may need funds for that.
 131

132 **Public hearing for the Town Council to accept the United States Department of Justice, Office of**
 133 **Justice Programs, Bureau of Justice Assistance FY 2020 Coronavirus Emergency Supplemental**
 134 **Funding Program, CFDA# 16.034, Grant awarded in the amount of approximately \$58,736.00 to**
 135 **the Town of Hooksett for the Hooksett Fire-Rescue Department's Operating Budget and the**
 136 **Ambulance Fund under RSA 31:95-b III (a); grant funds to be utilized in response to the COVID-**
 137 **19 crisis for staffing and PPE/sanitation equipment.**
 138

139 **DOJ adjusted initial \$60,269.29 to \$58,736.00; because amount lower public hearing does not**
 140 **need to be reposted.**
 141

142 Chair Sullivan: I am going to read the Public Notice for this hearing:
 143 The Hooksett Town Council will be holding a public hearing on Wednesday, May 27th @ 6:00 pm at the
 144 Hooksett Town Hall chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to
 145 accept the \$60,262.29 in grant funding from the United States Department of Justice, Office of Justice
 146 Programs, Bureau of Justice Assistance FY 2020 Coronavirus Emergency Supplemental Funding
 147 Program, CFDA # 16.034 to the Town of Hooksett for the Hooksett Fire Rescue Department's
 148 Operating Budget and Ambulance Fund under RSA 31:95-b, III (a). For documentation or questions,
 149 contact the Hooksett Fire Rescue Department at 603-623-7272.
 150

151 Pursuant to the Governor's Emergency Order, the Town will conduct meetings remotely until further
 152 notice. The Public will be able to have telephonic access. The specific instructions for accessing this

153 meeting (and any changes to the Governor's Emergency Orders) are posted on the Town website,
154 <http://www.hooksett.org>.

155
156 A. Garron: I would like to ask Chief Burkush to explain the adjustment of the amount.

157
158 Chief Burkush: The original amount was estimated at \$60,269.29, but when the paperwork was totaled,
159 it was \$58,736.00, a difference of about \$1,500.00. Because the amount was lower, the public hearing
160 did not have to be reposted. We were happy to get the amount we received. We have identified three
161 sources of funding for COVID-19 expenses: the DOJ grant, FEMA and GOEFRR. The DOJ grant was
162 very competitive. We wanted to have a second ambulance available, with a staff of seven (versus six)
163 per shift, two ambulances and a fire truck. This will pay 100% of the cost and benefits. We are proud of
164 this grant.

165
166 C. Karolian: Has the second ambulance been out there all along or are you just using it now?

167
168 Chief Burkush: The Governor declared a State of Emergency in March, and we increased our staff from
169 six to seven per shift.

170
171 C. Karolian: Have you had an increase in calls for service?

172
173 Chief Burkush: People are hesitant to call 911 because they don't want to go to the hospital during the
174 pandemic. We average two transports per day of suspected COVID cases. We had 22 transports in
175 April. We currently have the highest amount of cases statewide and within Hooksett. The crisis has not
176 gone away. We were one of only nine to receive this grant.

177
178 C. Karolian: Could the calls be handled by one ambulance?

179
180 Chief Burkush: Extensive decontamination of vehicles and equipment is needed when transporting
181 COVID patients. It is not a short run. There is a lot more work and a lot more paperwork.

182
183 Chair Sullivan: If you had only one ambulance, would these funds still be available?

184
185 Chief Burkush: The grant was predicated on putting an additional vehicle in service.

186
187
188
189 **Public Hearing to accept the NH Governor's Office for Emergency Relief and Recovery**
190 **(GOFERR) not to exceed \$346,080.00 for COVID-19 expenditures under RSA 31:95-b III (a).**

191
192 Chair Sullivan: I am going to read the Public Notice for this hearing:
193 The Hooksett Town Council will be holding a public hearing on Wednesday, May 27th @ 6:00 pm at the
194 Hooksett Town Hall chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to
195 accept not more than \$346,080.00 in grant funding from the Governor's Office for Emergency Relief
196 and Recovery (GOFERR) to the Town of Hooksett under RSA 31:95-b, III (a). For documentation or
197 questions, contact the Hooksett Finance Department at 603-485-2712.

198
199 Pursuant to the Governor's Emergency Order, the Town will conduct meetings remotely until further
200 notice. The Public will be able to have telephonic access. The specific instructions for accessing this
201 meeting (and any changes to the Governor's Emergency Orders) are posted on the Town website,
202 <http://www.hooksett.org>.

203
204 A. Garron: The Town of Hooksett is entitled to \$346,080.00 in State GOFERR funds. In order to access
205 these funds, the Town Council must vote and sign to allow the Town Administrator to sign all related
206 documents.

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C. Soucie: These funds must be used for COVID-19 issues, and the list includes such items as these: welfare expenses, telework for remote communication, elections, legal fees due to new federal requirements, wages and benefits for non-first responders under Families First, child care for first responders and essential employees, municipal building modifications such as cleaning and disinfecting, signage, and increased unemployment benefits. It is required that other funds such as FEMA are used first, according to the documentation. The GOEFRR funds are available for COVID-related expenses through December 31, 2020. The first submission is due June 1st and includes expenses from March 1st through the end of April. Hooksett had about \$17,000.00 in expenses during this first period, including legal fees, welfare expenses, wages & benefits for those accessing Families First, and some PPE.

Chair Sullivan: We first heard of an August 31st ending date. Has this been extended through December 31st?

A. Garron: There are three windows or deadlines for submission of expenses. The first window closes June 1st and covers expenses incurred from March 1st through April 30th. The second window closes on July 15th and includes expenses from May 1st through June 30th. The third window is for expenses from July 1st through August 31st, but we are allowed to project expenses through the end of the year and include them in the submission.

C. Karolian: There are a couple of items in my packet that you missed. Regarding credit card fees, I had to register cars and was forced to do this on line and use a credit card. There was a Town fee for online car registration and a fee from the credit card company. Are we waiving credit card fees since we are forcing people to go on line? The second item is facilitation of distance learning, including technology improvements. Is this for the School budget? Those two items I didn't hear the Finance Director list, but I have them in my packet.

Chair Sullivan: I know from the School side they are able to access some funds.

C. Soucie: I provided just a short list of potential items. Currently, we are not waiving credit card fees. Regarding the distance learning item, this language was taken directly from the grant documents. We asked the Governor's office for clarity. We were told that, if applicable, the Town could use GOEFRR funds for that. There may be towns that can do this, but it doesn't apply to Hooksett. The School cannot apply for GOEFRR funds.

A. Garron: I want to clarify that the credit card fees are not Town fees. The Town receives no revenue from this.

C. Karolian: If we are not allowing people to complete transactions in person, we are forcing them to go on line and use their credit cards.

C. Soucie: There are other options. They can write a check or pay in cash. We are not forcing them to complete transactions on line or to use credit cards.

A. Garron: They can write a check and put it in our drop box.

C. Karolian: I didn't see that information on line.

J. Levesque: You can call to get the amount and mail in a check.

Chair Sullivan: We should clarify this on the Town website.

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T. Tsantoulis: We are not forcing anyone to use a credit card or to complete transactions on line. There are other options. We have a heavy agenda tonight, and I don't want to be here until midnight. Let's expedite our process.

Chair Sullivan: If anyone has questions for any department, please call Town Hall at 485-8471.

SPECIAL RECOGNITION

Bruce Kudrick, Wastewater Treatment Plant Superintendent - 47 years+ dedicated service (01/08/1973-05/31/2020)

Chair Sullivan: Tonight, we would like to honor Bruce Kudrick, our Wastewater Treatment Plant Superintendent, for his 47 years of service to the Town of Hooksett. He will retire in four days on May 31, 2020. He began work on January 8, 1973. When we are back to normal, we will give Mr. Kudrick the public recognition he deserves. My hat goes off to you, Bruce.

A. Garron: It has been a pleasure working with you over the past year, Bruce. I wish you the best. Mr. Kudrick's replacement, Kenneth Conaty, who comes to us from Merrimack, has recently been having a crash course at the plant.

T. Tsantoulis: Wastewater removal is something people don't give a lot of thought to. I became aware of all that it entails when I spent some time on a project there while working for Eversource. Thank you, Bruce, and enjoy your retirement.

B. Kudrick: There have been a lot of changes in Hooksett over the years. Thank you everyone.

SCHEDULED APPOINTMENTS

Wastewater Treatment Plant Superintendent/Sewer Commission - Use of Town Owned Property to Locate a Portion of the Proposed Solar Array (see new business item for details)

A. Garron: The Sewer Commission is planning a solar array installation and is seeking permission to use Town-owned property for a portion of the installation. This is on their property on Egawes Drive, near the Sewer Commission building and the Wastewater Treatment Plant. There is a small, triangular, seven-acre piece of Town land which would be part of the array.

B. Kudrick: This was School District land which was taken over by the Town in a 2015 warrant article. A restriction at the time said the land could only be used for Wastewater Treatment Plant expansion and improvement. The equipment arrives on June 15th and construction will begin on June 22nd.

J. Levesque: Will the solar array provide power for the Wastewater Treatment Plant?

B. Kudrick: It will provide about 75% of the electricity used by the plant each month. It will be paid off in 13 years.

Chair Sullivan: Our packets provide some good research on how the land in that area was acquired in 1964.

Chair Sullivan: If no one objects, we will move up item 16.1 under New Business.

Sewer Commission Use of Town Owned Property to Locate a Portion of the Proposed Solar Array

T. Tsantoulis motioned to approve the Sewer Commission's request to use Town-owned property for a portion of the proposed solar array for the treatment plant located adjacent to the Merrimack River and north of the Industrial Park which was purchased from Robert Zapora. A. Walczyk seconded the motion.

Roll Call Vote #3

A. Comai Aye

C. Jones Not present

A. Walczyk Aye

J. Durand Aye

R. Duhaime Not present

T. Tsantoulis Aye

J. Levesque Aye

C. Karolian Aye

J. Sullivan Aye

Voted unanimously in favor (7-0).

A. Walczyk: Do you have a rough idea as to when this will be operational?

B. Kudrick: We are hoping for September.

A. Garron: Councilor Walczyk and I spoke with a solar vendor last fall. Mr. Kudrick shared information about this vendor, so we will arrange to meet with him as well.

TOWN ADMINISTRATOR'S REPORT

A. Garron: First I will provide a COVID-19 update. Unfortunately, the number of cases in New Hampshire rose from 1,938 to 4,231, with Hooksett going from 22 to 51 from March 1st through May 26th. The only good news is that the State is better able to handle the cases now than it was in March. Regarding the Governor's Stay at Home 2.0, as of May 22nd, Little League and other youth sports are allowed to start. I checked with Earl Labonte of Public Works and Phil Arnone of Parks & Rec about the fields. There are forms for the families of the athletes to sign. These activities must be in groups of no more than ten, although several groups of ten may be on the field, but separated. There is a litany of criteria, including safety, sanitation and the providing of one's own equipment. No basketball or other contact sports will be allowed. Childcare facilities may open under similar restrictions. As of June 1st, businesses offering acupuncture, massage, body art, cosmetology, and health & fitness may open. All of these have similar restrictions. Beaches will also be open on June 1st. Public Works has installed a drop box at Town Hall, so that residents can drop off items for processing. The Town Clerk/Tax Collector's office personnel have been verbally challenged, while at the same time receiving positive comments on their patience. They are down one person. I commend all departments for everything they are doing. Some employees are coming in after hours and on weekends.

Chair Sullivan: What about the parks?

A. Garron: I am waiting for instructions from the Governor.

Chair Sullivan: Will you be looking for the Council to make decisions or will you be acting on your own? Are we making preparations so we will be ready when the green light is given?

A. Garron: We are preparing in every way that we can.

366 A. Garron: The bids for the LED lighting project closed on May 26th. We received seven proposals and
 367 will have a recommendation for the Council in June. Next, I have a question for the Council. We went
 368 out to bid last year for painting and received only one bid, which was incomplete. We requested bids
 369 again this year, and again received only one, although was a complete bid. We also sought an
 370 electrician to have on standby, as opposed to bidding each time we have a project. We received only
 371 one bid, but it was from a very good firm. Do you want me to bring these items before the Council or act
 372 on them on my own?

373
 374 T. Tsantoulis: What painting is to be done?
 375

376 E. Labonte: It is all of the trim on Town Hall, the interior of the gym, the repair of frames, the
 377 replacement of trim board as necessary, and the painting of the Historic Library in front of Town Hall.
 378

379 Chair Sullivan: If no one objects, we can put this on the agenda for the next meeting.
 380

381 A. Garron: Are we okay to go with the electrician?
 382

383 J. Levesque: Have you thought of hiring someone for painting and light repairs?
 384

385 A. Garron: That is a good idea, assuming we could keep someone busy full time.
 386

387 C. Karolian: I think the electrician should be on the next agenda too. We need to know what the firm
 388 would charge, etc.
 389

390 J. Durand: I heard there was a new Councilor for District 6. Do we know his name?
 391

392 Chair Sullivan: We can ask the Town Clerk, Todd Rainier, when he joins us later in the meeting.
 393

394 A. Garron: I think his last name is Lapierre.
 395

396 J. Durand: I have had calls about cars not stopping for pedestrians in the crosswalk near Donati Park
 397 on Main Street.
 398

399 Chair Sullivan: I suggest that you meet with Mr. Labonte and Mr. Garron. Then, we can put this on the
 400 next agenda, if necessary.
 401

402 **OLD BUSINESS**

403 **Solid Waste/Recycling & Transfer Ordinance 00-31 Amendment**

404
 405
 406 Chair Sullivan: Would anyone like to make a motion to approve the Solid Waste/Recycling & Transfer
 407 Ordinance 00-31 Amendment?
 408

409 C. Karolian: I was going to motion to make an amendment to the final draft of the Ordinance. Under
 410 Section III, Condominiums, I would strike everything after the first sentence – the second and third
 411 sentence. It currently reads, "Condominiums will be required to provide for the collection and disposal
 412 of domestic trash within their communities. The Town will reimburse tonnage at a maximum of 21
 413 pounds per unit per week at the Town budgeted rate (for trash disposal), paid semi-annually, upon
 414 submission and verification of paid invoices by the condominium association. The Town may rescind or
 415 amend this section at any time." I request that the Chair, as well as any Councilors who may live in one
 416 of these places impacted by this ordinance, recuse himself from discussion as well as voting. We went
 417 through this with a warrant article and a discussion about hydrants on private property. The tax rate for
 418 condos reflects no plowing, no streetlights, and no hydrants. I have had calls about this.

419

420

421

422 Chair Sullivan: Mr. Garron, will this require a new hearing?

423

424 A. Garron: It is substantive, so it will.

425

426 D. Fitzpatrick: Per the Town Charter, Section 3.6a, this will require a do over.

427

428 J. Levesque: We agreed upon this thing quite a long time ago. They pay taxes. This would take away
429 something for which they pay taxes. It is no big thing, and it works fine.

430

431 T. Tsantoulis: If I were asked for an example of the proverbial Pandora's Box, this would be it. We
432 would have a hard time getting the lid back on if we proposed any change in the trash collection
433 process.

434

435 C. Karolian: I would suggest getting input from the public at a new Public Hearing. On its face, it is
436 contradicting itself. The second and third sentences contradict the first. You may think this is a
437 Pandora's Box, but this is our job, to listen to our constituents.

438

439 J. Durand: I understood that condo residents pay less in taxes because of the services they don't use
440 from the Town.

441

442 J. Duhamel: Everyone pays at the same tax rate.

443

444 C. Karolian: Aren't the condos valued differently?

445

446 J. Duhamel: No, all assessments are based on market value.

447

448 ***C. Karolian moved to remove the two sentences after the first sentence under Section III,***
449 ***Condominiums, of the Solid Waste/Recycling & Transfer Ordinance 00-31 Amendment, and***
450 ***to have a new Public Hearing, and to have any Council member living in a condo which benefits***
451 ***from Town trash collection recuse himself from voting. J. Durand seconded the motion.***

452

453 Chair Sullivan: Where I live, the trash has always been collected, so I am not going to recuse myself
454 from this vote.

455

456 **Roll Call Vote #4**

457 ***A. Walczyk Nay***

458 ***J. Levesque Nay***

459 ***C. Jones Not present***

460 ***R. Duhaime Not present***

461 ***J. Durand Nay***

462 ***C. Karolian Aye***

463 ***T. Tsantoulis Nay***

464 ***A. Comai Nay***

465 ***J. Sullivan Nay***

466 ***Motion failed (1-6).***

467

468 A. Walczyk: Do we have any idea of the fiscal impact of this?

469

470 A. Garron: I believe the Finance Director has this information.

471

472 Chair Sullivan: Could be have that information as soon as possible, please?

473

474 ***J. Levesque motioned to adopt the amended Solid Waste/Recycling & Transfer Ordinance 00-31***
 475 ***as presented, effective May 27, 2020. T. Tsantoulis seconded the motion.***

476

477 **Roll Call Vote #5**

478 ***T. Tsantoulis Aye***

479 ***C. Jones Not present***

480 ***R. Duhaime Not present***

481 ***A. Walczyk Aye***

482 ***J. Levesque Aye***

483 ***C. Karolian Aye***

484 ***J. Durand Aye***

485 ***A. Comai Aye***

486 ***J. Sullivan Aye***

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

488

489

490 **COVID-19 - Request to Town Council to Ease Requirements of Employee Earned Vacation Time**
 491 **Carry 'Over Limits through December 31, 2020 (tabled at 05/13/2020 Town Council Meeting)**

492

493 Chair Sullivan: The Council voted earlier in the meeting to remove this from tonight's agenda, the
 494 equivalent of leaving it on the table.

495

496

497 **Volunteer Appreciation (Tabled from 5/13/2020)**

498

499

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

501

502 **Roll Call Vote #6**

503 ***J. Durand Aye***

504 ***J. Levesque Aye***

505 ***C. Karolian Aye***

506 ***A. Comai Aye***

507 ***C. Jones Not present***

508 ***T. Tsantoulis Aye***

509 ***A. Walczyk Aye***

510 ***R. Duhaime Not present***

511 ***J. Sullivan Aye***

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

513

514 ***Chair Sullivan motioned to ask the Administration to combine Volunteer Appreciation with***
 515 ***Employee Appreciation in a gathering for both groups. J. Levesque seconded the motion.***

516

517 Chair Sullivan: I am suggesting this because the volunteers rely on the employees for assistance, and
 518 they often work together. It will be cost effective, too.

519

520 J. Levesque: This is a great idea. Fewer people have been attending the Volunteer Appreciation event.

521

522 A. Walczyk: It is a good idea to combine them. We need a responsible budget. It needs to be revised
523 because it hasn't changed for a long time.

524
525 Chair Sullivan: We will need a game plan.
526

527 **Roll Call Vote #7**

528 **C. Jones Not present**

529 **C. Karolian Aye**

530 **J. Levesque Aye**

531 **R. Duhaime Not present**

532 **A. Walczyk Aye**

533 **J. Durand Aye**

534 **T. Tsantoulis Aye**

535 **A. Comai Aye**

536 **J. Sullivan Aye**

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

538

539 **PUBLIC INPUT**

540

541 Chair Sullivan: Do we have any input from the public?

542

543 D. Fitzpatrick: We had no emails as of noon today, which was the deadline.

544

545 T. Rainier: We do have a new Councilor for District 6, but I don't recall the name. I am at home and the
546 paperwork is at the office.

547

548 D. Fitzpatrick: His name is Randall Lapierre and he lives at 3 Sunburst Lane.

549

550 C. Karolian: Is that in District 6?

551

552 T. Rainier: Yes, it is.

553

554 C. Karolian: Can a Councilor have a PO Box for an address?

555

556 T. Rainier: No, you must have a physical address to register to vote. You can't live in a post office box.

557

558 C. Karolian: How do we know where someone resides?

559

560 T. Rainier: The checklist is public information and it provides physical addresses.

561

562 J. Levesque: Would you explain what happened with the District 6 election?

563

564 T. Rainier: Sure. There was a write-in tie. I sent letters to the two candidates explaining that I would be
565 doing a coin toss in their presence to determine who would take the seat. One of the candidates
566 brought the letter back, along with a letter from him declining the position. Therefore, Mr. Lapierre was
567 the winner.

568

569 **NEW BUSINESS**

570

573 **Town Council to accept the \$37,000.00 Emergency Management Performance Grant (EMPG) to**
574 **the Town of Hooksett for the Hooksett Fire-Rescue Department under RSA 31:95-b III (a); grant**
575 **funds to update the EOC Security System at the Hooksett Safety Center.**

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576

577 Chair Sullivan closed the Public Hearing on this item.

578

579 ***J. Levesque motioned to waive Town Council Rules of Procedure and vote the same night as***
 580 ***the public hearing and to accept the \$37,00.00 Emergency Management Performance Grant***
 581 ***(EMPG) to the Town of Hooksett for the Hooksett Fire-Rescue Department under RSA 31:95-b, III***
 582 ***(a). T. Tsantoulis seconded the motion.***

583

584 **Roll Call Vote #8**

585 ***J. Levesque Aye***

586 ***R. Duhaime Not present***

587 ***T. Tsantoulis Aye***

588 ***A. Walczyk Aye***

589 ***J. Durand Aye***

590 ***C. Jones Not present***

591 ***A. Comai Aye***

592 ***C. Karolian Aye***

593 ***J. Sullivan Aye***

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

595

596 Town Council to accept the United States Department of Justice, Office of Justice Programs,
 597 Bureau of Justice Assistance FY 2020 Coronavirus Emergency Supplemental Funding Program,
 598 CFDA# 16.034, Grant awarded in the amount of approximately \$58,736.00 to the Town of
 599 Hooksett for the Hooksett Fire-Rescue Department's Operating Budget and the Ambulance Fund
 600 under RSA 31:95-b III (a); grant funds to be utilized in response to the COVID-19 crisis for
 601 staffing and PPE/sanitation equipment.

602

603 ***T. Tsantoulis motioned to waive Town Council rules of procedure and vote the same night as***
 604 ***the public hearing, and to accept the United States Department of Justice, Office of Justice***
 605 ***Program, Bureau of Justice Assistance FY 2020 Coronavirus Emergency Supplemental Funding***
 606 ***Program CFDA #16.034, grant awarded in the amount of approximately \$58,736.00 to the Town***
 607 ***of Hooksett for the Hooksett Fire-Rescue Department's Operating Budget and the Ambulance***
 608 ***Fund under RSA 31:95-b, III (a); grant funds to be utilized in response to the COVID-19 crisis for***
 609 ***staffing and PPE/sanitation equipment, and to have the Council Chair sign the Certificate of***
 610 ***Authority for the Town Administrator to sign the contract. J. Levesque seconded the motion.***

611

612 C. Karolian: Has the Town received this money? Is it in our account?

613

614 A. Garron: No.

615

616 C. Karolian: Will we come back to accept the money?

617

618 A. Garron: I believe that is what you are doing now.

619

620 C. Karolian: Are we accepting a grant we haven't been awarded?

621

622 Chief Burkush: It has been awarded, pending Town Council approval.

623

624 **Roll Call Vote #9**

625 ***J. Durand Aye***

626 ***A Comai Aye***

627 ***C. Jones Not present***

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12

628 **R. Duhaime Not present**
 629 **C. Karolian Nay**
 630 **A. Walczyk Aye**
 631 **T. Tsantoulis Aye**
 632 **J. Levesque Aye**
 633 **J. Sullivan Aye**
 634 **Voted in favor (6-1).**

635
 636 **Town Council to accept the NH Governor's Office for Emergency Relief and Recovery (GOFERR)**
 637 **grant not to exceed \$346,080.00 for COVID-19 expenditures under RSA 31:95-b, III (a).**
 638
 639

640 Chair Sullivan closed the Public Hearing on this item.

641
 642 **T. Tsantoulis motioned to waive the Town Council's Rules and Procedures and to accept the NH**
 643 **Governor's Office for Emergency Relief and Recovery (GOFERR) grant in an amount not to**
 644 **exceed \$346,080.00 for COVID-19 expenditures under RSA 31:95-b, III (a) and to name Andre**
 645 **Garron, Town Administrator, as the designated signing authority for said grant. J. Levesque**
 646 **seconded the motion.**

647
 648 **Roll Call Vote #10**
 649 **C. Karolian Aye**
 650 **T. Tsantoulis Aye**
 651 **J. Levesque Aye**
 652 **C. Jones Not present**
 653 **A. Comai Aye**
 654 **J. Durand Aye**
 655 **A. Walczyk Aye**
 656 **R. Duhaime Not present**
 657 **J. Sullivan Aye**
 658 **Voted unanimously in favor (7-0).**

659
 660 **The purchase and programming of 40 portable radios and programming laptop that will replace**
 661 **the Police Department's current portable radios that are between 10-15 years old. Total cost of**
 662 **\$96,958.91 to come from the Emergency Radio Communication Capital Reserve Fund.**
 663

664 **T. Tsantoulis motioned to approve the Police Department expenditure of \$93,742.50 to Motorola**
 665 **for the purchase of 40 portable radios plus accessories; \$1,275.00 to Ossipee Mountain**
 666 **Electronics for programming and training for future programming; and \$1,941.41 to Block 5 for a**
 667 **programming laptop, for a total of \$96,958.91. A. Walczyk seconded the motion.**
 668

669
 670
 671 Chief Bouchard: Rick Belanger has done the research and preparation for this item. This is a plan to
 672 replace all portable radios, with the funds coming from the Capital Reserve account.

673
 674 C. Karolian: Thank you for the background information and all of your hard work. You said you had an
 675 issue with the Kenwood radios when turning them on and off?

676
 677 R. Belanger: Yes.

678
 679 C. Karolian: You said "a while." How long is "a while"?
 680

681 R. Belanger: About five seconds. This is not common and the Kenwood representative was not able to
 682 explain it. This has never been seen. The Motorola radios all powered up instantly.
 683
 684 C. Karolian: Are you recommending the \$7,000 radios?
 685
 686 R. Belanger: No, we are recommending the \$4,000 radios. The Fire Department has the more expense
 687 radios. We don't need all of the bells and whistles.
 688
 689 A. Walczyk: Thank you for your presentation. You have 42 radios now. Why are you purchasing only
 690 40?
 691
 692 R. Belanger: We have 50+ radios but have had to part-out some of them. If one breaks today, we are
 693 short one radio.
 694
 695 A. Walczyk: Should you be ordering more?
 696
 697 R. Belanger: We are comfortable with 40. We were going to get 35, but were able to get 40 for less
 698 than the original price of 35.
 699
 700 A. Walczyk: You are getting a laptop only for programming the radios? Can the manufacturer do the
 701 programming for you?
 702
 703 R. Belanger: They charge \$50 for each time they program a radio. We have 70 radios which have to be
 704 programed once each year. We will save money with the laptop.
 705
 706 T. Tsantoulis: I am curious. Why do you shut off the radios?
 707
 708 R. Belanger: It is because of feedback.
 709
 710 C. Karolian: Do the officers have mics or earpieces?
 711
 712 R. Belanger: They all have collar mics; some have earpieces. The radios work with either one.
 713
 714 C. Karolian: You turn them off, not just down?
 715
 716 R. Belanger: Yes.
 717
 718 A. Garron: I want to commend Mr. Belanger for getting a 30% discount.
 719
 720 R. Belanger: Actually, it is more than 30%, which is the State bid discount amount. We received more
 721 of a discount because of the volume purchase.
 722

Roll Call #11

724 T. Tsantoulis Aye
 725 J. Levesque Aye
 726 J. Durand Aye
 727 C. Jones Not present
 728 C. Karolian Aye
 729 A. Walczyk Aye
 730 R. Duhaime Not present
 731 A. Comai Aye

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14

732 J. Sullivan Aye
733 Voted unanimously in favor (7-0).
734

735 **Vision Software Upgrade**
736

737 ***A. Walczyk motioned to waive the competitive bid process and approve a \$31,200 contract with***
738 ***Vision Government Solutions to upgrade the CAMA software to V8 in June 2020 and have the***
739 ***Town Administrator sign the contract. T. Tsantoulis seconded the motion.***
740

741 A. Garron: This was in the budget last year, but put off. The company no longer supports the assessing
742 software that we have. Vision is used by many towns in New Hampshire and is the only creator of this
743 software, so there is no competitive bid process. This will be paid for from savings on health premiums.
744

745 **Roll Call Vote #12**

746 ***A. Comai Aye***

747 ***A. Walczyk Aye***

748 ***J. Durand Aye***

749 ***C. Karolian Aye***

750 ***J. Levesque Aye***

751 ***T. Tsantoulis Aye***

752 ***R. Duhaime Not present***

753 ***C. Jones Not present***

754 ***J. Sullivan Aye***

755 ***Voted unanimously in favor (7-0).***
756

757 **DPW / Recycling and Transfer Division Truck Tractor Purchase**
758

759 ***J. Levesque motioned to approve and consent the purchase of a Truck Tractor from Liberty***
760 ***International Trucks of New Hampshire for \$106,345.00 (including the trade-in of the existing***
761 ***Truck Tractor), funds to come from the Solid Waste Disposal Special Revenue Fund. T.***
762 ***Tsantoulis seconded the motion.***
763

764 A. Garron: This is part of the planned replacement.
765

766 C. Karolian: Was there a trade-in amount? I don't see it.
767

768 E. Labonte: It is \$25,0000.
769

770 C. Karolian: Did you look into others?
771

772 E. Labonte: We looked at several, including Peterbilt and Freightliner.
773

774 C. Karolian: Did Liberty International give you the best price, including the trade-in?
775

776 E. Labonte: Yes.
777

778 C. Karolian: Is the motor an International or a Cummings?
779

780 E. Labonte: That information is in the specs in your packet.
781

782 C. Karolian: I didn't read that. Why don't you tell me what it is?

783

E. Labonte: It is an International.

785

Roll Call Vote #13

787 **C. Karolian Aye (reluctantly)**

788 **A. Comai Aye**

789 **T. Tsantoulis Aye**

790 **J. Levesque Aye**

791 **A. Walczyk Aye**

792 **R. Duhaime Not present**

793 **J. Durand Aye**

794 **C. Jones Not present**

795 **J. Sullivan Aye**

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

797

Purchase of Front End Loader

799

800 **J. Levesque motioned to approve and consent the purchase of a Front End Loader from**
801 **Chadwick-BaRoss for \$102,247.00 (with the trade-in of the existing front end loader). A. Comai**
802 **seconded the motion.**

803

804 J. Levesque: Do you have two front end loaders now?

805

806 E. Labonte: We have one at DPW and two at the Transfer Station.

807

808 C. Karolian: Did you get other quotes?

809

810 E. Labonte: Yes. We had quotes from John Deere and Caterpillar and Case.

811

Roll Call Vote #14

813 **R. Duhaime Not present**

814 **J Durand Aye**

815 **C. Jones Not present**

816 **J. Levesque Aye**

817 **A. Walczyk Aye**

818 **A. Comai Aye**

819 **C. Karolian Aye (reluctantly)**

820 **T. Tsantoulis Aye**

821 **J. Sullivan Aye**

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

823

Presentation - Update on Pavement Management

825

826 A. Garron: In June 2019, we began the RFP process for pavement management, and in September we
827 contracted with the BETA Group to analyze the condition of Hooksett roads and to development a
828 Roadway Management program. Conrad Leger from the BETA Group Manchester office is here tonight
829 with a PowerPoint presentation.

830

831 C. Leger: Thank you for having me here. BETA Group is a full-service engineering firm, working with
832 170 New England communities on GIS Mapping and Asset Management. The condition of Hooksett
833 roads is decent overall, and we would like to maintain that. Our goal is to help communities plan

834 pavement maintenance and rehabilitation to maximize the value and life of the roads. It is cost effective
835 to keep roads in good condition. BETA Group helps communities through the four steps in the roadway
836 management process. The first is Roadway Inventory and GIS Mapping. The second is Field
837 Inspection. Third is a Summary of Existing Conditions, and the last is System Maintenance.

838
839 C. Leger: The three levels of roadwork - maintenance, surface and structural – have a correlating
840 increase in cost. A road needing no maintenance has no cost. A road requiring only routine
841 maintenance costs \$0.50 per square yard to maintain, while a road needing preventative maintenance
842 has a \$6.00 per square yard cost. Minor rehabilitation costs \$14.00 per square yard, and \$40.00 per
843 square yard is the cost for major renovation. The Roadway Inventory and GIS Mapping are done with
844 Machine Learning Technology, using cell phones mounted on cars to give non-biased, cost effective,
845 high resolution photos every ten feet. Each segment is categorized from 0 to 100. We determined that
846 Hooksett has about 82.48 miles of roads. We looked at 77.56 miles of these roads (excluding private
847 and State roads) and calculated a Road Surface Rating (RSR) of 78.64%. The regional average is
848 between 70 & 75%. The cost for backlog at this time is \$6.29 million; that is just the paving cost – curb
849 to curb - and does not include drainage, sidewalks or ramps. Looking at a five-year CIP funding
850 scenario, it will cost \$900,000 per year to maintain the current rating.

851
852 B. Thomas: We plan to use this data for many years to come. In your packets, Hooksett roads are listed
853 alphabetically and also in order by quality – worst to best. We plan to work on West Stearns Avenue,
854 Morse Drive, Memory Lane and Leda Avenue next year.

855
856 Chair Sullivan: How much is budgeted for road maintenance?

857
858 E. Labonte: It is \$600,000, down a bit this year.

859
860 C. Ledger: Your goal should be to maintain the rating of 78.64%.

861
862 A. Walczyk: We are at 78% and I would like us to shoot for 80%. We are at a tipping point. We are
863 digging a hole with the current \$600,000 per year.

864
865 A. Comai: That was a great presentation. Do you have testimonials from communities?

866
867 C. Leger: I do not have testimonials, per se, but I have been working for BETA Group for over eight
868 years and have seen lots of great results, many in Massachusetts. Communities which have followed
869 an aggressive plan have seen great results.

870
871 **Riverside Drive Fire Station Driveway Improvements Project Award for \$52,234.00**

872
873 ***T. Tsantoulis motioned to waive the requirement of three competitive bids and to award the***
874 ***Riverside Drive Fire Station Driveway Improvements Project to Advanced Excavating and***
875 ***Paving, LLC for the Base Bid and Additive Alternative in the amount of \$52,234.00. A. Walczyk***
876 ***seconded the motion.***

877
878 C. Karolian: We need to keep our eye on the ball for finances next year. We are not sure what the
879 revenue deficit might be because of COVID-19. We have to be careful where we spend money. Does
880 this include expanding the driveway, as well as digging up and repaving?

881
882 B. Thomas: The widening is on the right side of the building.

883
884 C. Karolian: Looking at the photo, this driveway looks better than some of the roads in town. Why are
885 we repaving it?

886

887 B. Thomas: If you look at the sketch on page 154 of your packet, three concrete pads will be installed at
888 the front of the three bay doorways. This is because of a settling problem.

889

890 T. Tsantoulis: Are the concrete slabs transitional slabs? What is their purpose?

891

892 B. Thomas: The concrete slabs will distribute the weight of the heavy trucks.

893

894 C. Karolian: Will A & E do the concrete work too?

895

896 B. Thomas: They are pre-cast. They will be delivered and A & E will install them. Reclaimed materials
897 from the digging up of the driveway will be used in the paving project.

898

899 **Roll Call Vote #15**

900 **A. Comai Aye**

901 **C. Jones Not present**

902 **A. Walczyk Aye**

903 **J. Durand Nay**

904 **R. Duhaime Not present**

905 **T. Tsantoulis Nay**

906 **J. Levesque Aye**

907 **C. Karolian Nay**

908 **J. Sullivan Aye**

909 **Voted in favor (4-3).**

910

911 ***T. Tsantoulis motioned to extend the meeting at 9:30 pm. A. Comai seconded the motion.***

912

913 **Roll Call Vote #16**

914 **A. Walczyk Aye**

915 **J. Levesque Aye**

916 **C. Jones Not present**

917 **R. Duhaime Not present**

918 **J. Durand Nay**

919 **C. Karolian Nay**

920 **T. Tsantoulis Aye**

921 **A. Comai Aye**

922 **J. Sullivan Aye**

923 **Voted in favor (5-2).**

924

925 **Lilac Bridge Memorial – Request for Permission to Sign Contract for \$85,000 to construct a**
926 **memorial to the Lilac Bridge**

927

928 B. Thomas: A condition of receiving over \$300,000 from the State for the new bridge was that we
929 construct a memorial to the Lilac Bridge. An RFP was issued and we received three proposals. The
930 committee to review the proposals was made up of myself, Andre Garron, Earl Labonte, Nick Williams,
931 John Giotas of the Heritage Commission, Brian Baer of the Historical Society and Debbie Disston,
932 Director of the McIninch Art Gallery at SNHU. One proposal was withdrawn. We unanimously voted in
933 favor of the proposal from No Limits Metalworks, and we asked Shawn Dudek of No Limits to 'sharpen
934 his pencil' in an effort to reduce the price. His plan called for four benches and the project calls for
935 three, and we agreed to help him load the materials, so he was able to reduce the cost from \$90,000
936 from \$85,000. There is a diagram of the project layout in your packets. The benches will be to the left of

937 the paved pathway. The idea is to adapt old pieces of the bridge to make it look like the original. No
 938 Limits unanimously matched the vision of the committee. They are the best fit and have excellent
 939 recommendations.

940

941 Chair Sullivan: What about rust?

942

943 B. Thomas: Rust remediation will be done via encapsulation.

944

945 J. Levesque: What will you do to guard against theft?

946

947 S. Dudek: The parts will be well-secured. They are heavy and bulky – not easy to steal.

948

949 B. Thomas: There are two plaques, one small and one large. The design will mimic the original with
 950 some new materials.

951

952 S. Dudek: The small plaque will sit on a fence made from pieces of the old bridge, whenever possible.

953

954 B. Thomas: It will be on a concrete foundation and secured there.

955

956 C. Karolian: One vendor dropped out. You asked No Limits to 'sharpen his pencil'. Did you afford the
 957 same opportunity to the other vendor to 'sharpen his pencil'?

958

959 B. Thomas: Not exactly. The other vendor, B. Renaud Brothers, revised his quote to \$90,000 on his
 960 own. We were trying to pick the most qualified, the one who could do the best job with the project.

961

962 C. Karolian: You didn't ask that of Renaud, to 'sharpen his pencil'? Doesn't that leave them at a
 963 disadvantage? A bid process is a bid process. You afforded No Limits the opportunity to 'sharpen' his
 964 pencil without affording Renaud the same opportunity?

965

966 Chair Sullivan: This is more like a design review. They all didn't have the same project. This is about
 967 artistic vision, not just the price.

968

969 B. Thomas: No Limits had the best qualifications.

970

971 C. Karolian: So, this was not based on artistic value but on the company's reputation? I'm troubled by
 972 the fact that you hadn't picked one over the other. You interviewed both of them and afforded one the
 973 opportunity to 'sharpen his pencil' but didn't afford the other the same opportunity.

974

975 B. Thomas: That is not entirely true. The \$34,000 bid didn't provide the cost for lead abatement and
 976 then withdrew. Renaud adjusted his price before we asked him to.

977

978 C. Karolian: You interviewed both. Then you afforded Vendor B the opportunity to 'sharpen his pencil'
 979 without affording Vendor A the opportunity to sharpen his. I assume the requirements were in the bid
 980 documents.

981

982 B. Thomas: Lead abatement was not in the RFP.

983

984 C. Karolian: How can vendors know what you want and adjust their prices accordingly if they don't have
 985 that information?

986

987 A. Garron: Lead was not an issue we thought of considering. It came up during the interviews. Shawn's
 988 plan artistically matched our vision.

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989
 990 C. Karolian: Was the artistic aspect discussed?
 991
 992 A. Garron: It was discussed with all three, and Shawn's concept best fit the direction we wanted to go.
 993
 994 S. Dudek: My price only came down a couple of days after the interview.
 995
 996 C. Karolian: The other vendor must have had four benches. They were not afforded the opportunity to
 997 adjust their bid, artistically or dollar-wise?
 998
 999 Chair Sullivan: The committee liked Shawn's design over the other one. It was unanimous.
 1000
 1001 B. Thomas: Exactly.
 1002
 1003 A. Garron: The other vendor was offered the loading of materials, too.
 1004
 1005 B. Thomas: The vendor who dropped out wanted the materials delivered to the site.
 1006
 1007 C. Karolian: Did B. Renaud Brothers' design call for four benches?
 1008
 1009 B. Thomas: No, it had three benches. The concept of the artistic factor was in the RFP.
 1010
 1011 C. Karolian: Did the other bidder come down in price?
 1012
 1013 B. Thomas: Yes, they came down to \$90,000, but not at our request.
 1014
 1015 ***A. Walczyk motioned to allow the Town Administrator to sign a contract with No Limits***
 1016 ***Metalworks in the amount of \$85,000.00 to build the monument to the Lilac Bridge. J. Levesque***
 1017 ***seconded the motion.***
 1018
 1019 **Roll Call Vote #17**
 1020 ***T. Tsantoulis Aye***
 1021 ***C. Jones Not present***
 1022 ***R. Duhaime Aye***
 1023 ***A. Walczyk Aye***
 1024 ***J. Levesque Aye***
 1025 ***C. Karolian Nay***
 1026 ***J. Durand Nay***
 1027 ***A. Comai Aye***
 1028 ***J. Sullivan Aye***
 1029 ***Voted in favor (5-2).***
 1030
 1031 **Lilac Bridge Memorial – Permission to Place Monument on State Property**
 1032
 1033 ***T. Tsantoulis motioned to table this item. J. Durand seconded the motion.***
 1034
 1035 **Roll Call Vote #18**
 1036 ***J. Durand Aye***
 1037 ***J. Levesque Nay***
 1038 ***C. Karolian Aye***
 1039 ***A. Comai Aye***

1040 **C. Jones** *Not present*
 1041 **T. Tsantoulis** *Aye*
 1042 **A. Walczyk** *Nay*
 1043 **R. Duhaime** *Not present*
 1044 **J. Sullivan** *Nay*
 1045 **Voted in favor (4-3).**

1046
 1047 **ADJOURNMENT**

1048 **Chair Sullivan motioned to adjourn at 10:04 pm. C. Karolian seconded the motion.**

1049
 1050 **Roll Call Vote #7**

1051 **C. Jones** *Not present*
 1052 **C. Karolian** *Aye*
 1053 **J. Levesque** *Aye*
 1054 **R. Duhaime** *Not present*
 1055 **A. Walczyk** *Nay*
 1056 **J. Durand** *Aye*
 1057 **T. Tsantoulis** *Aye*
 1058 **A. Comai** *Aye*
 1059 **J. Sullivan** *Nay*
 1060 **Voted in favor (5-2).**

1061
 1062 Respectfully submitted,

1063 *Kathleen Donnelly*

1066 Kathleen Donnelly

1067 Recording Clerk

1068

1069

1070

1071

1072

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