



# **AGENDA**

## **Town of Hooksett Town Council**

### **Wednesday, September 9, 2020 at 6:00 PM**

A meeting of the Town Council will be held Wednesday, September 9, 2020 in the Hooksett Municipal Building commencing at **6:00 PM**.

Page

1. **CALL TO ORDER**
2. **PROOF OF POSTING**
3. **ROLL CALL**
4. **PLEDGE OF ALLEGIANCE**
5. **AGENDA OVERVIEW**
6. **PUBLIC HEARINGS**
  - 6.1. Public Hearing to accept the donation of Personal Protective Equipment, Hand sanitizer, and Thermometers from Ocean State Job Lot, valued at \$11,150.00, to the Town of Hooksett for the Hooksett Police and Fire Departments per RSA 31:95-e II. (see item 15.1 for details) 5 - 8  
[Staff Report - SR-20-169 - Pdf](#)
7. **SPECIAL RECOGNITION**
  - 7.1. Hooksett Municipal Employee - New Hire
8. **SCHEDULED APPOINTMENTS**
9. **CONSENT AGENDA**
10. **TOWN ADMINISTRATOR'S REPORT**
11. **PUBLIC INPUT - 15 MINUTES**
12. **NOMINATIONS AND APPOINTMENTS**
13. **BRIEF RECESS**
14. **OLD BUSINESS**
  - 14.1. Recommended Changes to the Administrative Code to Add Section for Procurement of Professional Services. 9 - 17  
[Staff Report - SR-20-162 - Pdf](#)
  - 14.2. Town Council Technology Update 19  
[Staff Report - SR-20-170 - Pdf](#)
  - 14.3. Proposed Charter Amendment 21 - 23  
[Staff Report - SR-20-171 - Pdf](#)
  - 14.4. NHMA Legislative Policy Process 2021-2022 25 - 37  
[Staff Report - SR-20-177 - Pdf](#)
  - 14.5. Administrative Code Update - Cellular Phones in the Workplace 39 - 49

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

**15. NEW BUSINESS**

- 15.1. To accept the donation of Personal Protective Equipment, Hand sanitizer, and Thermometers from Ocean State Job Lot, valued at \$11,150.00, to the Town of Hooksett for the Hooksett Police and Fire Departments per RSA 31:95-e II. 51 - 53  
[Staff Report - SR-20-168 - Pdf](#)
- 15.2. Town Wide Road Line Striping Bid Acceptance 55 - 63  
[Staff Report - SR-20-172 - Pdf](#)
- 15.3. Appoint ADA Coordinator and Adopt ADA Public Notice & ADA Grievance Procedure 65 - 68  
[Staff Report - SR-20-155 - Pdf](#)
- 15.4. University Commons Street Name Approval 69 - 72  
[Staff Report - SR-20-174 - Pdf](#)
- 15.5. Autumn Frost Subdivision Street Name Approval 73 - 77  
[Staff Report - SR-20-175 - Pdf](#)
- 15.6. Street Name Approval for property located near Allenstown Line, Owner requires access to new construction of a livestock barn 79 - 82  
[Staff Report - SR-20-154 - Pdf](#)
- 15.7. Administrative Code Update - New Social Media Policy 83 - 91  
[Staff Report - SR-20-179 - Pdf](#)
- 15.8. Town Administrator Goals 2020-2021

**16. APPROVAL OF MINUTES**

- 16.1. Public: 07/15/2020 93 - 109  
[TC Minutes 07152020](#)
- 16.2. Public: 08/12/2020 Workshop 111 - 119  
[TC WORKSHOP MINUTES 08.12.2020\[11371\]](#)
- 16.3. Public: 08/13/2020 Special Meeting 121 - 123  
[TC Special Meeting Minutes 08132020](#)
- 16.4. Public: 08/26/2020 125 - 140  
[TC Minutes 08262020](#)
- 16.5. Non-Public: 08/13/2020

**17. SUB-COMMITTEE REPORTS**

**18. PUBLIC INPUT**

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

**20. 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.

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

2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.
4. Council members may request a comment be added to New Business at a subsequent meeting.
5. No one may speak during Public Input except the person acknowledged by the Chair. Direct questions or comments from the audience are not permitted during Public Input.

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



## Town Council STAFF REPORT



**To:** Town Council  
**Title:** Public Hearing to accept the donation of Personal Protective Equipment, Hand sanitizer, and Thermometers from Ocean State Job Lot, valued at \$11,150.00, to the Town of Hooksett for the Hooksett Police and Fire Departments per RSA 31:95-e II.  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Police Department  
**Staff Contact:** Jake Robie, Captain

### BACKGROUND INFORMATION:

On August 19, 2020 representative of the Hooksett Fire and Police Departments meet with Sean Kirk (Team Leader) of Ocean State Job Lot to pick up a generous donation of items listed below and the retail value of each items.

Each department received:

3,000 surgical masks (retail value \$1200)  
1,600 KN95 masks (retail value \$3200)  
20 gallons of hand sanitizer (retail value \$600)  
10 face shields (retail value \$50)  
15 infrared non-contact thermometers (retail value \$525)  
Total retail value per department = \$5,575  
x2 since each dept is receiving their own separate donation  
Total retail value per town = \$11,150

These items will be used to protect staff and the public during the COVID-19 pandemic.

See attached letter from the Marc Perlman, Principal Owner and CEO of Ocean State Job Lot.

A Public Hearing Notice was published in the Union Leader a minimum of seven days prior to the hearing date.

### FINANCIAL IMPACT:

None

### POLICY IMPLICATIONS:

None

### RECOMMENDATION:

Open public hearing, close public hearing and see new business.

### TOWN ADMINISTRATOR'S RECOMMENDATION:

See public hearing information

**ATTACHMENTS:**

[Letter From Principal Owner and CEO](#)  
[Union Leader - Public Notice](#)



July 24, 2020

To Fire Chiefs and Police Chiefs in the Communities We Serve,

It's been a few months since we've been in touch; we hope this letter finds you, your families, and your departments healthy and well.

As COVID-19 guidelines evolve, we understand that you are facing new challenges. We are pleased to be able to make another contribution of PPE to your departments, thanks to Ocean State Job Lot customers who have been giving generously at our registers, and the efforts of our company's buyers to source these essential supplies.

Please accept our donation of 1,600 KN95 masks, 3,000 surgical masks, twenty (20) gallons of hand sanitizer, ten (10) face shields, and fifteen (15) infrared non-contact thermometers. To the extent that some of these supplies may be excess to your needs, please feel free to share them with the organizations in your community that you feel are most appropriate.

On behalf of everyone at Ocean State Job Lot, thank you for all that you and your teams do every day.

Your friends at Ocean State Job Lot,

A handwritten signature in black ink, appearing to read "M. Perlman", written over a horizontal line.

Marc Perlman  
Principal Owner and CEO

Ad Copy

**Town of Hooksett  
Public Hearing Notice**

The Hooksett Town Council will be holding a public hearing on Wednesday, September 9, 2020, at 6:00 pm at the Hooksett Town Hall in Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept the donation of PPE, Hand Sanitizer, and Thermometers valued at \$11,150.00 for the Hooksett Fire and Police Departments. For further information, please contact Captain Jake Robie at [jrobie@hooksettpolice.org](mailto:jrobie@hooksettpolice.org) or 603-624-1560.  
(UL - Aug. 30)



## Town Council

# STAFF REPORT



**To:** Town Council  
**Title:** Recommended Changes to the Administrative Code to Add Section for Procurement of Professional Services.  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Community Development  
**Staff Contact:** Bruce Thomas, Town Engineer

### BACKGROUND INFORMATION:

A new section for procurement of professional services to be added to the Administrative Code is being proposed by the Town Engineer. The proposed changes were presented to the Town Council at their workshop held on August 12th. Three issues were brought up at the workshop and are addressed with this presentation.

The first issue is that there was a discrepancy between the selection of professional services between the proposed additional wording and the existing wording in Section 5.3.2. This has been resolved by removing the proposed wording on the Professional Services section. The requirements in the Professional Services section now only address procurement of services over \$15,000.

The second issue is to add Professional Services as an exception to the existing requirements in Section 5.3.2. This statement is added at the end of the 5.3.3 Special Exceptions section ("Professional services over \$15,000 shall be secured as outlined in Section 5.3.6").

The third issue is the list of selection criteria at the in the Professional services section. I added "other factors as deemed necessary" as the last item on the list. I did not remove any but would note that the paragraph before the list states that "Where applicable to a particular project, factors **such as the following** shall be used in tentatively selecting a firm". This allows the Town some flexibility in selecting the specific criteria needed for the proposed project.

### FINANCIAL IMPACT:

None

### POLICY IMPLICATIONS:

Changes to the procurement requirements in the Administrative Code

### RECOMMENDATION:

Approve changes to the procurement requirements set forth in the Administrative Code.

### SUGGESTED MOTION:

Motion to approve changes to the procurement requirements set forth in the Administrative Code as presented and modified by the Town Council.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur-Establishes a procurement process to evaluate and select professional services. These are the type of services that should not solely be reviewed based on being the lowest bidder, but to include in the selection process the skillset, experience and track record of the firm for the various types of services identified in the proposal.

**ATTACHMENTS:**

[Procurement CHanges for TC Meeting 8-26-20](#)

# TOWN OF HOOKSETT

## ADMINISTRATIVE CODE

Adopted: January 29, 1992



Amended  
April 7, 2020 BAT Draft

**5. Administrative Financial Policies and Procedures.**

- 5.1 Cooperation between Departments.** If possible, it is the duty of every department, subject to approval of the Administrator, to furnish to any other department such service, equipment, labor and materials as may be needed to perform necessary operations. Expenses will be assigned to the appropriate budget when such considerations are germane.
- 5.2 Payment of Monies.** All monies withdrawn from the Town General Fund shall be authorized by the Town Administrator and/or his/her designee. Withdrawals may be in the form of a check, wire transfer, ACH transfer or other type of electronic banking format used by the Town Treasurer.
- 5.3 Purchasing Procedures.** The purchase of all equipment and supplies not taken out of petty cash fund may require the use of standardized purchase orders and varying levels of control dependent upon the dollar amounts.
- 5.3.1 Purchase Orders.** Purchase orders shall be used for all purchases of goods and services, including contractual, that in aggregate or individually are \$3,001 or more as required by the Town Administrator or recommended by the Finance Director. It is the responsibility of the department head to complete an electronic purchase order and submit it to the Town Administrator or his/her designee for approval, along with a description of, and reason for, the purchase. This applies to all items whether being purchased by grant, operating budget, warrant article, capital reserve or other funds.
- 5.3.2 Approval of Purchases.** The level of approval required on a specific purchase shall vary depending upon its dollar amount. Total contract or job amounts should be used when determining thresholds. The thresholds do not include costs for shipping/freight.

**Artificial Division Prohibited** – Purchases shall not be artificially divided so as to create lower purchase amounts and therefore avoid some requirement of this policy. Whether or not a proposed purchase constitutes artificial division shall be determined by the Town Administrator.

**Amount**  
\$0 - \$3,000

**Approval Level**  
Department Head

Purchase up to \$3,000 – The Department Head shall have full authority to make department purchases of goods or services up to \$3,000, which are

identified within the department's annual budget. Electronic purchase orders are not required for purchases up to \$3,000.

<u>Amount</u>	<u>Approval Level</u>
\$3,001 - \$15,000	Town Administrator after three competitive quotes or bids required.

Purchases between \$3,001 and \$15,000 – The Department Head shall contact as many vendors as necessary in order to obtain at least three (3) written or verbal quotations or shall issue a request for proposals if required by the Town Administrator. All verbal quotes shall be documented by date, vendor contact information and dollar amounts. The Department Head shall prepare a purchase order for authorization by the Town Administrator, thereby requesting approval of their recommended vendor. In the event less than three (3) quotations are available; evidence of the attempt to obtain them should be attached.

<u>Amount</u>	<u>Approval Level</u>
\$15,001 and over	Town Council after three competitive bids

Purchases Above \$15,001 – Purchases having an estimated cost in excess of \$15,001 shall be bid pursuant to the Competitive Bid Process established in this regulation under Section 5.3.5.

The results of the three competitive quotes or bids required for purchases and contracts over \$15,000 shall be attached to the purchase order request to the Town Administrator. If Council's approval is required, the Town Administrator in conjunction with the requesting Department Heads shall present the bids for Council review and disposition.

If the Council has voted to make a purchase or enter into a contract, the Administrator shall carry out the vote of the Council and enter into such transaction on behalf of the Town.

**5.3.3 Special Exceptions.** No purchase orders are required for the following items:

- Utilities (telephone, propane, heating fuel, cable, electricity, etc.)
- Welfare payments
- Vehicle repairs
- Human service agencies and associations that have their own line item within the approved budget.

No competitive bids shall be required when only one known sources of purchase, and there is no comparable substitute product or services; written documentation supporting the sole source may be required by the Town Administrator.

No competitive bids shall be required when purchasing through the State of New Hampshire or at State of New Hampshire bid prices per Section 5.12 of the Town Charter.

No competitive bids shall be required when purchasing through a Town Council approved Cooperative Purchasing Program. Cooperative purchasing programs are arrangements to agree to aggregate demand to get lower prices from selected suppliers. Co-ops are doing competitive bidding for the government. The co-op's fees are paid by the contractors. It is often used by government agencies to reduce costs of procurement and makes the procurement process more efficient. ***See Exhibit F for a list of approved Cooperative Purchasing Programs.***

No competitive bids shall be required for GSA Purchases – Federal Supply Service GSA Advantage [www.GSAAdvantage.gov](http://www.GSAAdvantage.gov) and [www.fss.gsa.gov](http://www.fss.gsa.gov) authorized Federal Supply Schedule Price List.

Requirements for three competitive bids may be waived in specific instances by a 2/3 vote of the Council per Section 5.12 of the Town Charter.

**Professional services over \$15,000 shall be secured as outlined in Section 5.3.6.**

- 5.3.4 Emergency Procurements** Emergency procurements may be made when a threat to public health, welfare or safety exists, provided that such emergency procurement shall be made with such competition as is practical under the circumstances.

In case of an emergency requiring immediate purchase of materials, supplies, equipment or services, the Town Administrator hereby authorizes the Department Heads to approve such emergency purchase if the situation permits. The Town Administrator shall be notified as soon as possible as to the emergency and the associated purchases. A written determination for the basis of the emergency and for the selection of the particular contractor or vendor shall accompany the purchase order and voucher. As soon as is practicable, standard purchasing procedures will be reinstated.

- 5.3.5 Competitive Bid Process.** A competitive bid process must be followed if the procurement of goods or services involves expenditures of more than \$15,000.

- A. The Administration Department is responsible for the release of all bids. The Town Administrator shall ensure that the requesting



department provides all relevant information for the time preparation and release of bids to be forwarded to the Finance Department.

- B. The Request for Proposal (RFP) must include:
  - a. Listing of required specifications.
  - b. Adequate public notice, of a minimum of seven (7) calendar days prior to the date set for the opening of the bids; notice shall include the town website and newspaper advertisement.
  - c. Dates for release of bid, return of bid and public bid opening.
  - d. A statement reserving the right to cancel or reject a bid.
- C. The bid shall be awarded to the lowest bidder that meets the specifications and submits proper bond requirements if applicable. The low bidders will receive the award unless supporting information presented recommends another bid. The Town Administrator shall make the final decision if supporting information justifies other than the low bid be awarded. Local advantage will be considered, but not mandated.
- D. The RFP, invitation to bid, as well as the bid award notices shall be sent from the Department to the Bid Winner, Finance Department and the Town Administrator.
- E. The Town of Hooksett may accept guaranteed rates for goods or services; however it is not obligated to purchase from the guaranteed rate vendor if a lower price is available.

### **5.3.6 Professional Services**

The procurement of accounting, architectural, auditing, engineering, financial, legal, data processing, medical services and independent consultant services for personnel, insurance and actuarial planning and management, human resource and public relations, and other services that are based primarily on qualifications may be accomplished using the following procedures:

(A) Professional services \$15,000 or less. The Department Head with the Town Administrator's approval may solicit one or more proposals for the procurement of professional services at a fee which is deemed fair and reasonable. The Department Head or Designee will document the basis of the procurement in the project file. In no case shall more than three awards be made to the same vendor in any 12 months without the prior written notification to the Town Administrator.

(A) Professional services \$15,000 or less. Refer to requirements in Section 5.3.2.

(B) Professional services **greater than \$15,000.** A formal request for proposal process shall be used. The Department Head or Designee shall develop a request for proposals to include terms, conditions, scope of service, desired results, end product and consultant qualification. Selection criteria and the method of determining a final fee by the **Town** will be included in the request for proposals.

If desired, this process can be accomplished in a separate request for qualification phase and a request for proposals phase. In this case, a preliminary Request for Qualifications (RFQ) will be solicited. Consultants will be shortlisted based on the results of the RFQ and the shortlisted Consultants will be invited to submit proposals.

The request for proposal process shall include the following:

- (1) Adequate public notice of a minimum of ten business days prior to the date established for the receipt of qualifications and/or proposals shall be provided. Such notice shall be posted on the Town website and published in a newspaper of general circulation.
- (2) A minimum of three proposals, if available, shall be evaluated and selection made based on demonstrated competence, qualifications and project approach for the services required. Where applicable to a particular project, factors **such as the following** shall be used in tentatively selecting a firm:
  - (a) Specific experience with similar projects.
  - (b) Specific experience with earlier phases of the same project.
  - (c) Background and experience of staff members who would be assigned to the job.
  - (d) Availability.
  - (e) Locality of firm.
  - (f) Ability to communicate ideas.
  - (g) Ability to supply all of the major disciplines necessary to perform the work.
  - (h) Qualifications of subcontractors/ subconsultants.
  - (i) Conceptual design/project approach.
  - (j) Accuracy of the firm in estimating time and cost requirements.
  - (k) Responsiveness to requirements contained in the RFP.
  - (l) Financial capabilities of the firm.
  - (j) Other factors as deemed necessary.**



- (3) The Department Head or Designee may interview one or more of the proposers in order to clearly understand the proposers qualifications and the submitted proposal.
- (4) Selection criteria **will** be established in order to determine the best overall proposal. The criteria may incorporate a weighting system for the proposals received.
- (5) Fees for professional services are an important consideration, which must not be taken lightly. However, selection shall be ultimately based on demonstrated competence, qualifications and project approach at a reasonable fee. Depending on the complexity of the project, the purchasing agency may utilize one of the following procedures to determine a fee:
  - (a) The fee can be requested as part of the requested proposal and considered in imitatively selecting a firm.
  - (b) A multi-step sealed procurement can be requested where the sealed fee is not opened until a proposer has been tentatively selected.
  - (c) A fee can be negotiated after a proposer has been selected and a final scope of services has been determined.
- (6) If necessary, the Department Head or Designee may negotiate with one or more responsive firms in order to make a tentative selection. Once a tentative selection has been made, a final scope of services and fee shall be negotiated with the selected firm in order to enter into a contract deemed to be in the best interest of the **Town**.
- (7) On award, all contracts for professional services shall be formalized in a written agreement signed by the applicant, and the Town Administrator (subject to the approval of the Town Council if required). A Town Purchase Order will also be required.

**5.4 Payment for Goods or Services.** Request for payment for any product or service shall be sent to the Finance Department.

Payment for any purchase over \$3,001 will NOT be processed without a Purchase Order that must accompany the invoice.

Departments are responsible for obtaining new vendor information through form W-9.

If any item or service purchased is not acceptable, arrangements must be made for a return for credit or an exchange. A cash refund is prohibited unless the vendor insists that a refund must be by cash, and then the



## Town Council **STAFF REPORT**



---

**To:** Town Council  
**Title:** Town Council Technology Update  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Administration  
**Staff Contact:** Nick Germain, Project Coordinator

### **BACKGROUND INFORMATION:**

At the August 12th workshop, Councilors were told about some potential technology upgrades for chambers, councilors, and the gym space. This would include improving audio quality and ergonomics in chambers, procuring mobile data devices for councilors, and outfitting the gym for use as a public meeting space (AV, network, and/or recording).

Administration will be looking into these topics with more depth in the coming weeks, including a brief survey of councilors for their technology preferences.

### **FINANCIAL IMPACT:**

Consider any estimates or quotes acquired by September 9th.

### **POLICY IMPLICATIONS:**

1. Computers devices would potentially radically innovate the way council interacts with the agenda
2. Policies and physical adjustments for the gym space and chambers would have to be established if implemented

### **RECOMMENDATION:**

Listen to any updates available. Staff will attempt to provide details as they come in.

### **TOWN ADMINISTRATOR'S RECOMMENDATION:**

Update of project



# Town Council

## STAFF REPORT



**To:** Town Council  
**Title:** Proposed Charter Amendment  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Administration  
**Staff Contact:** Nick Germain, Project Coordinator

### BACKGROUND INFORMATION:

#### Currently Proposed Charter Amendments

Sec. 3.1. Membership; Term of Office.

*".... Councilors shall take office ~~July 1st~~ [April 1st or May 1st] next following their election and shall hold office until successors are duly elected and qualified."*

**Explanation:** Changing this would mean councilors could start their terms in the April or May following their election versus the next July thereafter. Appointees to council would also have their end of term dates align with this as well.

Sec. 10.2. Term Commencement; Notice of Election or Appointment.

*"B. Unless otherwise set forth in this Charter all elected officials in the Town shall take or continue in office on the first day in ~~July~~ [April or May] next following their election and shall hold office until their successors are elected and qualified."*

**Explanation:** Changing this would mean all elected officials would start their terms in April or May following their election versus the next July thereafter. Appointees to these positions would also have their end of term dates align with this as well. This was modified in 2019 from May to July by a vote of the town.

#### How to proceed amending the charter as Council:

1. Town Council agrees they want to amend the charter
  - a. Select which amendments they want to go forward with and essential characteristics (April or May or another date)
2. Staff send draft language to the town's legal counsel for input
3. Council holds a public hearing at their next available meeting with notice provided no less than 7 days prior.
  - a. If there are modifications implemented as the result of the public hearing, an additional public hearing must be scheduled with same minimum 7 days lead
4. Staff then file any proposed amendment with the town clerk
5. Proposed amendment is then sent to the Attorney General for approval
6. If approved, council may order the amendment onto the ballot.

Although the latest theoretical date this could all be done is probably in January or even February, it would be advisable to start and finish as soon as possible to avoid having special meetings just to order the charter change onto the ballot. Or avoid unanticipated delays that prevent it appearing on the ballot.

### FINANCIAL IMPACT:

Legal fees

**POLICY IMPLICATIONS:**

- Changes start and end dates for elected positions, or appointments meant to fill term gaps in elected positions, if implemented
- A previous council already recently put an amendment to the same section that came into effect 2019 that aligned all elected terms to July 1st.
- May have to consult with legal counsel if there are any complications regarding existing elected terms
- Currently unknown what other elected officials would think about these changes

**RECOMMENDATION:**

Achieve consensus whether this is worth pursuing. If it is, staff will begin process as soon as possible.

**SUGGESTED MOTION:**

None

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Charter amendment to be discussed.

**ATTACHMENTS:**

[Proposed Charter Amendment\(s\)](#)

## References

### **Hooksett Town Charter, Section 10.8, "Charter Amendments"**

*"Amendments to this Charter may be initiated either by the Council or by initiative petition, public hearing, and voter election pursuant to New Hampshire RSA 49-B:5."*

#### **RSA 49-B:5 "Charter Amendments, Procedure"**

*"I. The municipal officers may determine that one or more amendments to the municipal charter are necessary and shall, by order, provide for notice and hearing on them. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them. If substantive changes are made to the proposed amendment, a hearing on the modified amendment shall be held. Notice of the hearing and the conduct thereof shall be as provided in this paragraph.*

*(a) Within 7 days after the last public hearing, the municipal officers or the committee appointed by them shall file with the municipal clerk a report containing the proposed amendment. In the case of a report of an appointed committee, a copy shall be filed with the municipal officers.*

*(b) Within 7 days after receiving approval from the secretary of state, the attorney general, and the commissioner of the department of revenue administration under RSA 49-B:4-a, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election. In the case of municipalities with biennial elections, the municipal officers may order amendments to be placed on the ballot at either the next regular municipal election or at a special municipal election that occurs not less than 60 days after the order.*

*(c) Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject.*

*(d) Alternative statements of a single amendment are prohibited.*

*II. On the written petition of a number of voters equal to at least 15 percent of the number of ballots cast in a municipality at the last regular municipal election, but in no case fewer than 10 voters, the municipal officers shall, by order, provide that proposed amendments to the municipal charter be placed on a ballot in accordance with the procedures set out in paragraphs II-a through V:*

*(a) Each amendment shall be limited to a single subject but more than one section of the charter may be amended as long as it is germane to that subject.*

*(b) Alternative statements of a single amendment are prohibited...."*





# Town Council

## STAFF REPORT



**To:** Town Council  
**Title:** NHMA Legislative Policy Process 2021-2022  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Administration  
**Staff Contact:** Donna Fitzpatrick, Administrative Services Coordinator

### BACKGROUND INFORMATION:

The New Hampshire Municipal Association (NHMA) biennial legislative policy process 2021-2022 is at its next phase. NHMA urges each municipality's governing body, prior to the Legislative Policy Conference (in-person October 2, 2020), to vote a position on the attached details of final policy recommendations (17) and one floor policy proposal (Hudson) to provide direction to your voting delegate at the conference. Otherwise, your delegate is free to cast your municipality's vote as he chooses.

### Attached are the following NHMA final policy recommendations:

#### A - General Administration and Governance

- A1 - Local Authority and Efficiency
- A2 - Right-to-Know Law
- A3 - Elections
- A4 - Labor and Employment
- A5 - Substance Misuse Prevention & Response

#### B - Finance and Revenue

- B1 - Property Taxes and Related Revenues
- B2 - State Aid and Non-Property Tax Revenues
- B3 - New Hampshire Retirement System (NHRS)
- B4 - Education Funding

#### C- Infrastructure, Development, and Land Use

- C1 - Energy, Environment, and Sustainability
- C2 - Water Resources Protection, Control, and Management
- C3 - Solid Waste Management
- C4 - Housing
- C5 - Land Use
- C6 - Information Technology, Communications, and Cybersecurity
- C7 - Transportation
- C8 - Economic Development, Recovery, and Vitality

### Attached is the following NHMA floor policy proposal (from Town of Hudson, NH)

#### D - Abatement Interest Rate

### POLICY IMPLICATIONS:

### RECOMMENDATION:

1) majority of Councilor's (6+) can cast their vote on (18) items A-D attached OR allow Town Council delegate to cast vote on behalf of Councilors as he chooses.

If Council chooses to vote on each of the items A-D, it is recommended to take packet of proposals home and write in your vote (yes or no) on each item to bring back to the Council's September 23, 2020 meeting. Administration can then collect these votes and summarize for the Town Council delegate in prep for the conference.

2) appoint a Town Council delegate to attend the Legislative Policy Conference in-person on Friday, October 2, 2020 9:00am-12:00 noon at the Holiday Inn, 172 North Main St., Concord, NH. Deadline to register for conference is September 25, 2020.

**SUGGESTED MOTION:**

1) motion to have Council vote on (18) items A-D as attached and bring back votes to the September 23, 2020 Council meeting.

2) motion to appoint Councilor \_\_\_\_\_ as Town Council delegate to attend the 10/2/2020 Legislative Policy Conference.

**ATTACHMENTS:**

[NHMA POLICIES 2021-2022 09092020](#)



**New Hampshire Municipal Association  
2021-2022 Legislative Policy Process**

**Final Policy Recommendations for Legislative Policy Conference  
October 2, 2020**

**(A) General Administration and Governance**

**(A1) Local Authority and Efficiency**

NHMA supports maintaining local government authority without infringement by the state, and supports measures that enable municipalities to exercise existing authority more efficiently and with greater discretion.

**NHMA supports:**

- Legislation granting towns the same authority to adopt ordinances that cities have under RSA 47:17;
- The authority of municipalities to regulate or limit the use of firearms on municipal property, and to regulate the carrying of firearms by municipal employees while on duty;
- Legislation allowing a town, by vote of its legislative body, to authorize appointment of the town clerk or town clerk/tax collector by the governing body, or by the chief executive officer based on a town charter;
- Legislation allowing municipalities to satisfy notice publication requirements through the use of electronic notification rather than newspaper publication, in addition to posting notice in public places.

NHMA opposes legislation that detracts from existing local authority.

**(A2) Right-to-Know Law**

NHMA supports the purposes of the Right-to-Know Law: to ensure the greatest possible public access to the actions, discussions, and records of all public bodies, and to ensure government's accountability to the people. NHMA also supports measures to make the law clearer and make compliance with public access requirements easier and less burdensome for public officials and employees and less costly for taxpayers.

NHMA supports:

- Reasonable requirements to make governmental records available electronically if no additional cost is involved;
- The ability to recover reasonable labor costs for responding to voluminous, excessive, or vexatious record requests;
- Exemptions from disclosure that are easy to administer and that provide appropriate protection for confidential and other sensitive information;
- An expedited and inexpensive process for resolving right-to-know complaints;
- Legislation and funding that provide support for education about the Right-to-Know Law.

**(A3)** Elections

NHMA believes that state and local elections should be fair and open, that voting should be simple and convenient without risking election integrity or security, and that election processes should be efficient without imposing undue burdens on local officials.

NHMA supports:

- Establishment of an independent redistricting commission to draw election districts fairly and without regard to partisan advantage;
- Local autonomy over town and city elections;
- More frequent state review and approval of electronic ballot-counting devices;
- Registration and voting processes that are not unnecessarily complex or burdensome, either to voters or to election officials;
- The use of secure technology such as electronic poll books to make election processes more efficient;
- Greater flexibility in the processing of absentee ballots;
- State assistance for the cost of accommodations for disabled voters in local elections.

**(A4)** Labor and Employment

NHMA recognizes the importance of municipal employees, the need for good working conditions, and the right of employees to organize if they choose. NHMA also believes municipal employers should be free to set reasonable terms and conditions of employment or negotiate the same with their employees or employee representatives, without undue state interference.

NHMA supports existing laws governing public employee labor relations, and opposes changes that impose greater burdens or liabilities on employers.

NHMA opposes:

- Legislation creating a mandatory “evergreen clause” for public employee collective bargaining agreements;

- Mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining;
- A right to strike for public employees;
- New mandated employee benefits, including any proposal to enhance retirement system benefits that may increase employer costs in future years;
- Unnecessary limits on municipalities' discretion in making hiring decisions;
- Restrictions on municipalities' ability to privatize or use contracted services.

(A5)

### **Substance Misuse Prevention & Response**

NHMA supports programs to address substance use disorder and response to substance use issues, to include treatment and recovery support programs.

#### **NHMA supports:**

- State funding to address substance use disorder for the following efforts:
  - Prevention
  - Treatment
  - Recovery
  - Enforcement;
- Legislation that supports prevention, treatment, recovery, and enforcement efforts.

#### **NHMA opposes:**

- Reductions in state funding for substance use disorder or recovery support programs;
- Legislation that makes it more difficult to address the substance use disorder problem in our communities.

(B)

## **Finance and Revenue**

(B1)

### **Property Taxes and Related Revenues**

NHMA supports legislation that allows municipalities to manage property tax levies in a manner that stabilizes tax rates and ensures equity, fairness, and efficiency in the assessment and collection of property taxes.

#### **NHMA supports:**

- The continuing right of municipalities to use any recognized method of appraisal upheld by the New Hampshire judicial system;
- Legislation to ensure that:

- property taxes are assessed to the proper owner by requiring that all owner name changes be separately filed at the registry of deeds when such an owner change is not created by a transfer of the property, and
- all liens, whether of a private or institutional nature, be filed at the registry of deeds, and that all changes to the name of a recorded lienholder be similarly filed;
- A legislative commission to study assessment and collection of property taxes and/or municipal utility fees on manufactured housing on land of another and on transient-type properties;
- Legislation ensuring fairness and accuracy in property tax exemptions including ensuring that all household income and assets are taken into account;
- Legislation that prohibits the use of the income approach by a taxpayer in any appeal of assessed value if the taxpayer refuses to provide such information as requested by the municipality;
- A legislative commission to study reimbursement through payments in lieu of taxes (PILOTs) for municipal services provided to exempt charitable properties, including charitable non-profit housing projects;
- Legislation amending RSA 80:56 to enable municipalities to charge a fee for any financial remittance issued to the municipality that is returned as uncollectible.

NHMA opposes:

- Legislation that directly or indirectly increases property taxes, including but not limited to new or expanded mandatory exemptions or credits, or changes in the process for valuing, assessing, or taxing specific classes of properties;
- Legislation that undermines the basic goals of the current use program or reduces the 10-acre minimum size requirement for qualification for current use beyond those exceptions now allowed by the rules of the Current Use Board;
- Legislation that expands the definition of “charitable” in RSA 72:23-1 unless the state reimburses municipalities for the commensurate loss of property tax base;
- An assessment methodology for big box stores that employs comparisons to “dark store” properties abandoned or encumbered with deed restrictions on subsequent use.



**State Aid and Non-Property Tax Revenues**

NHMA supports funding of state aid to municipalities, supports legislation authorizing local control over non-property tax revenue streams, and opposes legislation that reduces, suspends, or eliminates existing local taxes, fees, or state aid.

NHMA supports:

- Full restoration of revenue sharing under RSA 31-A;
- A state transportation policy that provides adequate and sustainable funding for state and municipal infrastructure and transportation systems and maintains at least the 12 percent share of state highway funds distributed to municipalities;
- Legislation authorizing the establishment of local option fees and providing for periodic adjustments to statutory fees to compensate for factors including, but not limited to, the

effects of inflation, such as an increase in the maximum optional fee for transportation improvements;

- Legislation to ensure the collection of unpaid bills for ambulance and other emergency services;
- Reimbursement from the state for the cost of municipal services provided to state-owned properties;
- Legislation amending motor vehicle registration enforcement laws to ensure collection of all state and local registration fees owed by New Hampshire residents;
- Legislation amending RSA 36-A:5 II to allow trustees of trust funds to invest conservation funds instead of only the town treasurer, if voted by the legislative body;
- Programming that supports reduced cost, cost sharing, or equipment sharing that upgrades or replaces aging or unsafe transportation network(s) for towns.

NHMA opposes:

- Suspension of the statutory catch-up provision of the meals and rooms tax distribution;
- Diversion of state highway funds for non-state transportation network purposes.



### New Hampshire Retirement System (NHRS)

NHMA supports the continuing existence of a retirement system for state, municipal, school, and county government employees that is secure, solvent, fiscally healthy, and financially sustainable, and that both employees and employers can rely on to provide retirement benefits for the foreseeable future.

NHMA supports:

- Restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan;
- Inclusion of participation by a municipal official designated by NHMA on any legislative study committee or commission formed to research alternative retirement system benefits plans or designs;
- Performance of an actuarial analysis of any legislation proposing benefits changes or other plan changes that may affect employer contribution rates.

NHMA opposes:

- Legislation expanding benefits that increase current or future employer contribution costs;
- Legislation that assesses additional charges on employers beyond NHRS board-approved rate changes;
- Legislation that expands the eligibility of NHRS membership to positions not currently covered by the plan;
- Legislation further restricting a municipality's ability to employ NHRS retirees in part-time positions or the imposition of any fees or penalties associated with such employment.

(B4)

#### Education Funding

NHMA supports a revenue structure for funding an adequate education to meet the state's responsibilities as defined by the constitution, statutes, and the common law with revenue sources that are predictable, stable, and sustainable.

#### NHMA supports:

- A revenue structure that is not disruptive to the long-term economic health of the state;
- A revenue structure that is efficient in its administration;
- A revenue structure that is fair to citizens with lower to moderate incomes.

#### NHMA opposes:

- Retroactive changes to the adequate education funding distribution formula after the notice of grant amounts has been provided to local governments.

(C)

### **Infrastructure, Development, and Land Use**

(C1)

#### Energy, Environment, and Sustainability

NHMA supports preservation and enhancement of municipal energy, climate, and sustainability planning for communities, protection of the natural environment, and implementation of clean and renewable energy, while recognizing the need for municipalities to manage their resources and the natural environment without undue cost.

#### NHMA supports:

- Legislation that broadens municipalities' ability to install and use renewable energy sources, including higher caps or elimination of caps on net energy metering;
- Legislation that provides financial and other assistance to municipalities for conservation techniques and installation and maintenance of renewable energy sources;
- Legislation that allows municipalities to adopt local environmental regulations that are no less stringent than those implemented by the state;
- Legislation that enables municipalities to enact measures that promote local energy and land use systems that are both economically and environmentally sustainable;
- Legislation that protects and preserves local natural resources and public infrastructure, builds community resilience, and fosters adaptation to climate change and mitigates its risks;
- Policies that support customer and community choice in energy supply and use competitive market-based mechanisms to promote innovation, cost effectiveness, and sustainability; and



- Legislation that provides state or federal assistance to municipalities to mitigate environmental inequity impacts faced by their residents, and drive early local engagement in decision processes.

NHMA opposes:

- Legislation that overrides local determinations of appropriate energy sources and regulations.



### **Water Resources Protection, Control, and Management**

NHMA supports measures enabling municipalities to protect, control, and manage efficiently and safely water and its resources, treatment, and movement, with a focus on management and infrastructure. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Legislation that provides state or federal investment in maintaining and making improvements to the state's critical water infrastructure, including, but not limited to, public drinking water, wastewater, and stormwater systems, and dams;
- Legislation that encourages regional and innovative solutions to drinking water, wastewater, stormwater, and groundwater issues;
- Regulation of emerging contaminants at feasibly achievable levels when supported by relevant scientific and technical standards that are broadly accepted by peer review and cost-benefit analyses, when coupled with appropriate state or federal funding.

NHMA opposes:

- Enactment of stricter drinking water, wastewater, or stormwater regulations for municipalities unless any costs of compliance are funded by the state or federal government.



### **Solid Waste Management**

NHMA recognizes the need for cost-efficient solid waste disposal mechanisms that allow municipalities to protect, control, and manage efficiently and safely solid waste. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Programs that support municipal, regional, and state efforts to handle solid waste disposal through reduction, reuse, recycling, resource recovery, composting, and other measures, while maintaining local control;

- Comprehensive state programs to deal with existing and emerging contaminants at no additional cost to municipalities.

NHMA opposes:

- Increased tipping fees to pay for solid waste programs unless they are fully reimbursed by the state.



**Housing**

NHMA recognizes the need for diverse and affordable housing in New Hampshire and the responsibility of each municipality to afford reasonable opportunities for the development of diverse and affordable housing. NHMA believes municipalities should have discretion in how to satisfy this responsibility and supports legislation that enables municipalities to find innovative ways to ensure an adequate supply of housing.

NHMA supports:

- Legislation that allows municipalities to require the inclusion of affordable and diverse housing opportunities as part of new housing developments;
- Financial and other incentives to municipalities to encourage development of diverse and affordable housing;
- Statewide efforts to provide housing for those recovering from substance misuse, subject to reasonable municipal regulation;
- Policies that encourage documentation and financial traceability of cash and bartered rental transactions;
- Legislation and policies that encourage creative and flexible approaches to meeting housing needs of current and future demographics in different regions.

NHMA opposes:

- Legislation and policies that allow for or encourage housing practices that exclude people from and decrease the availability of quality, affordable housing;
- Legislation that erodes local control over land use decisions.



**Land Use**

NHMA supports the long-standing authority of municipalities to regulate land use matters with minimal interference from the state.

NHMA supports:

- Legislation authorizing municipalities to regulate short-term rentals of residential properties, including licensing requirements and health and safety protections;
- Legislation enabling municipalities at their discretion to adopt more recent editions of national/international building and fire codes than the current state-adopted editions.

NHMA opposes:

- Legislation that limits municipal control in implementing statewide priorities in zoning and land use regulation;
- New state mandates requiring municipalities to allow specific types of housing;
- All other statewide land use mandates.



Information Technology, Communications, and Cybersecurity

NHMA supports initiatives to make the most current information and communication technology accessible to New Hampshire communities, so long as local authority over land use regulation and safety issues is not compromised.

NHMA supports:

- Legislation that increases the ability of municipalities, especially those in rural and remote areas, to facilitate and advance access to reliable broadband technology to the premises in their communities;
- Legislation that provides flexibility for municipalities in accessing poles and pole attachments, including legislation that directs the New Hampshire Public Utilities Commission to adopt the FCC rule on access to poles called "One-Touch-Make-Ready" in order to facilitate bringing high-speed fiber optic cable to service all New Hampshire communities, homes, and businesses by internet service providers (ISPs) in an expedient and cost-effective manner;
- Legislation that provides state and federal investment, including grants, for installation of high-speed fiber optic broadband technology to serve all New Hampshire communities, homes, and businesses;
- Legislation that requires or encourages and incentivizes providers to disclose information to local government relative to access and broadband connections provided in the municipality to help municipalities better understand and address the needs of their community;
- State investment in cybersecurity assistance to municipalities to protect data and infrastructure.

NHMA opposes:

- Legislation that limits municipalities' ability to prevent or regulate deployment of technologies that would impede vehicular or pedestrian passage on roadways or sidewalks;
- Statewide mandates on cybersecurity practices unless any associated costs are funded by the state or federal government.

**(C7) Transportation**

NHMA supports state policies that ensure access to convenient, efficient, reliable, and safe multi-modal transportation in New Hampshire as cost effectively as possible.

**NHMA supports:**

- Appropriate funding for state and local modes of transportation, including but not limited to roads, culverts, and bridges;
- Continued state and federal investment in public transit projects designed to reduce traffic on New Hampshire's roads.

**NHMA opposes:**

- Any action or inaction by the New Hampshire Department of Transportation that results in the downshifting of road, bridge, culvert, or drainage maintenance responsibilities from the state to municipalities.

**(C8) Economic Development, Recovery, and Vitality**

NHMA supports allowing municipalities to implement measures to foster economic development which allows for the preservation and creation of jobs and vitality within our communities.

**NHMA supports:**

- Legislation that allows for local adoption of more options and more flexibility to provide incentives for economic recovery and development;
- Expansion and more flexibility of state tax credit and exemption programs to foster economic recovery, development, and vitality.

**NHMA opposes:**

- Legislation that makes it more burdensome to implement economic recovery, development, and vitality measures.

New Hampshire Municipal Association  
2021 - 2022 Legislative Policy Process



Floor Policy Proposal

Submitted by (name): Hudson Board of Selectmen

Date: August 20, 2020

City or Town: Hudson

Title of Person Submitting Policy: Selectmen

Floor Policy Proposal approved by vote of the governing body on *July 10, 2018*

To see if NHMA will SUPPORT/OPPOSE:

*To see if NHMA will support legislation to lower the abatement interest rate that municipalities pay from 6% to 4% (RSA 76:17-a) to better align it with the interest rate on delinquent taxes that were recently lowered by the NH Legislature.*

Municipal Interest to be accomplished by proposal:

*To align abatement interest paid by a municipality with the recent lowering of interest rates on delinquent property taxes.*

Explanation:

*Currently, after the timely payment deadline has passed on payment of property taxes, usually 30 days or more of grace time, 12% interest is charged, for a period of six (6) months, and then 18% interest is charged after those six (6) months. The NH Legislature and the Governor have passed into law, a significant decrease in the interest rate that is charged on late property tax bills. As of January 1, 2019, after the timely payment deadline has passed on payment on property taxes, 8% interest is charged, for a period of six (6) months and then 14% interest is charged. This proposal seeks to lower the interest rate on abatements paid by a municipality from 6% to 4% to better align with delinquent property tax interest rates.*



# Town Council

## STAFF REPORT



**To:** Town Council  
**Title:** Administrative Code Update - Cellular Phones in the Workplace  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Administration  
**Staff Contact:** Donna Fitzpatrick, Administrative Services Coordinator

### BACKGROUND INFORMATION:

Administrative Code Section 6.5 Cellular Phones in the Workplace - Exhibit D - was reviewed with the Town Council back on August 14, 2019 to correct a dollar amount rounding for employee reimbursement allowances for personal cellular phones. Council discussions on 08/14/2019, 08/28/2019 and 09/11/2019 on some employees being issued Town cell phones for business use and some employees using their personal cell phones for business use (with a reimbursement allowance). These discussions included RSA 91-A Right-to-Know compliance. See section of these Town Council minutes attached.

On 09/11/2019, Town Council motioned to direct the administration to review the cell phone policy, eliminate reimbursement for personal phone, and allow only town-owned phones for town business.

Town Administrator Garron will facilitate discussion on this subject matter.

### FINANCIAL IMPACT:

To be determined.

### POLICY IMPLICATIONS:

To be determined.

### RECOMMENDATION:

Discuss Cellular Phones in the Workplace as facilitated by Town Administrator Garron.

### TOWN ADMINISTRATOR'S RECOMMENDATION:


Discuss amendments to the Cell Phone Policy which would address the Council's concern about RTK requests

### ATTACHMENTS:

[Cell Phone Policy and backup](#)

**6. Administrative Operational Policies and Procedures.**

- 6.1 Departmental Records and Reports.** Reports of the major activities of each Department shall be made to the Town Administrator each month, and an annual written report shall be filed with the Administrator within ten days of the end of the fiscal year. Such reports shall be in proper form and of sufficient detail for proper control of departmental activities and for publication in the Annual Town Report.
- 6.2 Preservation of Public Records.** Each Department Head shall be responsible for the preservation of all public records under the department's jurisdiction and shall provide a system of filing and indexing of same. No public records, reports, correspondence or other data shall be removed permanently, unless authorized by law or ordinance, or without the knowledge and approval of the Administrator.
- 6.3 New Ordinances.** The Town Council approves new ordinances. The Town Clerk, or designee, codifies each new ordinance and distributes copies of the new ordinance to appropriate departments, boards and commissions.
- 6.4 Record Retention Policy.** In accordance with RSA 33-A:3, the Town will establish and maintain a Municipal Records Committee charged with governing the retention and disposition of municipal records. ***See exhibit A for policy details.***

- 
- 6.5 Cellular Phones in the Workplace.** The purpose of this policy is to establish guidelines and administrative procedures for employees who have been identified as needing cellular phones (both Town provided and reimbursed (via allowances) personal phones) during working hours and for other times as needed for the health, safety, welfare, or operational efficiency of the Town. ***See exhibit D for policy details.***





**Exhibit D**  
***Town of Hooksett***

35 Main Street  
Hooksett, NH 03106

**POLICY:**

**CELLULAR PHONES IN THE WORKPLACE**

**SECTION I: PURPOSE**

The purpose of this policy is to establish guidelines and administrative procedures for employees who have been identified as needing cellular phones (both Town provided and reimbursed (via allowances) personal phones) during working hours and for other times as needed for the health, safety, welfare, or operational efficiency of the Town.

**SECTION II: POLICY**

It is the policy of the Town that if an employee's job duties require them to be readily accessible for frequent contact or critical contact with the Town staff or public, and the accessibility extends to time away from work or involves on-call responsibilities, then the eligible employee may have a choice to either use a Town-issued cellular phone, or provide their own cellular phone for which they will be compensated for business use pursuant to this Policy. The Town shall have the discretion to determine who is eligible as well as the service plan and features that will be provided, required, or otherwise reimbursed via allowances.

**SECTION III: ELIGIBILITY**

Employees whose job duties include the frequent need for a cellular phone may be provided a town issued cellular phone or, in lieu thereof, use their own personal cellular phone and receive a reimbursement allowance for business-related costs. Department heads may identify employees who hold positions that include the need for a cellular phone. The Town Administrator shall have final approval on all such determinations. Generally, an employee is eligible for a town issued cellular phone or a reimbursement allowance for using a personal cellular phone if at least one (1) of the following criteria are met:

- 1) The job function of the employee requires considerable time outside of his/her assigned office or work area and it is important to the Town that she/he is accessible during those times; or
- 2) The job function of the employee requires him/her to be accessible outside of scheduled or normal working hours where time sensitive decisions/ notifications are required.

If an employee is eligible for a town issued cellular phone or a reimbursement allowance for a personal cellular phone based on satisfaction of at least one of the above criteria, then if the employee also needs data access for health, safety, welfare or operational efficiency concerns, their town issued cellular phone or reimbursement allowance shall provide data access or provide for a data plan.

**SECTION IV: LIMITATIONS ON TOWN PROVIDED CELLULAR PHONES**

A. Personal Use: Occasional brief personal use is allowable; however, employees should always use their own personal cellular phones for personal use, if possible.

B. Text Messaging: Shall be limited whenever possible, unless the cellular phone has a service plan that provides for unlimited messaging or a messaging allowance and in either case, is approved for such use by the employee's department head.

C. Internet Access: Employees should use discretion when using their cellular phone to not access websites that would be in violation of the Town's Computer Use Policy found in the Personnel Plan. D. Directory Assistance: Employees should avoid using cellular directory assistance so as to avoid additional charges.

E. Reimbursement to the Town for Personal Use: If an employee's personal use of the Town's cellular phone results in an unreasonable charge to the Town, the user will be responsible for reimbursing the Town. This includes charges for text messaging, long distance and/or roaming charges, overage charges, multi-media charges, and charges for directory assistance.

F. Data Downloads: Employees should attempt to download data in wi-fi networks so as to minimize costs.

G. Any cellular phone that has data capabilities must be secured based on current security standards including password protection and encryption. If a cellular phone with data capabilities is stolen or missing, it must be reported to the employee's supervisor, the service provider, and to the Administration or IT Contactor as soon as possible.

H. Misuse: Use of the cellular phone in any manner contrary to local, state, or federal laws will constitute misuse, and may result in disciplinary action up to and including immediate termination.

I. No expectation of privacy: Town issued cellular phones shall remain the sole property of the Town and shall be subject to inspection or monitoring at any time. Employees who are issued town cellular phones must understand that there is no expectation of privacy when using such phones. The Town has the right to review all records related to Town issued cellular phones, including but not limited to phone logs, text messages, and internet usage logs. Users should further be aware that such records may be subject to discovery under RSA Chapter 91-A (aka, the "Right to Know" law).

J. Upon resignation or termination of employment, or at any time upon request, the employee will produce the device for return and inspection. Employees unable to present the device in good working condition will be expected to bear the cost of a replacement.

#### **SECTION V: REIMBURSEMENT ALLOWANCES FOR PERSONAL CELLULAR PHONES**

A. Allowance Amount: The amount shall be \$11.54 per week for cellular phones utilizing an unlimited data plan, e-mail, texting and internet access features. No further reimbursement for cellular phones is available to employees who receive an allowance.

B. The allowance is neither permanent nor guaranteed. The Town reserves the right to remove a participant from this plan or cancel the allowance for business reasons.

C. To receive the allowance, a "Personal Action Form" must be completed (see Appendix A).

D. Allowance Payment: The approved cellular phone reimbursement allowance will be paid to the employee each week in the employee's paycheck.

E. The employee is responsible for purchasing the cellular phone and establishing and maintaining a service contract with the cellular phone service provider of his/her choice. The cellular phone contract shall be in the name of the employee, who shall be solely responsible for all payments to the service provider. If the employee terminates the cellular phone contract at any point, s/he must notify his/her supervisor within five (5) business days.

F. Because the cellular phone is owned personally by the employee, the reimbursement allowance is not considered taxable income and the employee may use the cellular phone for both business and personal purposes, as needed. The employee may, at his or her own expense, add extra services or equipment features, as desired. If there are problems with service, the employee is expected to work directly with the service provider for resolution.

#### **SECTION VI: LIMITATIONS ON PERSONAL CELLULAR PHONES**

A. For a personal cellular phone approved for a reimbursement allowance under this policy, support from the Town's IT Contactor is limited to connecting the cellular phone to Town-provided services, such as e-mail, calendar, and contacts.

B. The Town does not accept any liability for claims, charges or disputes between the service provider and the employee. Use of the cellular phone in any manner contrary to local, state, or federal laws will constitute misuse, and may result in disciplinary action up to and including immediate termination if misused in furtherance of Town business, and then, depending on the nature of the misuse.

C. Any cellular phone that has data capabilities must be secured based on current security standards including password protection and encryption. If a cellular phone with data capabilities is stolen or missing, it must be reported to the employee's supervisor, the service provider, and to the IT Director as soon as possible.

D. Employees are expected to delete all Town data from the cellular phone when their employment with the Town is severed, except when legally required to maintain that data (e.g., litigation).

E. Note: Unlike Town provided cellular phones, users of personal cellular phones have an expectation of privacy and accordingly, if the Town desires to review the employee's cellular phone records, it will first obtain a search warrant or subpoena the relevant records pursuant to RSA Chapter 91-A (aka, the "Right to Know" law).

#### **SECTION VII: EMPLOYEE RESPONSIBILITIES**

A. Excessive use of cellular phones during the work day for personal use can interfere with employee productivity and be distracting to others. During paid work time, employees are expected to exercise the same discretion in using cellular phones as is expected for the use of any town telephone or computer. Cellular phones may not be used at any work site where the operation of the phone would create an unreasonable distraction to the public or other employees.

B. Employees are expected to make personal communications on non-work time, when possible. However, it is understood that occasional personal communications of short duration may be accomplished without disrupting others and without having an adverse effect on one's job performance. Personal calls, incoming and outgoing, must be kept to a minimum and must be incidental to business use. Employees should use good judgment when making personal communications and should recognize that the Town incurs costs for each minute of



**Town of Hooksett  
Town Council Workshop Meeting Minutes - Official  
Wednesday, August 14, 2019**

**CALL TO ORDER**

Chair Sullivan called to order the Workshop Meeting of the Town of Hooksett Town Council at 7:00 pm.

**PROOF OF POSTING**

Donna Fitzpatrick, Administrative Services Coordinator, provided proof of posting.

**ROLL CALL**

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

Missed: Councilor Timothy Tsantoulis

**PLEDGE OF ALLEGIANCE**

Chair Sullivan called for the Pledge of Allegiance.

**WORKSHOP ITEMS**

Chair Sullivan: During this workshop meeting, the Council will review the Administrative Code, the Rules of Procedure, and other issues which have arisen over the past year. This meeting is for discussion and possible consensus. No motions will be made tonight, but can be made at the next regular Town Council meeting on August 28, 2019.

▪ **Administrative Code**

Chair Sullivan: What is the reason for the changes in Section 2.2 and 2.3?

A. Garron: The Finance Director suggested these changes, and I have not had a chance to discuss them with her.

D. Fitzpatrick: All of the suggested changes in the Administrative Code are from the Finance Director. I suggest inviting her to explain them at the August 28, 2019 meeting.

C. Karolian: Referring to Section 6 in the definition of Lease, the first use of the word "that" should be removed.

▪ Chair Sullivan: Referring to page 36, Section V, REIMBURSEMENT ALLOWANCES FOR PERSONAL CELLULAR PHONES, why is \$11.53 changed to \$11.54?

D. Fitzpatrick: That is due to rounding. The annual cost of \$600 divided by 52 weeks equals \$11.538. Some employees have the choice of using their personal phones for work. If they do, they are subject to RSA 91-A.

Chair Sullivan: I would like to find out how many employees use their personal cell phones.

411 J. Levesque Yes

412 A. Walczyk Yes

413 A. Comai Yes

414 C. Karolian Yes

415 T. Tsantoulis Yes

416 J. Sullivan Yes

417 Voted unanimously in favor (9-0).

418

419 Chair Sullivan: Thank you for providing the details we need. The information in the packet is good. That  
420 reduces the number of questions.

421

422 A. Garron: Department heads are listening to what the Councilors want for information. Your packets  
423 may be thicker.

424

425 **Administrative Code Updates - Cellular Phones in the Workplace - Reimbursement Allowances**  
426 **for Personal Cellular Phones (8/28/19 TC Mtg. motion & vote to revisit)**

427

428 A. Garron: We have two issues. One is about fixing the rounding error. It should be \$11.54, not \$11.53.

429

430 **C. Karolian motioned to correct the Administrative Code figure regarding the stipend for use of**  
431 **personal cell phones from \$11.53 to \$11.54. T. Tsantoulis seconded the motion.**

432 **Voted unanimously in favor (9-0).**

433

434 A. Garron: I have my marching orders from the last meeting. Regarding town-issued phones versus  
435 those for which the town pays a stipend. We have town-issued cell phones and we offer a stipend to  
436 employees wishing to use their personal phones for town work. Of the 16 town-owned phones, four are  
437 flip phones used in the Police Department. The rest are Smart Phones. Nine employees are reimbursed  
438 for use of personal phones. Concerns were expressed regarding right-to-know requests. According to  
439 the town's legal counsel, if a town-owned phone has information relevant, we will provide it. It is  
440 possible to tie work email to your personal phone, and I have done that in places I have worked. The  
441 advantage is that all town email is in the town database. If an employee does not do that, and uses a  
442 personal email account for town business, that phone is subject to right to know if it has information  
443 necessary to the request. What if the employee leaves the town? Legal counsel says it can be difficult  
444 to get information from a personal phone, especially if the employee has left town. A subpoena is an  
445 option. A policy provision could state that town email may be tied to a personal phone, and that texts  
446 should only be used to say, "I am on my way." Another option is for every employee needing one to be  
447 issued a town phone.

448

449 C. Karolian: We've all seen in the news that people are relying more on texting than emailing. If it is  
450 inappropriate, and the employee quits, the town can't access it. There is a serious risk involved.

451

452 R. Duhaime: We should ask our youngest Councilor if this is an issue.

453

454 A. Comai: People are at risk of being subpoenaed. This is what Councilor Karolian wants to prevent.

455

456 Chair Sullivan: It is easiest if everyone has a town phone.

457

458 J. Durand: Yes, the safest bet is for everyone to have a town phone.

459

460 **Chair Sullivan made a motion to direct the administration to review the cell phone policy,**  
 461 **eliminate reimbursement for personal phones, and allow only town-owned phones for town**  
 462 **business. C. Karolian seconded the motion.**  
 463

464 C. Karolian: Just because we can subpoena a phone doesn't mean we can obtain it. It could be lost or  
 465 erased.  
 466

467 R. Duhaime: There are issues about usage and cost. I would like the Town Administrator to include that  
 468 data in his report.  
 469

470 A. Walczyk: I don't think we should throw out the possibility of one phone. Perhaps a legal waiver could  
 471 be signed. Is this applicable to Town Councilors?  
 472

473 Chair Sullivan: We would be subject to right to know.  
 474

475 T. Tsantoulis: Regardless of what we do, we are not going to solve all issues with cell phones and  
 476 social media in general. We can 'what if' every step we take in life. We have a solution looking for a  
 477 problem. The policy is working. Most people don't want multiple phones.  
 478

479 C. Karolian: Haven't there been a lot of right to know requests?  
 480

481 A. Garron: I have been here 90 days and there have been a couple.  
 482

483 C. Karolian: When I was with the Police Commission, we had a separate email. This is coming. It's  
 484 going to happen, even if it has not yet happened.  
 485

486 Chair Sullivan called for a vote on the motion.  
 487

488 **Voted in favor (7-2). A. Walczyk and T. Tsantoulis voted no.**  
 489

490 **Town Council Rules of Procedures Updates (Tabled at 8/28/19 TC Mtg)**  
 491

492 **R. Duhaime made a motion to remove this item from the table. A. Walczyk seconded the**  
 493 **motion.**  
 494

495 **Voted unanimously in favor (9-0).**  
 496

497 A. Garron: Regarding the first item, you want Roberts not Riggins. There is such a thing as Riggins  
 498 Rules, but the Council wants Roberts Rules.  
 499

500 C. Karolian: We are supposed to have all read this and made notations regarding what we like and  
 501 don't like. In lieu of having Donna Fitzpatrick, the Administrative Assistant, go through each one, I  
 502 suggest we approve or deny what we have and make corrections thereafter.  
 503

503 **R. Duhaime motioned to amend the Town Council Rules of Procedure as presented. C. Karolian**  
 504 **seconded the motion.**  
 505

506 D. Fitzpatrick: Before you made your motion, I wanted to let you know that there is some attorney's  
 507 information here.  
 508







## Town Council **STAFF REPORT**



**To:** Town Council  
**Title:** To accept the donation of Personal Protective Equipment, Hand sanitizer, and Thermometers from Ocean State Job Lot, valued at \$11,150.00, to the Town of Hooksett for the Hooksett Police and Fire Departments per RSA 31:95-e II.  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Police Department  
**Staff Contact:** Jake Robie, Captain

### **BACKGROUND INFORMATION:**

On August 19, 2020 representative of the Hooksett Fire and Police Departments meet with Sean Kirk (Team Leader) of Ocean State Job Lot to pick up a generous donation of the items listed below and the retail value of each items.

Each department received:

3,000 surgical masks (retail value \$1200)

1,600 KN95 masks (retail value \$3200)

20 gallons of hand sanitizer (retail value \$600)

10 face shields (retail value \$50)

15 infrared non-contact thermometers (retail value \$525)

Total retail value per department = \$5,575

x2 since each dept is receiving their own separate donation

Total retail value per town = \$11,150

The items listed above will be used to protect staff and the public during the COVID-19 pandemic.  
See attached letter from the Marc Perlman, Principal Owner and CEO of Ocean State Job Lot.

### **FINANCIAL IMPACT:**

None

### **POLICY IMPLICATIONS:**

None

### **SUGGESTED MOTION:**

-Motion to waive Town Council rules of procedure and vote same night as public hearing.

-Motion to accept the donation of Personal Protective Equipment, Hand sanitizer, and Thermometers from Ocean State Job Lot, valued at \$11,150.00, to the Town of Hooksett for the Hooksett Police and Fire Departments per RSA 31:95-e II.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur

**ATTACHMENTS:**

[Letter From Principal Owner and CEO](#)



July 24, 2020

To Fire Chiefs and Police Chiefs in the Communities We Serve,

It's been a few months since we've been in touch; we hope this letter finds you, your families, and your departments healthy and well.

As COVID-19 guidelines evolve, we understand that you are facing new challenges. We are pleased to be able to make another contribution of PPE to your departments, thanks to Ocean State Job Lot customers who have been giving generously at our registers, and the efforts of our company's buyers to source these essential supplies.

Please accept our donation of 1,600 KN95 masks, 3,000 surgical masks, twenty (20) gallons of hand sanitizer, ten (10) face shields, and fifteen (15) infrared non-contact thermometers. To the extent that some of these supplies may be excess to your needs, please feel free to share them with the organizations in your community that you feel are most appropriate.

On behalf of everyone at Ocean State Job Lot, thank you for all that you and your teams do every day.

Your friends at Ocean State Job Lot,

A handwritten signature in black ink, appearing to read "M. Perlman", written over a horizontal line.

Marc Perlman  
Principal Owner and CEO



Town Council  
**STAFF REPORT**



---

**To:** Town Council  
**Title:** Town Wide Road Line Striping Bid Acceptance  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Public Works  
**Staff Contact:** Earl Labonte, Director of Public Works

**BACKGROUND INFORMATION:**

The Department released a Request for Bids for the Town Wide Road Line Striping. Bids were opened on July 28, 2020. Bids were received from Industrial Traffic Lines, Inc. for \$20,524.72, K5 Corporation for \$25,541.60 and On-the-Line, Inc. for \$36,725.19.

**FINANCIAL IMPACT:**

Funding to come from current FY 2020-2021 Budget.

**POLICY IMPLICATIONS:**

None.

**RECOMMENDATION:**

Council approve and consent to award the Town Wide Road Line Striping bid to Industrial Traffic Lines, Inc. for \$20,524.72 to be funded out of current FY 2020-2021 budget.

**SUGGESTED MOTION:**

Motion to approve and consent to award the Town Wide Road Line Striping bid to Industrial Traffic Lines, Inc. for \$20,524.72 to be funded out of current FY 2020-2021 budget.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur

**ATTACHMENTS:**

[Town Wide Road Line Striping bid Results](#)  
[Town Wide Road Line Striping bid](#)

**Bid #20-09**  
**Town Wide Road Line Striping**  
**July 28, 2020 @ 2:30 pm**

**Attendees:** Andre Garron, Town Administrator; Christine Soucie, Finance Director; Earl Labonte Public Works Director; Tomas Bartula, Highway Crew Chief

Bidders	Costs Total
Industrial Traffic Lines Inc.	\$ 20,524.72
K5 Corporation	\$ 25,541.60
On-the-Line, Inc.	\$ 36,725.19

Bid opening closed: 2:38 pm



Town of Hooksett



July 2020

Prepared by:  
DEPARTMENT OF PUBLIC WORKS  
35 MAIN STREET  
HOOKSETT, NH 03106  
(603) 485-8471

**REQUEST FOR BIDS**

**Proposal for Town Wide Road Line Striping Bid #20-09**

**Acceptance Date: Tuesday, July 28, 2020 @ 2:30 PM**

Sealed bid proposals, plainly marked, "Proposal for Town Wide Road Line Striping, Bid #20-09" on the outside of the mailing envelope as well as the sealed bid envelope, addressed to the Administration, Town of Hooksett, 35 Main Street, Hooksett, New Hampshire, 03106, **will be accepted until Tuesday, July 28, 2020 at 2:30 PM** when all bids will be publicly opened and read aloud.

Bid packages may be obtained from the Town's website at [www.hooksett.org](http://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**

Inquiries pertaining to the request for proposal must cite the RFP title and acceptance date and be directed to the Department of Public Works Director, Earl LaBonte [elabonte@hooksett.org](mailto: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**

The Town of Hooksett, Public Works Department, is seeking proposals from qualified vendors to perform line striping services for an estimated 88 miles of Town roads, to include crosswalks and arrows.

**Background**

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

**Scope of Work**

The Town of Hooksett is seeking proposals to provide a per foot price for the line striping of approximately 24+/- miles of double yellow centerline and approximately 17+/- miles of single white fog lines, 29 Crosswalks and 49 Arrows. Paint and application must meet provisions of NHDOT Specifications Section 708. All proposals must be submitted with the attached bid form. Awarded contractor will be provided with location map and listings, there will not be a town escort provided.

**Vendor Qualifications**

Please list all qualifications and financial stability and any references on similar projects.

**Submission Requirements**

Items Addressed:

The proposal should address all points outlined in the request for proposals. While additional data may be presented, the following subjects and questions must be addressed:

- a. Name, address, telephone number, fax number and e-mail address of the company
- b. Name of contact person and telephone number for purposes of the following up on the proposal.
- c. Narrative including the qualifications of the company and municipal experience.
- d. Has the company been in bankruptcy, reorganization or receivership in the last five years?? If so, please explain current status.
- e. Has the Company been disqualified or terminated by any public agency or Town? If so, explain.
- f. Three (3) copies of the proposal must be submitted.
- g. All tabulations must be and pricing must be submitted on the Line Stripping Bid Form

**Firm Pricing**

Proposed fees must be firm for the Town acceptance for 90 days from the acceptance date of proposals.

**Completion Date**

All work performed must be completed by October 1, 2020.

2

Bid # 20-XX Town Wide Line Striping

**Insurance**

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

General Liability:	\$1,000,000	per occurrence
	\$2,000,000	Aggregate
Automobile Liability	\$ 100,000	Bodily Injury per person
	\$ 300,000	per Occurrence
Workers Compensation	\$1,000,000	Per Occurrence (Coverage B-Employer's Liability)
	\$1,000,000	per Employee (Coverage A-Statutory)

**Reservation of Rights**

The Town of Hooksett reserves the right to reject all of 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 the Town.

**Submission**

Be sure the proposal envelope is completely and properly identified. The face of the envelope shall indicate the title of the RFP "Proposal for Town Wide Road Line Striping, Bid #20-XX" 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 or hand delivered to the Town of Hooksett, Town Hall, 35 Main Street, Hooksett, NH 03106, and Attn: Administration.

**LATE BIDS WILL NOT BE ACCEPTED**

**LINE STRIPING FORM**

ITEM UNIT PRICE

Double Yellow Centerline 126,720 @ .09 = \$11,404.80

Single white Line 89,760 @ .042 = \$3,769.92

Crosswalks 29 @ \$100.00 = \$2,900.00

Arrows 49 @ \$50.00 = \$2,450.00

BID AMOUNT: \$20,524.72

BID AMOUNT: Twenty thousand, five hundred, twenty four dollars and seventy two cents  
(NUMERALS)  
(WRITE OUT IN WORDS)

(Prices written in word shall govern. Unit Prices shall govern over extended total when discrepancies occur)

Name of Firm: Industrial Traffic Lines Inc.

Business Address: 3 Sanborn Rd, Londonderry, NH 03053

Telephone Number: 603-552-3780

E-mail: industrialtrafficlines@gmail.com

Scott Mason-President  
Print Representative's Name and Title

[Signature]  
Signature

# Industrial Traffic Lines, Inc.

3 Sanborn Rd, Londonderry, NH 03053

P. (603) 552-3780 F. (603) 965-4380

e-mail-industrialtrafficlines@gmail.com

Dear Sir/Madam,

I would like to take a moment of your time to introduce you to our company. We are a pavement marking company in southern New Hampshire. We have been in business since 1989, first under the name of Seal-Tec Asphalt Coatings, Inc. and due to the sale of the sealcoating and crack sealing portion of our company, we have changed our name to **Industrial Traffic Lines, Inc.**

Our company is one of the top professionals in the pavement marking field. We can help you with parking lot striping, layout, road striping, line removal and thermoplastic pavement markings. We are very competitive in our prices and will gladly supply references upon request. We are fully insured with full liability and workers' compensation.

The company has never filed bankruptcy or reorganized. We also have never been disqualified or terminated by any public agency or Town.

We are an Equal Opportunity Employer and in compliance with the Americans with Disabilities Act.

Thank you in advance for your consideration.

Sincerely,



Scott Mason

**INDUSTRIAL TRAFFIC LINES, INC.**

PHONE: 603-552-3780 FAX: 603-965-4382

## LIST OF CONTRACTOR'S EQUIPMENT TO BE UTILIZED ON PROJECT:

State Spec. 2000 GMC LDI w/2 250 gallon Tanks (NH DOT INSPECTED)	
2017 F350	Chase vehicle w/ 2 way radio dispatch
2005 F350	Chase vehicle w/ 2 way radio dispatch
2003 F150	Chase vehicle w/ 2 way radio dispatch

## LIST OF CONTRACTS CONTRACTOR HAS COMPLETED IN OTHER CITIES AND TOWNS:

City/Town	Contact Person	Telephone Number
Town of Seabrook	John Starkey	474-3311
Town of Northfield	Andy Buteau	998-3100
Town of Durham	Doug Bullen	817-9472
Town of Pembroke	Victor Ranfos	848-0449
Town of Fremont	Leon Holmes	300-7430
Town of Milford	Chris Anton	801-0153
Town of Lee	Steve Bullek	738-5963
Town of New Boston	Richard Perusse	657-4262
Town of Londonderry	Paul Schacht Jr.	552-7863
City of Rochester	Ken Henderson	335-3833
Town of Hudson	Jay Twardosky	235-4918

[WWW.INDUSTRIALTRAFFICLINES.COM](http://WWW.INDUSTRIALTRAFFICLINES.COM) [INDUSTRIALTRAFFICLINES@GMAIL.COM](mailto:INDUSTRIALTRAFFICLINES@GMAIL.COM)

## Industrial Traffic Lines, Inc.

The work shall consist of furnishing and placing white, yellow, red and blue retroreflective paint (or thermoplastic as required) pavement markings at locations as ordered or assigned by the Town's Representative. The assignment may be increased or decreased and the price will be adjusted accordingly. Striping shall be made by the contract unit price per linear foot actually striped. A GPS tracking system is used to provide accurate linear footage of all striping.

Immediately before applying the pavement marking paint to the pavement, Industrial Traffic Lines shall insure the surface is dry and entirely free from dirt, sand, grease, oil or other matter which would prevent effective adhesion of the paint to the pavement.

Traffic paint shall be ready mixed white, yellow, red and blue paint which may be used as a base for reflective glass beads for use as a plain non-reflective traffic paint suitable for either bituminous or concrete surfaces. White or yellow traffic paint shall meet the requirements of the current Department of Transportation specifications. Paint shall be applied to a thickness of 15-20 mil.

Glass beads shall conform to AASHTO M 247 and shall be Type 1 with a minimum moisture resistant coating. Glass beads shall be evenly applied through the entire paint thickness at a rate of 6-8 pounds to each gallon of water base or alkyd paint. Glass beads shall be applied simultaneously with paint, by pressurized or mechanized drop methods.

Newly applied pavement markings shall be protected from traffic until the material has cured. The method of protection shall not constitute a hazard to the traveling public.

All equipment used in striping operations shall be equipped in accordance with existing state law and shall be equipped with a flashing light with the following characteristics:

- \*Visible for a minimum of one (1) mile.
- \*Flash sixty (60) to ninety (90) times per minute.
- \*Mounted for three hundred sixty (360) degree visibility.
- \*Equipped with amber lens.

The safety of the public and the convenience of traffic shall be of prime importance. Unless otherwise specified, all portions of the streets shall be kept open to traffic at all times throughout striping operations. Equipment and personnel shall move in the same direction as traffic at all times during all striping operations. The Municipality will have a Representative lead with a vehicle accompanied by one of our radios for quality control, as well as to familiarize us with the streets that need striping. A safety meeting will be conducted with the DPW prior to the day's work, as to the operations to be performed.

Attached is a list of jobs that we have successfully completed with other Municipalities.





# Town Council

## STAFF REPORT



**To:** Town Council  
**Title:** Appoint ADA Coordinator and Adopt ADA Public Notice & ADA Grievance Procedure  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Administration  
**Staff Contact:** Donna Fitzpatrick, Administrative Services Coordinator

### BACKGROUND INFORMATION:

Federal law states that a public entity that employs 50 or more persons shall manage efforts to comply with the Americans with Disabilities Act. For more information refer to [Chapter 28 C.F.R. pt. 35, § 35.107\(a\) \(2005\)](#). Most public entities start by appointing an **ADA Coordinator** who will then coordinate action guide steps (see below) and put together an ADA team.

### ADA Title II Action Guide for State and Local Governments

- [Step 1 - Start Implementation](#) (05/20/2020 the State of NH ADA Office of Federal Compliance reached out to the Town of Hooksett Administration to inquire on our Town's appointment of an ADA Coordinator to coordinate the administrative requirements of ADA compliance, to respond to ADA complaints filed by the public and the adoption of a Public Notice and Grievance Procedure.)
- [Step 2 - Appoint an ADA Coordinator](#) (08/26/2020 Town Council Meeting - Council Appoint Donna Fitzpatrick)
- [Step 3 - Adopt and Provide a Public Notice](#) (08/26/2020 Town Council Meeting - Council Adopt attached draft Notice - language provided by State of NH) - see 35.106 below for details
- [Step 4 - Adopt and Provide a Grievance Procedure](#) (08/26/2020 Town Council Meeting - Council Adopt attached draft Grievance Procedure - language provided by State of NH) see 35.107 below for details

### ADA Coordinator next steps after appointment by Town Council is to establish ADA team then:

- [Step 5 - Conduct a Self-Evaluation](#) of both facilities, playgrounds, recreational fields, and social media for access by employees, board/committee members and general public as appropriate
- [Step 6 - Develop a Transition Plan](#)
- [Step 7 - Create an Action Plan](#)

### \*§ 35.106 Notice

A public entity shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this part and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part.

### § 35.107 Designation of responsible employee (ADA Coordinator) and adoption of grievance procedures

- (a) *Designation of responsible employee.* A public entity that employs 50 or more persons shall designate at least one employee (ADA Coordinator) to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.
- (b) *Complaint procedure.* A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part.

**FINANCIAL IMPACT:**

To be determined based on ADA improvement needs as identified in step 5 above.

**POLICY IMPLICATIONS:**

To be determined based on step 5 - step 7 above.

**RECOMMENDATION:**

1) Appoint Donna Fitzpatrick as the Town of Hooksett, NH ADA Coordinator. Ms. Fitzpatrick currently in position of Human Resources with duties and responsibilities to support the appointment of an ADA Coordinator to include but not limited to:

- coordinating and implementing policy/programs for all Town employees
- employee grievance process
- risk management to minimize Town liability relating to employees, Board/Committee members and general public.

2) Adopt ADA Public Notice & ADA Grievance Procedure as submitted; language provided by State of NH.

**SUGGESTED MOTION:**

Motion to appoint Donna Fitzpatrick as the Town of Hooksett, NH ADA Coordinator.

Motion to adopt ADA Public Notice & ADA Grievance Procedure as submitted.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur

**ATTACHMENTS:**

[ADA NOTICE 08262020](#)

[ADA GRIEVANCE 08262020](#)

**NOTICE**

**TOWN OF HOOKSETT, NH**

**AMERICANS WITH DISABILITIES ACT**

The Town of Hooksett, NH does not discriminate on the basis of disability in its services, programs or activities.

Employment: The Town of Hooksett, NH does not discriminate on the basis of disability in its hiring or employment practices and complies with the ADA Title I employment regulations.

Effective Communications: The Town of Hooksett, NH will, upon request, provide auxiliary aids and services leading to effective communication for people with disabilities, including qualified sign language interpreters, assistive listening devices, documents in Braille, and other ways of making communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town of Hooksett, NH will make reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy programs, services, and activities. For example, people with service animals are welcomed in the Town of Hooksett, NH offices, even where pets and other animals are prohibited.

Requests: To request an auxiliary aid or service for effective communication, or a modification of policies or procedures contact Donna Fitzpatrick, ADA Coordinator, Town of Hooksett, 35 Main Street, Hooksett, NH (603) 268-0060, [dfitzpatrick@hooksett.org](mailto:dfitzpatrick@hooksett.org) as soon as possible, preferably at least 5 business days before the activity or event.

Complaints: Send complaints to:

Donna Fitzpatrick  
ADA Coordinator  
Town of Hooksett  
35 Main Street  
Hooksett, NH  
(603) 268-0060  
[dfitzpatrick@hooksett.org](mailto:dfitzpatrick@hooksett.org)

## PROCEDURE

### TOWN OF HOOKSETT, NH

#### AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

This grievance procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Hooksett, NH.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number, email address of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation to:

Donna Fitzpatrick  
ADA Coordinator  
Town of Hooksett  
35 Main Street  
Hooksett, NH  
(603) 268-0060  
[dfitzpatrick@hooksett.org](mailto:dfitzpatrick@hooksett.org)

Within 15 calendar days after receipt of the complaint, Donna Fitzpatrick will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Donna Fitzpatrick will respond in writing, and where appropriate, in format that is accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Hooksett, NH and offer options for substantive resolution of the complaint.

If the response by Donna Fitzpatrick does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the Town Administrator or designee.

Within 15 calendar days after receipt of the appeal, the Town Administrator or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendars days after the meeting, the Town Administrator or designee will respond in writing and, where appropriate in a format that is accessible to the complainant, with a final resolution of the complaint.

Town Council  
**STAFF REPORT**



---

**To:** Town Council  
**Title:** University Commons Street Name Approval  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Community Development  
**Staff Contact:** Leann Fuller, Community Development Clerk

**BACKGROUND INFORMATION:**

University Commons is proposed off of University Circle on Map 14, Lot 1-11. This project consists of five buildings with four townhouses in each building. For this development, a new road name is required. Five names have been proposed but only one is suitable due to the others being present in Hooksett already or too close to another road name. The Public Works Director, Code Enforcement Officer, Assistant Fire Chief and Police Captain have signed off on Overlook Drive as the new road name.

**RECOMMENDATION:**

Approve Overlook Drive as the new street name for the University Commons development.

**SUGGESTED MOTION:**

Motion to approve Overlook Drive as the street name for the University Commons development proposed on Map 14, Lot 1-11.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur

**ATTACHMENTS:**

[University Commons Street Name Approval Forms](#)

**STREET NAME**

**APPROVAL FORM**

To: Hooksett Town Council

Date: 7/20/2020

Please review the following name(s) being proposed for new streets in Hooksett. The name(s) have been reviewed for 9-1-1 compatibility and are with the established guidelines. The applicant is presently preparing a submission for the Planning Board and the street name(s) must be approved, by you, prior to being deemed "complete" by the Planning Board.

NAME OF DEVELOPMENT: University Commons

NAME OF DEVELOPER: Anley Construction

<u>PROPOSED NAME(S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
1) Overlook Dr	drive way	Site plan
2) Highland Dr	off University Ct.	30 townhouses
3) Crestview Lane		Condo's
4) Fairview Dr.		
5) Hill Side Lane		

Approved by the Hooksett Town Council: \_\_\_\_\_  
Date

Town Council Chair \_\_\_\_\_  
Police Department \_\_\_\_\_  
Fire Department e-mail \_\_\_\_\_  
Public Works \_\_\_\_\_  
Code Enforcement \_\_\_\_\_

STREET NAME

APPROVAL FORM

To: Hooksett Town Council

Date: 7/20/2020

Please review the following name(s) being proposed for new streets in Hooksett. The name(s) have been reviewed for 9-1-1 compatibility and are with the established guidelines. The applicant is presently preparing a submission for the Planning Board and the street name(s) must be approved, by you, prior to being deemed "complete" by the Planning Board.

NAME OF DEVELOPMENT: University Commons.

NAME OF DEVELOPER: Anley Construction

<u>PROPOSED NAME(S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
1) Overlook Dr	drive way	site plan
2) Highland Dr	off University Cr.	30 townhouses.
3) Crestview Lane.		Condo's
4) Fairview Dr.		
5) Hill Side Lane		

Approved by the Hooksett Town Council: \_\_\_\_\_  
Date

Town Council Chair

Police Department Cpl. P. L. #39

Fire Department

Public Works

Code Enforcement

**Leann Fuller**

---

**From:** Steve Colburn <SColburn@hooksettfire.org>  
**Sent:** Monday, July 27, 2020 10:27 AM  
**To:** Leann Fuller  
**Subject:** RE: University Commons Street Names

Overlook Drive works for fire.

Steven Colburn  
Assistant Fire Chief  
Hooksett Fire-Rescue  
Tel: (603) 623-7272  
Fax: (603) 626-6742  
scolburn@hooksettfire.org  
www.hooksettfire.org

Email confidentiality notice: The information in this email and subsequent attachments may contain confidential information that is intended solely for the attention and use of the named addressee(s). This message or any part thereof must not be disclosed, copied, distributed or retained by any person without authorization from the addressee.

On Jul 27, 2020 9:02 AM, Leann Fuller <LFuller@hooksett.org> wrote:

Thank you, Steve. I just need a quick signature or e-mail noting that you still recommend Overlook Drive over all other options.

Thank you,

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

**From:** Steve Colburn <SColburn@hooksettfire.org>  
**Sent:** Monday, July 27, 2020 8:36 AM  
**To:** Leann Fuller <LFuller@hooksett.org>; Matthew Lavoie <MLavoie@hooksett.org>  
**Subject:** RE: University Commons Street Names

I would stay way from anything hill in it, to many of those already.

**Steven Colburn**  
**Assistant Fire Chief**  
**Hooksett Fire-Rescue**  
Tel: (603) 623-7272  
Fax: (603) 626-6742  
scolburn@hooksettfire.org  
www.hooksettfire.org



## Town Council

# STAFF REPORT



**To:** Town Council  
**Title:** Autumn Frost Subdivision Street Name Approval  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Community Development  
**Staff Contact:** Leann Fuller, Community Development Clerk

### BACKGROUND INFORMATION:

This project was originally approved by the Planning Board in 2014. On April 6, 2020, the Planning Board granted a two-year extension of the active and substantial vesting period under the Town Development Regulations, to allow this 18 lot subdivision off Summerfare Street to move forward with roadway construction, erosion control measures, drainage construction and underground utility conduits. The project was subsequently bonded, a pre-construction conference was held with Town staff, clear-cut permits were obtained, and the developer's contractors have begun work on the roadway. The work has been fully permitted to date and the project is in full compliance with the stipulations of the Town Development Regulations.

The developer has requested the Town Council approve the street name as Marigold Way, or alternatively Acorn Lane or Chestnut Drive.

### RECOMMENDATION:

Please see the enclosed correspondence from DPW, Police, Fire and Code Enforcement indicating that Chestnut Drive is not acceptable, as it would be a duplicate. Either Marigold Way or Acorn Lane are acceptable and henceforth it is recommended that Council motion to approve Marigold Way.

### SUGGESTED MOTION:

Motion to approve Marigold Way as the street name for the Autumn Frost Subdivision located off Summerfare Street.

### TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

### ATTACHMENTS:

[Autumn Frost Street Name Approval Forms](#)

**STREET NAME**

**APPROVAL FORM**

To: Hooksett Town Council

Date: 6/18/20

Please review the following name(s) being proposed for new residential streets. The name(s) have been reviewed for 9-1-1 compatibility and are within the established guidelines. The applicant previously secured Planning Board entitlements to develop the residential lots and associated streets under review, and the street name(s) must be approved by Town Council prior to permitted work beginning on the site.

**NAME OF DEVELOPMENT: Autumn Frost**

**NAME OF DEVELOPER: Wayne Kenny Builders, LLC**

<u>PROPOSED NAME(S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
Marigold Way (primary)	_____	_____
Acorn Lane (alternative)	_____	_____
Chestnut Drive (alternative)	_____	_____

Approved by the Hooksett Town Council: \_\_\_\_\_  
Date

Town Council Chair \_\_\_\_\_  
 Police Department ☒ \_\_\_\_\_  
 Fire Department ☒ \_\_\_\_\_  
 Public Works ☒ \_\_\_\_\_  
 Code Enforcement ☒ \_\_\_\_\_

**Leann Fuller**

---

**From:** Steve Colburn <SColburn@hooksettfire.org>  
**Sent:** Thursday, June 18, 2020 10:52 AM  
**To:** Nicholas Williams; Leann Fuller; Janet Bouchard; Jake Robie; James Burkush; Earl Labonte; Matthew Lavoie  
**Subject:** RE: Street Name Form

#1&2 are acceptable, we already have a Chestnut Lane in town.

**Steven Colburn**  
**Assistant Fire Chief**  
**Hooksett Fire-Rescue**  
 Tel: (603) 623-7272  
 Fax: (603) 626-6742  
[scolburn@hooksettfire.org](mailto:scolburn@hooksettfire.org)  
[www.hooksettfire.org](http://www.hooksettfire.org)

Email confidentiality notice: The information in this email and subsequent attachments may contain confidential information that is intended solely for the attention and use of the named addressee(s). This message or any part thereof must not be disclosed, copied, distributed or retained by any person without authorization from the addressee.

**From:** Nicholas Williams <NWilliams@hooksett.org>  
**Sent:** Thursday, June 18, 2020 9:55 AM  
**To:** Leann Fuller <LFuller@hooksett.org>; Janet Bouchard <jbouchard@hooksettpolice.org>; Jake Robie <JRobie@hooksettpolice.org>; Steve Colburn <SColburn@hooksettfire.org>; James Burkush <JBurkush@hooksettfire.org>; Earl Labonte <ELabonte@hooksett.org>; Matthew Lavoie <MLavoie@hooksett.org>  
**Subject:** RE: Street Name Form

Good morning,

Please also see the attached request for the Autumn Frost subdivision.

**From:** Leann Fuller  
**Sent:** Thursday, June 18, 2020 9:43 AM  
**To:** Janet Bouchard; Jake Robie; Steve Colburn; James Burkush; Earl Labonte; Matthew Lavoie  
**Cc:** Nicholas Williams  
**Subject:** FW: Street Name Form

All,

Please review the attached street name approval form. Please indicate which name you prefer and sign in the appropriate spot. Please return to me ASAP. I have included the plan for reference. This road name will be for a private shared driveway.

Thank you,

*Leann*

**STREET NAME**

**APPROVAL FORM**

To: Hooksett Town Council

Date: 6/18/20

Please review the following name(s) being proposed for new residential streets. The name(s) have been reviewed for 9-1-1 compatibility and are within the established guidelines. The applicant previously secured Planning Board entitlements to develop the residential lots and associated streets under review, and the street name(s) must be approved by Town Council prior to permitted work beginning on the site.

**NAME OF DEVELOPMENT:** Autumn Frost

**NAME OF DEVELOPER:** Wayne Kenny Builders, LLC

<b><u>PROPOSED NAME(S)</u></b>	<b><u>LOCATION</u></b>	<b><u>DESCRIPTION</u></b>
Marigold Way (primary)	_____	_____
Acorn Lane (alternative)	_____	_____
Chestnut Drive (alternative)	_____	_____

**Approved by the Hooksett Town Council:** \_\_\_\_\_  
**Date**

<b>Town Council Chair</b>	_____
<b>Police Department</b>	_____
<b>Fire Department</b>	_____
<b>Public Works</b>	<b>First two ok no for chestnut</b>
<b>Code Enforcement</b>	_____

**STREET NAME**

**APPROVAL FORM**

To: Hooksett Town Council

Date: 6/18/20

Please review the following name(s) being proposed for new residential streets. The name(s) have been reviewed for 9-1-1 compatibility and are within the established guidelines. The applicant previously secured Planning Board entitlements to develop the residential lots and associated streets under review, and the street name(s) must be approved by Town Council prior to permitted work beginning on the site.

**NAME OF DEVELOPMENT: Autumn Frost**

**NAME OF DEVELOPER: Wayne Kenny Builders, LLC**

**PROPOSED NAME(S)**

**LOCATION**

**DESCRIPTION**

Marigold Way (primary)

Acorn Lane (alternative)

Chestnut Drive (alternative)

Approved by the Hooksett Town Council: \_\_\_\_\_

Date

Town Council Chair

Police Department

Fire Department

Public Works

Code Enforcement

*Just Bruchal*



Town Council

# STAFF REPORT



**To:** Matthew Lavoie  
**Title:** Street Name Approval for property located near Allenstown Line, Owner requires access to new construction of a livestock barn  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Community Development  
**Staff Contact:** Kathy Lawrence, Community Development Clerk

## BACKGROUND INFORMATION:

Street name approval request for Thessalonika Drive Map 1 Lot 14. The name was approved by all required department heads(see signatures on form). Assistant Chief Colburn of Hooksett Fire and Allenstown Chief St. Germain are in agreement that a new road would be best for the property in the event more development occurs in Allenstown it will still follow E9-1-1, and the towns have been in contact and agree with the name Thessalonika Drive (email confirmation provided).

## FINANCIAL IMPACT:

None

## POLICY IMPLICATIONS:

Following E9-1-1 recommended standards and town procedure for street name approvals

## RECOMMENDATION:

Thessalonika was the first choice of 3 from the property owner

## SUGGESTED MOTION:

Motion to approve street name, Thessalonika Drive, Map 1 Lot 14.

## TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

## ATTACHMENTS:

[Thessalonika Drive Staff Report doc](#)

**STREET NAME**  
**APPROVAL FORM**

To: Hooksett Town Council

Date:

Please review the following name(s) being proposed for new residential streets. The name(s) have been reviewed for 9-1-1 compatibility and are within the established guidelines. The applicant previously secured Planning Board entitlements to develop the residential lots and associated streets under review, and the street name(s) must be approved by Town Council prior to permitted work beginning on the site.

**NAME OF DEVELOPMENT:**

**NAME OF DEVELOPER:**

<u>PROPOSED NAME(S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
Thessalonika Drive (primary)	Map 1 Lot 14	_____
Latissa Lane (alternative)	Map 1 lot 14	_____
Spartan Way(alternative)	Map 1 lot 14	_____

**Approved by the Hooksett Town Council:** \_\_\_\_\_  
Date

**Town Council Chair**

**Police Department**

**Fire Department**

**Public Works**

**Code Enforcement**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Matthew Lavoie**

---

**From:** Chief Paul St. Germain <pst.germain@allenstownnh.gov>  
**Sent:** Tuesday, July 28, 2020 9:56 PM  
**To:** Matthew Lavoie  
**Cc:** Dawna Baxter; Marissa.jones@dos.nh.gov  
**Subject:** Re: Send data from MFP13410935 07/28/2020 12:19

No issues from Allenstown...

Paul St. Germain  
Fire Chief  
Fire Warden  
Allenstown Fire Department  
1 Ferry Street  
Allenstown, NH 03275  
603-485-9202 ext. 200  
603-340-8377(cell)

> On Jul 28, 2020, at 3:47 PM, Matthew Lavoie <[MLavoie@hooksett.org](mailto:MLavoie@hooksett.org)> wrote:

>

> For your information the applicant has settled on Thessalonika Drive for the driveway on Pleasant Street. Keep in mind there will be an electrical service for this barn as well. Let me know if there are any issues with this. Thanks.

>

>

> Matthew Lavoie

> Town Of Hooksett

> Code Enforcement Officer

> Phone 485-4117

> Email: [MLavoie@hooksett.org](mailto:MLavoie@hooksett.org)

> Website Hooksett.org

>

>

>

> <DOC072820-07282020121933.pdf>

**Matthew Lavoie**

---

**From:** Jones, Marissa <Marissa.Jones@dos.nh.gov>  
**Sent:** Wednesday, July 29, 2020 10:29 AM  
**To:** Matthew Lavoie; Dawna Baxter; Paul St. Germain  
**Subject:** RE: Send data from MFP13410935 07/28/2020 12:19

Looks good! I see no issues with it.

Have a great day!

Marissa

Marissa Jones  
E9-1-1 Field Representative I  
State of NH Department of Safety  
Division of Emergency Services and Communications  
E9-1-1 Data Operations Unit

50 Communications Dr.  
Laconia, NH 03246  
Office: (603) 527-2069 ext. 34340  
Cell: (603) 856-5384  
[Marissa.Jones@dos.nh.gov](mailto:Marissa.Jones@dos.nh.gov)

-----Original Message-----

From: Matthew Lavoie [<mailto:MLavoie@hooksett.org>]  
Sent: Tuesday, July 28, 2020 3:47 PM  
To: Dawna Baxter <[dbaxter@allentownnh.gov](mailto:dbaxter@allentownnh.gov)>; Paul St. Germain <[pst.germain@allentownnh.gov](mailto:pst.germain@allentownnh.gov)>  
Cc: Jones, Marissa <[Marissa.Jones@dos.nh.gov](mailto:Marissa.Jones@dos.nh.gov)>  
Subject: FW: Send data from MFP13410935 07/28/2020 12:19

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

For your information the applicant has settled on Thessalonika Drive for the driveway on Pleasant Street. Keep in mind there will be an electrical service for this barn as well. Let me know if there are any issues with this. Thanks.

Matthew Lavoie  
Town Of Hooksett  
Code Enforcement Officer  
Phone 485-4117  
Email: [MLavoie@hooksett.org](mailto:MLavoie@hooksett.org)  
Website  
[https://urldefense.com/v3/http://Hooksett.org;!Oai6dtTQULp8Sw!EJVRRXJB6KW7GNG\\_yMZJDVIQ10I04PJceWu-Unc6IkX2DJSzmz\\_djhPFFVh-5wjpF2iviLA\\$](https://urldefense.com/v3/http://Hooksett.org;!Oai6dtTQULp8Sw!EJVRRXJB6KW7GNG_yMZJDVIQ10I04PJceWu-Unc6IkX2DJSzmz_djhPFFVh-5wjpF2iviLA$)

# Town Council

## STAFF REPORT



**To:** Town Council  
**Title:** Administrative Code Update - New Social Media Policy  
**Meeting:** Town Council - 09 Sep 2020  
**Department:** Administration  
**Staff Contact:** Donna Fitzpatrick, Administrative Services Coordinator

### BACKGROUND INFORMATION:

Towns and cities are using social media more often to communicate with citizens, both to provide up-to-the-minute information and to allow citizens to ask questions and give feedback. Just as often, municipal employees and officials have their own social media accounts which they might use to post their own thoughts about municipal government, other citizens, and issues of the day. Social media creates a variety of issues regarding 1st Amendment free speech rights of the public, employees, and officials; protected union activity by employees; legally protected speech of New Hampshire's public employees; electioneering; and RSA 91-A (the Right to Know Law).

May 29, 2019 the Town's legal firm, Drummond Woodsum, hosted a social media workshop for practical advice for local officials. A few employees attended this event. The workshop provided a Social Media Policy template, which the Town of Hooksett has amended in ***draft*** format to better meet the needs of our community - see attached.

Town Administrator Garron will facilitate discussion on this subject matter.

### FINANCIAL IMPACT:

To be determined.

### POLICY IMPLICATIONS:

To be determined.

### RECOMMENDATION:

Discuss this subject matter as facilitated by Town Administrator Garron.

### SUGGESTED MOTION:

Motion to approved the Town of Hooksett, NH social media policy as drafted and presented by Town Administrator Garron.

### TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

### ATTACHMENTS:

[Social Media Draft](#)

## Town of Hooksett

### SOCIAL MEDIA POLICY

Adopted by the Hooksett Town Council

---

Chair

---

Vice Chair

---

Town Administrator

---

**Purpose:** The Town of Hooksett has established social media sites primarily in order to inform residents about Hooksett programs and events, to encourage dialogue between residents about these programs and events, and to exchange information and knowledge between residents and municipal authorities about these programs and events. The town's official social media sites are not intended to be traditional public forums for the general exchange of ideas and viewpoints, but rather a limited public forum for discussion of specific programs and events. Courts have recognized that governmental entities, such as the Town of Hooksett, may create limited public forums for specific purposes and limit discussion on the forum to those specific purposes. The Town of Hooksett shall remove content and postings not consistent with the specific purpose of the social media sites and these Guidelines.

**Summary:** New and emerging online platforms are fundamentally changing the way the world works, offering us new ways to collaborate and to engage with the public. The Town of Hooksett encourages the use of social media to further the outcomes of the Town and to assist us in our mission to better engage with our Community. The Town Administrator has an overriding interest and expectation in deciding who may "speak," and what is "spoken," on behalf of the Town of Hooksett to our respective residents. To ensure that communication through Town social media networks is consistent and in the best interest of the Town, this policy provides uniform guidelines for the use of social media.

**Scope:** Applies to all Town employees, volunteers, Town officers, and members of municipal boards, committees or commissions, when acting in their capacity as a member of such entities or as a representative of the City/Town, that create or contribute to blogs, wikis, social networks, virtual worlds, or any other kind of social media on behalf of or as a representative of the Town.

## General Definitions

**Social Media** - Online presences that enable users to create and share content or to participate in social networking. The Town of Hooksett considers any website, blog, or networked application where publishing information to a public audience is possible to fall under its definitions and policy controls related to social media.

**Social Media Network** – Specific collectives of online communications channels, websites, or applications dedicated to community-based input, interaction, content-sharing and/or collaboration.

**Social Media Account** – A specific, identifiable interface on a social media network that enables users to post information and interact with audiences using the same network via posts,

**Public Forum** - a place that has a long-standing tradition of being used for, is historically associated with, or has been dedicated by government act to the free exercise of the right to speech and public debate and assembly

**Limited Public Forum** – A public forum created by the government voluntarily for expressive activity that may be restricted as to subject matter or class of speaker

## 1. General Details

- a. Wherever possible, the use of Social media by Town of Hooksett employees and elected or appointed officers will comply with all appropriate municipal policies, regulation, and forms of governance, including but not limited to:
  - i. This policy
  - ii. Town of Hooksett's Media Relations Policy
  - iii. Town Charter
  - iv. Administrative Code
  - v. Computer Use Policy
  - vi. Personnel Plan
- b. The Town of Hooksett's main websites ([www.hooksett.org](http://www.hooksett.org), [www.hooksettfire.org](http://www.hooksettfire.org) , [www.hooksettpolice.org](http://www.hooksettpolice.org)) will be the Town's primary and predominant internet presence. All other officially recognized internet presences such as those represented by other websites, detached blogs, social media networks, and through designated accounts as applicable, are considered purely supplementary, and will strive to not exceed the purposes delimited within this policy.
- c. When using personal or other third party social media accounts, town employees and elected or appointed officers will strive to never represent personal opinion as officially representing the interests of the town.

- d. Official social media accounts for individual departments, boards, commissions or committees may be created with approval of both the relevant administrating department head (where applicable) and the Town Administrator according to the process described in the **Administrative Procedures** section of this policy.
- e. Maintenance of approved social media accounts shall be the responsibility of the relevant administrating department head or their designees. Websites and social media accounts for individual departments or boards, commissions or committees that are not appropriately monitored or maintained shall be discontinued by order of the Town Administrator. The Town Administrator or their designee shall hold an active password and/or administrator access to all officially approved social media accounts in use.
- f. The use of social media networks shall serve the following purposes:
  - i. To push information to the public, not to directly communicate with them (i.e. no response to posts, no answers to questions, comments, or concerns) and;
  - ii. To increase the Town government's ability to broadcast its messages to the widest possible audience;
  - iii. To disseminate time-sensitive information as quickly as possible; no response to posts, no answers to questions, comments, or concerns) and;
  - iv. To funnel actionable municipal inquiries to appropriate municipal resources for possible solutions (should discuss)
- g. Quasi-judicial public bodies of the Town of Hooksett including, but not limited to, the Zoning Board of Adjustment and the Planning Board, shall not have social media sites

## 2. Administrative Procedures

- a. No social media network or account will be deemed official without express written authorization by the Town Administrator and the consent of an administrating Department Head. Approval for creation and utilization of the new social media networks, accounts, or presences will be considered upon submission of a written request to the Town Administrator that includes the following details:
  - i. Name of the applicable social media network or platform
  - ii. Name of any intended account names or other essential details through which content could be published
  - iii. Statement describing intended purpose of the new social media presence
  - iv. Brief plan on how content would be administered, including a content review plan and which employees would be performing initial day-to-day administration of the social media presence
  - v. Acknowledgement that administration of the social media will follow this policy and any other applicable town policies or procedures.
- b. All official social media shall have a clear statement of the purpose of the site and include a clear statement that "This social media site is not intended to be a traditional public

forum for the general exchange of ideas and viewpoints, but rather a limited forum for discussing...*[insert the purpose of the social media site]*. Courts have recognized that governmental entities, such as the Town of Hooksett, may create limited public forums for specific purposes and limit discussion on the forum to those specific purposes. The Town shall remove content and postings not consistent with the specific purposes of the social media sites and these Guidelines.”

- c. The Town of Hooksett currently limits the use of official social media networks and accounts to the list located in Appendix B. (probably a good idea to discuss how this is logged/tracked to be specific)

**Any social network not found in Appendix B should be considered not approved and may not be used for official Town purposes without first obtaining written approval by the Town**

- d. Wherever possible, content posted to Town of Hooksett social media networks should contain links directing users back to official town websites for more in-depth information, forms, documents or online services necessary to conduct business with the Town of Hooksett
- e. Administration of the Town of Hooksett social media networks shall be as follows:
  - i. The Administration Department will maintain a list of specific social media networks and accounts that are approved for official use. The most current listing will be published in Appendix B of this policy document.
  - ii. The Administration Department will maintain a second, non-public list of login and password information to access each account or network and a second list of town employees with current access to each account. Departmental communication liaisons will inform Administration of any desired changes to existing usage prior to implementation.
  - iii. Daily application of all regular administrative functions related to specific social official media accounts will be the responsibility of an appropriate department head and their designees.
  - iv. The Town Administrator or their designee must be able to immediately edit or remove content from all officially approved social media networks.
  - v. The Town Administrator retains the authority to remove pages or close sites if necessary
- f. Users and visitors to the Town’s social media networks shall be notified that the intended purpose of the network is to serve as a mechanism for receiving information from the Town and that it is a limited public forum. Users must also be notified that Town of Hooksett social media postings may be subject to removal if they are not related to the specific purpose of the social media site. The Town’s social media networks shall also contain the disclaimer that “any comments or information linked or posted shall not be

deemed information created, accepted, or obtained by, or on behalf of, the municipality under RSA 91-A:1-a.”

**The General Test:** If a post’s subject matter is not related to the purpose of the social media site, it is subject to removal.

**Examples of posts that may be subject to removal:**

- Comments, materials, or links not related to the specific purpose of the social media site.
- Comments in support of or opposition to political campaigns or ballot measures.
- Profane language. The Town intends for all members of the public, including minors and others sensitive to such language, to access and use its social media sites. To that end, any containing such language will require increased scrutiny as to its ability to remain on the site. A post containing profane language shall be subject to removal if the subject matter of the post is not related to the purpose of the social media site.
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation shall be subject to removal if the subject matter of the post is not related to the purpose of the social media site.
- Sexual content or links to sexual content. The City/Town intends for all members of the public, including minors and others sensitive to such content, to access and use its social media sites. Examples of sexual content are:
  1. Graphic descriptions or depictions of sexual activity;
  2. Graphic descriptions or depictions of sexual intercourse; and
  3. Graphic descriptions or depictions of nudity.
- Solicitations of commerce. No advertisements for commercial services, products, or businesses shall be permitted on the social media sites.
- Conduct or encouragement of illegal activity.
- Information that compromises the safety or security of the public or public systems. Examples of information that compromises the safety or security of the public or public systems is:
  - i. Threats of violence against Town officials and employees;
  - ii. Personal identifying information of Town officials and employees; and
  - iii. Login information for Town systems, such as usernames, passwords, and PIN numbers.
- Content that violates an intellectual property right of any third party. The Town shall remove content infringing on the intellectual property rights of a third party upon receiving notice from said third party describing the alleged infringement and establishing the legal right of the third party to the alleged infringed material.
- Any other content that violates local, State, or Federal laws, ordinance, or regulations.



- g. The Town shall maintain records of its social media sites for a minimum of one year pursuant to NH RSA 33-A:3-a (XXV). The Department maintaining a given official social media account or entity is responsible for responding completely and accurately to any public records request for public records on social media. Wherever possible, social media networks shall clearly indicate that any articles and any other content posted or submitted, by the municipality, for posting are subject to public disclosure.
- h. Posts shall only be removed from the Town's social media sites by the Department Head or their Town Administrator or his/her specific designee.
- i. The Administration Department will maintain a file containing all records related to the removal of social media posts.
- j. If a particular post is directed at a particular individual, that individual shall not have the authority to remove that post.
- k. The Town's social media sites shall be reviewed for compliance with the Guidelines no less frequently than once a month, with more frequent review encouraged.
- l. The Town shall remove any content or posts that violate this social media policy or any applicable law.
- m. Prior to the removal of any content or posts, the removing party shall create a removal record using the uniform cover sheet in **Appendix A**. The removal record shall always include:
  - i. A statement explaining why the content or post was removed, including which provision of the Guidelines was violated;
  - ii. Who removed the content or post;
  - iii. When the content or post was removed; and
  - iv. Any other information relevant to the removal.
- n. Any content or posts removed based on these guidelines **must be retained**, including the time and date of its creation and identity of the author when available.
- o. Any removed content shall be printed out in hard copy as it appears on the social media site before it is removed.
- p. All content related to the social media removal shall be filed together in hardcopy with the Administration Department
- q. If there is any doubt whether content or a post is removable, the Town Administrator or an so empowered Administering Department head or designee should contact the City/Town's legal counsel prior to taking any action.

- r. Enforcement and discipline with regards to any of the provisions of this policy by town employees will follow the procedures contained in the town Personnel Plan and Collective Bargaining agreements as applicable.
- s. Enforcement and discipline with regards to any of the provisions of this policy by elected or appointed officials will follow procedures contained in the Town Charter or applicable state law.

### **APPENDIX A. SOCIAL MEDIA REMOVAL RECORD COVER SHEET**

**Why was this content or post removed? (circle applicable choices)**

- a. Comments, materials, or links not related to the specific purpose of the social media site.
- b. Comments in support of or opposition to political campaigns or ballot measures.
- c. Profane language. The Town intends for all members of the public, including minors and others sensitive to such language, to access and use its social media sites. To that end, any containing such language will require increased scrutiny as to its ability to remain on the site. A post containing profane language shall be subject to removal if the subject matter of the post is not related to the purpose of the social media site.
- c. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation shall be subject to removal if the subject matter of the post is not related to the purpose of the social media site.
- e. Sexual content or links to sexual content. The City/Town intends for all members of the public, including minors and others sensitive to such content, to access and use its social media sites.
- f. Solicitations of commerce.
- g. Conduct or encouragement of illegal activity.
- h. Information that compromises the safety or security of the public or public systems.
  - i. Threats of violence against Town officials and employees;
  - ii. Personal identifying information of Town officials and employees; and
  - iii. Login information for Town systems, such as usernames, passwords, and PIN numbers.
- i. Content that violates an intellectual property right of any third party.

**Detailed Explanation of Incident and reasoning:**

**Removed by:**

Drummond Woodsum Draft and Template

Date Removed:

Additional Information:

(Attach this sheet to a screen capture of the deleted content).  
Appendix B.

**Table of Approved Social Media**

- **Facebook**

<https://www.facebook.com/HooksettCommunityDevelopment>  
<https://www.facebook.com/Hooksett-Fire-Rescue-Department-188287394944931/>  
<https://www.facebook.com/HooksettPD/>

- **Instagram**

Hooksettpd

- **Twitter**

<https://twitter.com/HooksettPD>  
<https://twitter.com/HooksettFire>  
<https://twitter.com/HooksettAdmin>



**Town of Hooksett  
Town Council Meeting Minutes  
Wednesday, July 15, 2020**

The Hooksett Town Council met on Wednesday, July 15, 2020 at 6:00 in the Hooksett Municipal Building.

**CALL TO ORDER**

Chair Sullivan called the meeting of 15 Jul 2020 to order at 6:00 pm. The meeting convened in the gymnasium for the swearing-in ceremony for Firefighter/Paramedic Mitchell Dean.

**PROOF OF POSTING**

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

**ROLL CALL**

**In Attendance:** Councilor James Sullivan, Councilor Roger Duhaime, Councilor John Durand, Councilor Randall Lapierre, Councilor David Boutin, Councilor Clifford Jones, Councilor Timothy Tsantoulis, Councilor Clark Karolian, and Councilor Alex Walczyk

**PLEDGE OF ALLEGIANCE**

Chair Sullivan called for the Pledge of Allegiance.

**SPECIAL RECOGNITION**

**Fire-Rescue Department - Swearing-in Ceremony - Firefighter/Paramedic Mitchell Dean**

Chair Sullivan: We are in the gymnasium to accommodate the number of people wishing to be observe this ceremony. This will allow us to maintain social distancing guidelines during the pandemic.

Fire Chief James Burkush: It is good to see Mitchell's fellow firefighters here to support him. Mitchell comes to us from Hopkinton with three years of experience. I will ask him to come forward so that I can administer the oath.

Chair Sullivan: Welcome to the Hooksett family and congratulations.

The meeting reconvened in the Council Chambers.

**Hooksett Municipal Employee - New Hire**

A. Garron: The only new hire for July is Sean Dumont. This is actually a promotion from Driver/Laborer to Heavy Equipment Truck Driver. I want to congratulate Sean on this promotion.

**SCHEDULED APPOINTMENTS**

Eagle Scout, Evan Perry - Petersbrook Park Project (see item 15.1 for details)

Evan Michael Perry: I am a member of Troop 135 in Manchester. My Eagle Scout project is to re-side (re-shingle) the shed at Petersbrook Park. I will also repair loose boards and replace the two doors.

Chair Sullivan: How did you decide on this project?

51 Evan Perry: The Town Engineer saw me at popcorn stand. He contacted me and asked me if I needed  
 52 a project.  
 53  
 54 T. Tsantoulis: I read your proposal and see that you have a lot of tasks to perform for this project. I  
 55 assume you have had some experience.  
 56  
 57 Evan Perry: Yes, I re-sided a house.  
 58  
 59 D. Boutin: This is a fantastic opportunity for young gentlemen to learn leadership and to accomplish  
 60 something important in life  
 61  
 62  
 63  
 64 Chair Sullivan: What is the cost for this project?  
 65  
 66 Evan Perry: I am not sure. I think it will be about \$500.00.  
 67  
 68 Chair Sullivan: When will you begin work on the shed?  
 69  
 70 Evan Perry: I will start when I have enough money. I will begin fundraising soon and might use some of  
 71 my own money.  
 72  
 73 D. Boutin: Can we get Evan's address so that we can send him a donation if we want to?  
 74  
 75 Chair Sullivan: I believe it would be best to send donations in care of Bruce Thomas, the Town  
 76 Engineer.  
 77  
 78 B. Thomas: I will help with publicity for his fundraising.  
 79  
 80 R. Lapierre: I was not on the Council when you discussed your volunteer policy. We will want Evan to  
 81 comply with that policy. Did you have a resolution on that?  
 82  
 83 Chair Sullivan: We will be discussing this during the August 12<sup>th</sup> workshop.  
 84  
 85 Mrs. Perry (Evan's mother): The Daniel Webster Council will provide liability insurance.  
 86  
 87 ***D. Boutin motioned to allow Eagle Scout candidate Evan Perry to rehabilitate the existing***  
 88 ***storage shed located at Petersbrook Park as his Scout Eagle project. R. Lapierre seconded the***  
 89 ***motion.***  
 90 ***Voted unanimously in favor (9-0).***  
 91  
 92 **Town Attorney Matthew Serge - Land Use Boards & Town Council Procedures**  
 93  
 94 Chair Sullivan: Mr. Serge will not be able to join us this evening because of a coronavirus issue at his  
 95 office. We hope he is well, and we plan to have him join us at our August 12<sup>th</sup> workshop meeting.  
 96  
 97  
 98 **CONSENT AGENDA**  
 99  
 100 **Town Council to accept the donation of cleaning services from Soil-Away, valued at \$715.00 to**  
 101 **the Town of Hooksett for the Hooksett Fire Rescue Department's Ambulances under RSA 31:95-**  
 102 **e, II.**  
 103  
 104  
 105 **Bussiere Development, #209 West River Road, Release of \$45,000 Site Cash Bond**

106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156

***T. Tsantoulis motioned to approve the two (2) Consent Agenda items. J. Durand seconded the motion.***

T. Tsantoulis: I read the report of the Town Engineer and it is apparent that he is ready to sign off on this.

Chair Sullivan called for a vote on the motion.

***Voted in favor (8-1), with C. Karolian voting nay.***

**TOWN ADMINISTRATOR'S REPORT**

A. Garron: I submitted the second round of expenses for GOEFFR funds today. The first submission was in the amount of \$16,755.00. For this reimbursement, the amount is \$81,000.00 and includes PPE supplies, the new door for exiting the Town Clerk's office and separation supplies. Laptops were ordered so that we don't have to borrow them from the Library if we are shut down again. We do appreciate the Library's lending of their laptops.

D. Boutin: Does the submission include ionizers for the AC units?

A. Garron: No, that has not yet been decided by the Council. In fact, it is on tonight's agenda.

A. Garron: I received a thank you note for the Council from Trisha Korosz for allowing the placement of signs congratulating the graduating seniors.

A. Garron: We had a CIP meeting last week to review the plan with the Planning Board. Hopefully, they will approve it. There were questions about the vehicle inventory, so Councilor Boutin and Matt Reed were tasked with interviewing department heads on the subject.

A. Garron: I had a problem with returning calls while on vacation last week. The system was inoperable, for some reason. I want to apologize to anyone who left me a message for my delayed response.

R. Duhaime: How are we looking for the budget at this point?

A. Garron: We had a budget update prior to July 1<sup>st</sup> when you joined the Council. We are on target. Revenue is behind but not too far. Highway Block grants and Rooms & Meals revenue are of concern because there are fewer cars on the road and fewer people traveling to our state. There is some talk of GOEFFR funds or CARES Act funds being allocated to help with revenue.

R. Duhaime: I have had calls from people who are still waiting for their vehicle registrations. The Town Clerk's office must be behind on registrations.

A. Garron: Yes, but they are catching up. The office is now fully staffed.

C. Karolian: Do you have any idea of how many requests for abatements have been received?

A. Garron: We have two members of the Board of Assessors on the Council. I will ask one of them to answer that question.

157 T. Tsantoulis: We are at or a little above average in terms of abatement requests. A good portion of  
158 these are not found worthy. The volume is not out of the ordinary. We have 30-plus requests before us.  
159 Less than 10% of these are considered. Also, there is a new State law saying that 100% disabled  
160 military veterans pay no property taxes. There is a process to verify the disability status; this is certainly  
161 something they deserve.

162  
163 C. Karolian: Do you have a dollar figure for the amount of the abatements? It is lack of revenue that I  
164 am worried about.

165  
166 T. Tsantoulis: No, I do not.

167  
168 C. Karolian: I am just looking for a ballpark figure.

169  
170 T. Tsantoulis: Off the top of my head, I can't say. The Assessor Jon Duhamel or Elayne Pierson could  
171 provide that figure.

172  
173 Chair Sullivan: Property owners struggling to pay their property taxes, can see the Tax Collector about  
174 a payment plan. I am sure that the Town Administrator can get the information you are requesting for  
175 next meeting, Mr. Karolian.

176  
177 **PUBLIC INPUT**

178 None.

179  
180 **NOMINATIONS AND APPOINTMENTS**

181 Chair Sullivan: The nomination and appointment of Council representative for the Budget Committee  
182 and the Sewer Commission remains to be done.

183  
184 R. Duhaime: My brother suggested that Councilor Tsantoulis would be a good Council representative to  
185 the Budget Committee.

186  
187 T. Tsantoulis: I struggle with budgetary items. I would not be an asset to the Budget Committee.

188  
189 N. Germain: The Budget Committee will be meeting next Thursday at 6:30 pm to confirm their  
190 schedule. A representative of the Council could steer that conversation.

191  
192 C. Karolian: When does the Sewer Commission meet?

193  
194 R. Lapierre: It is the first and third Monday of each month at noon.

195  
196 A. Walczyk: The Budget Committee meets from September until the end of October for the Town  
197 budget and from November until the end of December for the School budget. They continue meeting  
198 until the end of January, and they meet every Thursday at 6:30 pm.

199  
200 Chair Sullivan: I will ask Nick Germain to post the available positions on the website. The two ZBA  
201 positions are especially important. I will also ask Councilor Duhaime to check with the ZBA Chair about  
202 the status of these open positions.

203  
204 C. Karolian: I am willing to serve as the liaison to the Sewer Commission.

205  
206 Chair Sullivan: Thank you very much.

207



**OLD BUSINESS**

**Topics for Town Council Workshop - August 12, 2020**

Chair Sullivan: We have discussed this item two times already, and since Mr. Serge will be with us on August 12<sup>th</sup>, I suggest not adding any more topics to the list.

**NHMA 2021-2022 Legislative Policy Process (last presented to Council 03/11/2020)**

Chair Sullivan: We have old examples only of the items discussed. These are in blue.

D. Fitzpatrick: We discussed the Legislative Policy Process at a couple of meetings – one in February and another in March. Then, COVID-19 hit and the process was put on hold. Just after the Council packets went out last week, we got an email notice that the legislative policy process is back on. The next regular Council meeting will be on August 26<sup>th</sup>, which means that your deadline to create a new policy and vote on it is tonight. However, you do not have to do anything. There is ample time until October 2<sup>nd</sup> when all delegates from the cities and towns in the State meet to establish floor policies. The Council can assign a delegate who will take your votes on the proposed policies to the meeting and cast votes on your behalf. The October 2<sup>nd</sup> meeting will be a virtual one. We don't have these items yet. A. Walczyk was your delegate last time for the 2019-2020 session. The first page behind the cover in your handout is for new policy proposals. In the blue packet, the second page has examples of items presented, comments and how this Town Council voted.

A. Walczyk: It works the same as a committee or Town Council meeting; it is just a lot more people, with one or more delegates from each community in the State. People speak, offer amendments, and then vote. These votes are tallied and they move to the next item. It is pretty interesting. Items may be presented to the legislature as possible bills, and the NHMA lobbies on our behalf.

Chair Sullivan: Mr. Garron, do you have any new items you would like to have addressed?

A. Garron: No, I have thought about it and have come up with nothing pertinent or germane.

**NEW BUSINESS**

**2020 Paving**

E. Labonte: We went through the list of streets from the pavement survey done by BETA Group, our Roadway Management company. We made a worst-case list to put out to bid. We received five (5) bids, and Pike Industries was the lowest. We still have to go through the program and complete other minor maintenance repairs.

R. Lapierre: Have you ever done business with Pike?

E. Labonte: Yes. Hooksett has used four of the five bidders for paving.

R. Lapierre: Has Pike done acceptable work?

E. Labonte: Yes, they have.

C. Karolian: I want to bring this to the attention of the other Councilors. I can't read pages 43-52.

260 E. Labonte: Those are copies of the bids. They are available on line. The iCompass software which  
261 creates the packets caused the problem with those copies.

262  
263 C. Karolian: I drove up Morse Road and saw where the work is to be done on the upper part. There  
264 was no crack sealing on Morse or Dale. I am worried about the tax base for next year. Could you do  
265 part of the project now instead of the entire amount? This is \$340,000.00.

266  
267 E. Labonte: Morse Road met all of the requirements to be on this list, per the pavement survey, and  
268 you can't crack seal a road that is more than five years old. Also, piecemeal doesn't work.

269  
270 D. Boutin: Does the work at the DPW yard include the driveway?

271  
272 E. Labonte: No, it does not.

273  
274 T. Tsantoulis: Is any part of that cul-de-sac private property?

275  
276 E. Labonte: No. It was done as a private development and then taken over by the Town.

277  
278 R. Duhaime: Do you have a paving plan to implement over time?

279  
280 E. Labonte: Yes. We are working on a five-year plan, based on the road survey completed by BETA  
281 Group. They completed the survey and created a Pavement Index Code (PCI) for every public road in  
282 Hooksett. We are working to maintain an overall rating of 78.64% at least. From the first four streets  
283 already done, the index has gone up one-half of one percent.

284  
285 R. Lapierre: Why was the bid done in five (5) parts?

286  
287 E. Labonte: That was so that we could drop a section if needed; we didn't need to.

288  
289 R. Duhaime: Is the roundabout Town property?

290  
291 E. Labonte: Yes, it is.

292  
293 T. Tsantoulis: I share the concern that others have about the Town's financial well-being. However,  
294 road maintenance takes a back seat when money is tight. That is why we are where we are with the  
295 condition of our roads. We decided to go with a management program.

296  
297 Chair Sullivan: If we do only one-half of the project, where does the rest of the money go?

298  
299 C. Soucie: The tax rate for this fall was set in March, so there is no way to affect that now. The money  
300 could be spent on another project or added to the Fund Balance.

301  
302 Chair Sullivan: So, it could help the tax rate a year from now.

303  
304 C. Karolian: Thank you, Ms. Soucie. What I am talking about is that we could feel the effects of COVID-  
305 19 next year. I urge the Council to table this and take a ride to see for yourselves the condition of these  
306 roads.

307  
308 **C. Karolian motioned to table this item.** (No second was offered.)

309

310 T. Tsantoulis: How would a change or a delay affect the bid process?

311

312 E. Labonte: The vendors would have the option to withdraw.

313

314 C. Jones: From my experience with Santec, a postponement might double the cost of the project. The  
315 price of oil and other products could go up.

316

317 J. Durand: We have no idea where oil prices could be. We could forgo doing Donati Park Road.

318

319 E. Labonte: Actually, that is the worst one on the list.

320

321 A. Walczyk: I want to remind everyone that we asked Mr. Labonte to come up with a plan to maintain  
322 the roads in a cost-effective way so that taxes don't spike year after year. He did that, and it is a good  
323 plan. It would be silly not to execute it. This is a data-driven decision. COVID put a wrench into the  
324 process.

325

326 R. Duhaime: The roads will be easier to maintain if they are paved, especially in the winter. We will  
327 save on salt, plowing and plow repairs.

328

329 ***D. Boutin moved the question.***

330

331 **Roll Call Vote #2**

332 ***D. Boutin Aye***

333 ***J Durand Nay***

334 ***C. Jones Aye***

335 ***R. Duhaime Aye***

336 ***A. Walczyk Aye***

337 ***R. Lapierre Aye***

338 ***C. Karolian Abstained***

339 ***T. Tsantoulis Aye***

340 ***J. Sullivan Aye***

341 ***Voted in favor (8-0) C. Karolian abstained because information was not provided.***

342

343

344 **Air Purifiers Due to COVID-19**

345

346 ***D. Boutin motioned to remove this item from the table. C. Karolian seconded the motion.***

347 ***Voted unanimously in favor (9-0).***

348

349 A. Garron: This is a precaution we can take to knock down the virus. We have provided more  
350 information on the subject. It was in the news that St. Anselm College is installing this same system in  
351 all of their buildings, including the dormitories.

352

353 E. Labonte: Some of you asked questions about ionization and we have included that in your packets.  
354 There was a pricing adjustment to correct an addition error, but the price of \$1,298.00 is still lower than  
355 the original price we were given.

356

357

358 **A. Walczyk motioned to waive the three (3) competitive bids rule due to health issues and to**  
 359 **approve the purchase and installation of iWave Air Purifiers for a total amount of \$19,298.00. C.**  
 360 **Jones seconded the motion.**

361

362 A. Walczyk: Thank you for information you provided tonight.

363

364 C. Karolian: Did G & O Heating & Air Conditioning and others offer proposals?

365

366 E. Labonte: G & O gave us a quote when they were working on our air conditioning system.

367

368 C. Karolian: Did we ask them to give a proposal without going into the bid process?

369

370 E. Labonte: They gave us a quote, not a bid.

371

372 C. Karolian: They are the same thing.

373

374 E. Labonte: No, they are not. We asked others to offer a quote, but none did. They don't need the work.

375

376 C. Karolian: I am quoting from the packet. I want to make everyone aware. From page 83: "Are air  
 377 ionizers dangerous? The Short Answer: It depends on who you ask. Some critics believe that air  
 378 ionizers give off dangerous levels of ozone which is not only harmful to the environment but can be  
 379 equally hazardous to your health." ***"When inhaled in high enough doses, ozone can have harmful***  
 380 ***effects – including damage to your lungs, chest pain, coughing, or shortness of breath."*** From page  
 381 86: ***"High ozone levels in the air you're breathing can have really nasty side effects including damage***  
 382 ***to your lungs, chest pain, coughing, or shortness of breath."*** From page 87: "So, the million-dollar  
 383 question – do air ionizers emit ozone? ***In short, yes, they do.*** Any man-made, high-energy particle,  
 384 like a negatively charged ion can generate ozone as a by-product of the molecular reaction. Deciding  
 385 whether or not an air ionizer is right for you is a personal decision. Do your research, understand the  
 386 technology, and move forward into a home with cleaner air." I don't like the process of not giving out  
 387 information.

388

389 **Roll Call Vote #3**

390 **R. Lapierre Nay**

391 **C. Jones Aye**

392 **A. Walczyk Aye**

393 **J. Durand Nay**

394 **D. Boutin Aye**

395 **T. Tsantoulis Nay**

396 **R. Duhaime Aye**

397 **C. Karolian Nay**

398 **J. Sullivan Aye**

399 **Voted in favor (5-4).**

400

401 C. Karolian left the meeting.

402

403 **Budget Transfer #2020-03 in the amount of \$10,000.00 for Legal Services.**

404

405 **D. Boutin motioned to have the Council Chair sign Budget Transfer Request #2020-03 for**  
 406 **\$10,000, transferring funds to the Admin Legal line from Fire's Retirement lines. J. Durand**  
 407 **seconded the motion.**

408

409 Chair Sullivan: What prompted legal fees to be over by \$10,000? You answered this question in an  
410 email to me, but I would like you to explain it to the Council.

411  
412 C. Soucie: We have tried unsuccessfully to increase this line, so we have had to make budget  
413 adjustments instead. We had \$20,000 in legal fees related to abatements and \$11,000 in breach of  
414 contract issues. Generally, 50% of this budget is for general questions.

415  
416 A. Garron: All boards, committees, and departments use these services. I would like to encourage  
417 everyone to use the NHMA legal line whenever possible. There is no cost for this beyond our  
418 membership fees.

419  
420 R. Duhaime: What was the budgeted amount:

421  
422 C. Soucie: \$95,000.00.

423  
424 R. Duhaime: Do you go out to bid every year for legal services?

425  
426 C. Soucie: Not every year. We did go out to bid two or three years ago. We changed firms and then  
427 went back to the previous services.

428  
429 J. Durand: Where did the \$10,000.00 come from?

430  
431 C. Soucie: It is from a vacant position in the Fire Department.

432  
433 **Roll Call Vote #4**

434 **A. Walczyk Aye**

435 **R. Duhaime Aye**

436 **C. Jones Aye**

437 **D. Boutin Aye**

438 **J. Durand Aye**

439 **C. Karolian Not present**

440 **T. Tsantoulis Aye**

441 **R. Lapierre Aye**

442 **J. Sullivan Aye**

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

444

445

446 **Budget Transfer #2020-04 in the amount of \$20,000.00 to cover cost overages in the Assessing**  
447 **Department.**

448

449 ***T. Tsantoulis motioned to have the Council Chair sign Budget Transfer Request #2020-04 for***  
450 ***\$20,000, transferring funds to the Assessing Department from Fire's NH Retirement lines. A.***  
451 ***Walczyk seconded the motion.***

452

453 **Roll Call Vote #5**

454 **T. Tsantoulis Aye**

455 **C. Jones Aye**

456 **D. Boutin Aye**

457 **A. Walczyk Aye**

458 **R. Duhaime Aye**

459 **C. Karolian** *Not present*  
 460 **J. Durand** *Aye*  
 461 **R. Lapierre** *Aye*  
 462 **J. Sullivan** *Aye*  
 463 **Voted unanimously in favor (8-0).**

~~464~~  
~~465~~

467 **Budget Transfer #2020-05 in the amount of \$8,000.00 to cover cost overages in the Finance Department.**

469  
 470 ***D. Boutin motioned to have the Council Chair sign Budget Transfer Request #2020-05 for \$8,000, transferring funds to the Finance Department from Fire's NH Retirement lines. A. Walczyk seconded the motion.***

472  
 473

474 **Roll Call Vote #6**

475 **J. Durand** *Aye*  
 476 **R. Duhaime** *Aye*  
 477 **C. Karolian** *Not present*  
 478 **R. Lapierre** *Aye*  
 479 **C. Jones** *Aye*  
 480 **T. Tsantoulis** *Aye*  
 481 **A. Walczyk** *Aye*  
 482 **D. Boutin** *Aye*  
 483 **J. Sullivan** *Aye*  
 484 **Voted unanimously in favor (8-0).**

485

486 **Budget Transfer #2020-06 in the amount of \$39,940.00 to cover cost for the LED Streetlight Conversion project.**

487  
 488

489 ***D. Boutin motioned to have the Council Chair sign Budget Transfer Request #2020-06 for \$39,940, transferring funds to the DPW's Streetlight budget from Police's NH Retirement lines. A. Walczyk seconded the motion.***

491  
 492

493 **R. Labonte:** Was this approved by the voters? Was it a budget initiative?

494

495 **Chair Sullivan:** It was not a warrant article. It was a Town Council initiative.

496

497 **J. Durand:** Are we adding new lights or just changing the ones we have?

498

499 **A. Garron:** We are not adding new ones yet. We have 408 lights.

500

501 **T. Tsantoulis:** From my experience with PSNH and Eversource, the new lights will be viewed favorably by most, but there will also be complaints. Also, increased awareness will prompt some to say they need lights on their streets. We will want to have a vigorous request and review process, and it needs to be user-friendly. It is a good idea to have information on the Town website during the transition.

505

506 **J. Durand:** When will the program start?

507

508 **A. Garron:** We will kick off the program in about one week; the installations will take about four months total.

509  
 510

511 J. Durand: Will those whose lights have been taken away have a higher priority?

512

513 A. Garron: That could be part of the policy.

514

515 T. Tsantoulis: Placement with PSNH was haphazard. Eversource has performed audits and has taken  
516 down those not paid for, which is a loss for the utility.

517

518 Chair Sullivan: Are there any streetlight requirements?

519

520 A. Garron: No, there are no regulations.

521

522 **Roll Call Vote #7**

523 **C. Jones** Aye

524 **C. Karolian** Not present

525 **R. Duhaime** Aye

526 **D. Boutin** Aye

527 **A. Walczyk** Aye

528 **J. Durand** Aye

529 **T. Tsantoulis** Aye

530 **R. Lapierre** Aye

531 **J. Sullivan** Aye

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

533

534 **Budget Update**

535

536 C. Soucie: June is still open. At this time, the expense budget has a balance of \$898,000.00. Revenue  
537 is higher than budgeted. Vehicle registrations, the largest contributor to revenue, are over by  
538 \$82,000.00. We expect to add \$6,558.00 to the Fund Balance. Revenue was down for interest income  
539 and engineering services.

540

541 **APPROVAL OF MINUTES**

542

543 **Public: 06/24/2020**

544

545 ***T. Tsantoulis motioned to approve the minutes of the June 24, 2020 public session. A. Walczyk***

546

547 ***seconded the motion.***

548

549 D. Fitzpatrick offered the following amendments to the June 24, 2020 meeting.

550

551 **Beginning at Line 16:**

552

553 Chair Sullivan: Six out of nine Councilors completed Town Administrator Garron's performance  
554 evaluation.

555

556 R. Duhaime: I did not fill one out.

557

558 Chair Sullivan: Councilors Comai and Levesque did not fill one out (not present for tonight's meeting).  
559 Should a Councilor who did not complete the performance evaluation participate in the evaluation and  
560 vote on the evaluation?

561 **C. Karolian motioned that Councilor Duhaime not participate in the non-public discussion to**  
 562 **include voting and grading of the town Administrator evaluation. Seconded by R. Duhaime.**  
 563

564 C. Karolian: This is not personal. It is unfair for the person being evaluated that he didn't get all  
 565 Councilors to evaluation him. Six out of nine Councilors could lower the score.  
 566

567 R. Duhaime: For Police negotiations, I didn't stop you from participating in negotiations when you  
 568 missed several meetings. Yes, I failed to complete the Town Administrator evaluation, but I would still  
 569 like to participate.  
 570

571 A. Walczyk: I would still like all Councilors to participate in the evaluation. It is worth having some  
 572 discussions with all Councilors. I have had a lot of work directly with the Town Administrator, but other  
 573 councilors have worked with him too.  
 574

575 T. Tsantoulis: Both individuals raise valid points. I am not a huge fan of the appraisal process. There is  
 576 not a lot of weight behind it. We are voluntary Council members and are evaluated at the ballot box.  
 577 Our interactions with André Garron are at different times. The Chair makes the decisions.  
 578

579 Chair Sullivan: At our workshop (August 12, 2020) we have listed to discuss the evaluation process.  
 580 Tonight, we are already behind in our process. At our last meeting of June 10, 2020, we should have  
 581 been making the edits to the evaluation. To be fair to Mr. Garron, we will make those edits tonight (June  
 582 24, 2020) and provide his performance appraisal review to him on July 1<sup>st</sup>. Six Councilors on July 1<sup>st</sup>  
 583 should review to determine a wage increase for Mr. Garron not to exceed 5%, per his contract.  
 584 Councilor can participate in tonight's discussion. However, on July 1<sup>st</sup> he is not longer a Councilor and  
 585 cannot participate in determining a wage increase.  
 586

587 C. Karolian: This is not a personal attack. I am not talking about attending meetings. This has nothing to  
 588 do with negotiations. It has to do with the evaluation process. Councilors were to fill out the evaluation  
 589 form based on process. Six submitted evaluations versus nine, and this could alter the score up or  
 590 down. I disagree how we are doing the evaluation process and that is for the workshop.  
 591

592 A. Walczyk: New Councilors shouldn't participate in the evaluation on July 1<sup>st</sup>; however, they should  
 593 end it.  
 594

595 R. Duhaime: I have been very patient. About relationships, a few years ago this Council was divided.  
 596 Clark, I hope you spend that much time solving all the problems at the workshop.  
 597

598 **C. Karolian withdrew his motion.**  
 599

600 **Beginning at line 18:**  
 601

602 **Chair Sullivan motioned to enter non-public session #1 at 6:30 pm in accordance with the**  
 603 **provisions of RSA 91-A:3, II (a) (c). A. Walczyk seconded the motion.**  
 604

605 NH RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the  
 606 disciplining of such employee, or the investigation of any charges against him or her.  
 607

608 NH RSA 91-A:3 II (c) Matters which, if discussed in public, would likely affect adversely the  
 609 reputation of any person, other than a member of the public body itself.  
 610

611 **Roll Call Vote #2**



612 R. Duhaime Aye  
 613 J. Durand Not present  
 614 C. Jones Aye  
 615 J. Levesque Not present  
 616 A. Walczyk Aye  
 617 A. Comai Not present  
 618 C. Karolian Aye  
 619 T. Tsantoulis Aye  
 620 J. Sullivan Aye  
 621 *Voted unanimously in favor 6-0.*

622  
 623 *Chair Sullivan motioned to leave non-public session #1 at 6:28 pm. T. Tsantoulis seconded the*  
 624 *motion.*

625  
 626 **Roll Call Vote #3**

627 A. Comai Not present  
 628 C. Jones Aye  
 629 A. Walczyk Aye  
 630 J. Durand Not present  
 631 R. Duhaime Aye  
 632 T. Tsantoulis Aye  
 633 J. Levesque Not present  
 634 C. Karolian Aye  
 635 J. Sullivan Aye  
 636 *Voted unanimously in favor 6-0.*

637  
 638 Chair Sullivan: We are back in public session at 6:30 pm.  
 639

640 **Beginning at line 21:**

641  
 642 *C. Jones motioned to seal the minutes of the non-public session #1, because it is determined*  
 643 *that it would likely render a proposed action ineffective. A. Walczyk seconded the motion.*

644  
 645 **Roll Call Vote #4**

646 A. Walczyk Aye  
 647 J. Levesque Not present  
 648 C. Jones Aye  
 649 R. Duhaime Aye  
 650 J. Durand Not present  
 651 C. Karolian Aye  
 652 T. Tsantoulis Aye  
 653 A. Comai Not present  
 654 J. Sullivan Aye  
 655 *Voted unanimously in favor 6-0.*

656  
 657 **Beginning at line 577:**

658  
 659 (a) The dismissal, promotion, or compensation of any public employee or the disciplining of  
 660 such employee, or the investigation of any charges against him or her.  
 661

- 662 (b) The hiring of any person as a public employee.  
 663  
 664 (c) Matters which, if discussed in public, would likely affect adversely the reputation of any  
 665 person, other than a member of the public body itself.  
 666  
 667 (d) Consideration of the acquisition, sale, or lease of real or personal property which, if  
 668 discussed in public, would likely benefit a party or parties whose interests are adverse to those  
 669 of the general community.  
 670  
 671 (e) Consideration or negotiation of pending claims or litigation which has been threatened in  
 672 writing or filed by or against the public body or any subdivision thereof, or by or against any  
 673 member thereof because of his or her membership in such public body, until the claim or  
 674 litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement,  
 675 pursuant to law, with any body or board shall not constitute a threatened or filed litigation  
 against any public body for the purposes of this subparagraph.  
 676  
 677 (f) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or  
 more members of the public body, even where legal counsel is not present.

678 **Beginning at line 590**

679 ***Chair Sullivan motioned to leave non-public session #2 at 9:33 pm. T. Tsantoulis seconded the***  
 680 ***motion.***

681 **Roll Call Vote #9**

682 **J. Durand Not present**  
 683 **A. Comai Not present**  
 684 **C. Jones Aye**  
 685 **R. Duhaime Aye**  
 686 **C. Karolian Aye**  
 687 **A. Walczyk Aye**  
 688 **T. Tsantoulis Aye**  
 689 **J. Levesque Not present**  
 690 **J. Sullivan Aye**  
 691 ***Voted unanimously in favor 6-0.***

692  
 693 Chair Sullivan: We are back in public session at 9:33 pm.  
 694

695 ***Chair Sullivan motioned to seal the minutes of the non-public session #2 with the exception of***  
 696 ***the motion of items to unseal as noted below, because it is determined that it would likely affect***  
 697 ***the reputation of any person other than a member of this board and render a proposed action***  
 698 ***ineffective. A. Walczyk seconded the motion.***  
 699

700 **Roll Call Vote #10**

701 **C. Karolian Nay**  
 702 **T. Tsantoulis Aye**  
 703 **J. Levesque Not present**  
 704 **C. Jones Aye**  
 705 **A. Comai Not present**  
 706 **J. Durand Not present**  
 707 **A. Walczyk Aye**  
 708 **R. Duhaime Aye**  
 709 **J. Sullivan Aye**

**Vote: 5 in favor; 1 opposed (C. Karolian)**

**A. Walczyk motioned to unseal the following Town Council Non-Public Minutes:**

**July 10, 2019**

**DISCUSSION #2 – KRT (Assessing Contractor) Recommendations to Board of Assessors**

Town Administrator Garron: At the directive of the Council, he provided an overview of the process of how KRT (Assessing Contractor) makes recommendations to the Board of Assessors. He gathered the information on the inquiry of one assessing document with KRT's return address being used, but someone else appearing to be making the recommendation. The inquiry was unfounded for any wrongdoing based on:

The content of the letter, to include any financial data, was data confirmed from KRT. The letter was amended for format by the Town's Appraiser. These findings were verified through the Town Administrator interviews with: 1) Former Board of Assessor Chair David Ross, 2) Richard Dorsett, KRT, and 3) Lee Ann Moynihan, Appraiser.

Discussion on the Assessing Department database and accuracy of records initiated by Councilor Karolian.

**August 14, 2019**

**DISCUSSION #1 – Councilor Inquiry on Attendance at Town Council Non-Public Sessions**

Councilor Karolian: Inquired as to why other individuals than Council members were present for Town Council non-public sessions.

Chair Sullivan: The Council yields to the discretion of the Town Administrator to bring in other individuals.

Town Council rules of Procedures section 4c *"The Town Administrator may have the head of any department or division or other employee of the Town in attendance at any meeting when items within their responsibility or knowledge are being discussed."*

Town Administrator Garron: Intends to have Donna Fitzpatrick, Administrative Services Coordinator (HR), present for all meetings at this time. She has the oversight of human resources, the institutional knowledge and takes the non-public meeting notes.

**DISCUSSION #4 – Amazon Distribution Site**

Councilor Duhaime: Questioned Atty. Tanguay on if the Town is not satisfied with the decision of the Planning Board on a land use decision as an abutter what recourse does the Town have?

Atty. Shawn Tanguay: If the Town's governing body as abutter did not receive notice of the application and therefore was not provided representation at the meeting when this application was discussed, this would be a land use enforcement issue.

Councilor Jones: When I worked in Laconia, the Mayor would get the city owned land abutter notice and the comments from the City's governing body and then their legal counsel would represent the Mayor at the Planning Board meeting.

Town Administrator Garron: I would need to know the town Council's opinions on Town owned land and those that abut certain areas. For EDAC an Amazon project is positive.

Atty. Shawn Tanguay: If Amazon is interested in Town owned land to purchase, the Town can contact them.

**September 25, 2019 (new format as of 09/11/2019)**

Councilor Karolian inquiring why information being presented to Council by department heads and others once question by Council is found inaccurate and may be misleading; not sure what their intent is.

**Seconded by T. Tsantoulis. Vote 4 in favor; 2 opposed (Councilors Karolian & Sullivan). 4-2**

A. Walczyk offered an amendment to the amendment. On line 44, the word 'end' should be 'attend.'

Chair Sullivan called for a vote on the amended motion to approve the minutes of the June 24, 2020 public session.

**Voted unanimously in favor (5-0). Councilors Boutin, Duhaime and Lapierre abstained because they were not present for the meeting. Councilor Karolian was not present for the vote.**

**Public: 07/01/2020**

**T. Tsantoulis motioned to approve the minutes of the July 1, 2020 public session. D. Boutin seconded the motion.**

**Voted unanimously in favor (8-0). Councilor Karolian was not present for the vote.**

**Non-Public: 06/24/2020**

**A. Walczyk motioned to approve the minutes of non-public sessions I & II of June 24, 2020. J. Durand seconded the motion.**

**Voted unanimously in favor (5-0). Councilors Boutin, Duhaime and Lapierre abstained because they were not present for the meeting. Councilor Karolian was not present for the vote.**

**Non-Public: 07/01/2020**

**T. Tsantoulis motioned to approve the minutes of the non-public session of July 1, 2020. D. Boutin seconded the motion.**

**Voted unanimously in favor (8-0). Councilor Karolian was not present for the vote.**

## **SUB-COMMITTEE REPORTS**

R. Duhaime: At the ZBA meeting last night, application approval was granted to Continental Paving. An application related to the old animal cracker building was tabled. This has been an issue for 16 years. The applicant wants to build six (6) townhouses. We sent it to the Planning Board for comments. The applicant wants to put a sewer line up to Mammoth Road, which would be beneficial to people in the area. This was a duplex on one side and a commercial enterprise on the other. It is now in the performance zone. However, we must give relief because of this change. The lot is steep and narrow. They already have a driveway permit from DOT.

R. Lapierre: How do I find out if neighbors have concerns?

R. Duhaime: It would be in the minutes.

816 T. Tsantoulis: We are looking for Hooksett Youth Achiever applicants. We have one pending. The form  
817 is available on line and here at Town Hall. If you know a worthy young person, please nominate him or  
818 her.

819  
820 Chair Sullivan: The Heritage Commission will hold a public hearing here at Town Hall tomorrow evening  
821 beginning at 6:30 pm. The purpose is to review a demolition permit for the Old Stone House. The  
822 process explores the historical, architectural and cultural value of buildings more than 15 years old for  
823 which a demo permit has been requested.

824  
825 N. Germain: Over 7,000 signatures have been gathered from around the State.  
826

827 D. Boutin: This building is eligible for the State and Federal Registries of Historic Places.  
828

829 Chair Sullivan: Recently, the Fred Underhill house was saved from demolition via the purchase of the  
830 property after a public hearing was held.

831  
832 D. Boutin: The Planning Board reviewed the CIP plan. Matt Reed and I were assigned to visit the  
833 Police, Fire and Highway Departments to inquire about the large number of vehicles in the plan. The  
834 Planning Board proposed a plan and all of the departments concurred with it.

835  
836 D. Fitzpatrick: Ian Tewksbury, President of the Fire Union #2364, asked me to thank you for having the  
837 swearing in ceremony tonight in the gymnasium. He said it was much appreciated.

838

839 **ADJOURNMENT**

840 ***Chair Sullivan motioned to adjourn at 8:25 pm. D. Boutin seconded the motion.***

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

842

843

844 Respectfully submitted,

845

846 Kathleen Donnelly

847 Recording Clerk

848

849

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

851

852

853

854

855

856

857

858

859

860



**Town of Hooksett  
Town Council Workshop Meeting Minutes  
Wednesday, August 12, 2020**

**CALL TO ORDER**

Chair Sullivan called to order the August 12, 2020 Workshop Meeting of the Town of Hooksett Town Council at 7:30 pm, following the Council's non-meeting with legal counsel.

Chair Sullivan: The purpose of this annual workshop is to have the Town Council discuss various topics, including but not limited to, Council Rules of Procedure, Administrative Code, and Town Administrator goals for FY 2021/2022. Regularly scheduled Town Council meetings provide for public input. Since this is a workshop, there will be no public input; however, the public is welcome to attend as audience members. No votes will be taken.

**PROOF OF POSTING**

Donna Fitzpatrick, Administrative Services Coordinator, provided proof of posting.

**ROLL CALL**

In Attendance: Councilor James Sullivan, Councilor Clark Karolian (remotely), Councilor Roger Duhaime, Councilor Roland Lapierre, Councilor Cliff Jones, Councilor John Durand, Councilor David Boutin and Councilor Alex Walczyk.

**Missed:** Councilor Timothy Tsantoulis

**PLEDGE OF ALLEGIANCE**

Chair Sullivan called for the Pledge of Allegiance.

**WORKSHOP ITEMS**

**Town Charter: Review Process for Article 10 General Provisions – Section 10.2 B Term Commencement; Notice of Election or Appointment**

Chair Sullivan: It was my suggestion to put this on the agenda for discussion. Prior to three years ago, Town Councilors were elected in May and took their seats on July 1<sup>st</sup>. Three years ago, the Charter was changed and Town Councilors are now elected at the Town Election in March, not at a separate election in May. I am wondering if anyone has a concern about the lame duck status lasting three and a half months. I am not saying that I am particularly concerned. The evaluation of the Town Administrator is also an issue, given that some Councilors may have served only a few months before participating in the evaluation.

D. Boutin: I am concerned about going that far out. The new Councilors should start serving at the beginning of April.

Chair Sullivan: Any change would involve changing the Charter.

R. Lapierre: I did feel out of place at the review of the Town Administrator. Is it possible to have a different schedule for the review of the Town Administrator?

46 C. Karolian: Regarding the evaluation, don't we have to coincide it with when we hire the Town  
47 Administrator? If a new Town Administrator starts in April, he/she would have only one month  
48 before the evaluation.

49  
50 Chair Sullivan: June has been the month for evaluating the Town Administrator, but the contract  
51 could be changed. That would not involve a Charter change.

52  
53 C. Karolian: Have we ever had a problem with a Town Councilor not running for reelection or  
54 losing reelection and then causing difficulties for the Council because of lame duck status?

55  
56 Chair Sullivan: No, not that I am aware of. Perhaps Mr. Lapierre, Mr. Duhaime and Mr. Boutin  
57 were chomping at the bit to get started.

58  
59 R. Lapierre: I began attending the Town Council meetings after I was elected. How many are  
60 elected every year?

61  
62 Chair Sullivan: According to the rotation, two district councilors and one at-large councilor are  
63 elected every year. There may be more if one or more other councilors resign or decide not to  
64 run again.

65  
66 R. Lapierre: In a normal year, it is three. That is not a concern for me.

67  
68 A. Garron: This year was different. Because of COVID-19, my review was delayed into July. It is  
69 important that the Councilors have worked with me for one year.

70  
71 D. Boutin: 'If it ain't broke, don't fix it,' but three and a half months is too long.

72  
73 C. Jones: Those three months between election and being seated helped me. I watched the  
74 meeting on television.

75  
76 R. Lapierre: I agree.

77  
78 A. Walczyk: I agree with Mr. Boutin. Let them start sooner. The president is elected in  
79 November and starts in January. This issue and the one regarding the Town Administrator's  
80 evaluation are separate matters. One doesn't necessarily have to do with the other. You don't  
81 have to wait until you are elected to watch the meetings.

82  
83 Chair Sullivan: I would note that a Charter change would involve a public hearing.

84  
85 R. Lapierre: Is the June evaluation of the Town Administrator in his/her contract?

86  
87 Chair Sullivan: Yes, it is.

88  
89 D. Boutin: I agree with Mr. Walczyk; most who run have been following the Council. In order to  
90 talk with constituents about the issues, you would have to be following the Council meetings.  
91 That should not influence the start date.

92  
93 D. Fitzpatrick: I want to point out that, if the new Councilors are seated before July 1<sup>st</sup>, any  
94 already serving on a board such as the ZBA or Planning Board would have to resign from that



95 position. For example, Mr. Duhaime would have been required to resign from the ZBA if he had  
96 been seated on the Council in April.

97  
98 C. Karolian: Do we have a consensus about putting this on an agenda?  
99

100 Chair Sullivan: Seeing that five members wish to put it on an agenda, we will do that.

101  
102 **Administrative Code: Review Process for Section 5 Administrative Financial Policies and**  
103 **Procedures – Sections 5.3.1, 5.3.2, 5.3.3, 5.3.4 & 5.3.5 for Request for Proposals AND**  
104 **Develop a Process 5.3.6 Professional Services**  
105

106 A. Garron: This is to address the RFQ and RFP processes regarding Professional Services,  
107 given that we are not just looking at the lowest bidder in these cases. Bruce Thomas is bringing  
108 this forward.

109  
110 Chair Sullivan: You are not only looking at price but also at qualifications. Do you want to  
111 preclude a consideration of cost?  
112

113 B. Thomas: No, but there is a gap in the procurement code regarding consultants.  
114 Qualifications-based selection should be used, and is even required when state and federal  
115 funds are involved. I have used this process for 20 years. What I have drafted is taken largely  
116 from the City of Manchester procurement code. From those submitting RFQs, three to five are  
117 asked to provide RFP's. We interview some or all of them. Price is a separate consideration.  
118 When a choice of consultants has been made, the envelope containing the price is opened and  
119 negotiations begin.

120  
121 Chair Sullivan: The Town Council can waive the requirement for three bids.

122  
123 B. Thomas: This just solidifies the process and eliminates the need to ask the Council for a  
124 waiver.  
125

126 A. Garron: The goal is to match the skills with the project. Those qualified are narrowed down to  
127 the top three – or maybe more. These we interview and then select the best. If we are unable to  
128 negotiate an agreeable price, we move to the second choice, in terms of qualifications.

129  
130 D. Boutin: Section (A) on page 14, under 5.3.6, refers to contracts for \$15,000 or less.

131  
132 B. Thomas: That portion, I don't think, comes from the Manchester document. It conforms with  
133 the Town policy.  
134

135 D. Boutin: Section (B) refers to professional services over \$15,000 separately.

136  
137 B. Thomas: That is because it is not worth the time and effort to go through a long process for  
138 small projects which are under \$15,000.

139  
140 R. Duhaime: It says you can use a weighted process that is not based on price. How many do  
141 you qualify? Is it at least three?  
142

143 B. Thomas: All candidates can be qualified if they have the qualifications. We can pick three or  
 144 four or five to interview. We have a team of five for this process, including myself, the Town  
 145 Administrator, the Town Planner, the Code Enforcement Officer, and other individuals as  
 146 appropriate. We ask for the RFP and the cost in separate envelopes. When we are down to the  
 147 top candidate, we open the cost envelope and negotiate.  
 148  
 149 R. Duhaime: It says 'weighted', but is this based only on qualifications, not price?  
 150  
 151 A. Garron: We use a weighted process, using elements from the RFQ, not cost.  
 152  
 153 C. Karolian: When I'm looking at it, from \$3,001 to \$15,000, the department head currently has  
 154 to get three bids, written or oral, but the proposed section in red, Section (A), I believe no longer  
 155 requires three bids. It disappears. The other point I want to get clarification on is this: When you  
 156 put out a bid request, I believe qualifications are listed. On page 15 (2), A-L, that should be done  
 157 in the RFP under the current procedure. The RFP should already have these specific  
 158 requirements. Am I correct in believing that three bids are no longer required for professional  
 159 services under \$15,000? Can the department head just get one and move forward?  
 160  
 161 Chair Sullivan: Section 5.31 remains. This is adding professional services versus a piece of  
 162 equipment, for example.  
 163  
 164 C. Karolian: That is not what I am reading on page 14, Section (A). What is in red is in conflict  
 165 with the current procedure on page 12.  
 166  
 167 Chair Sullivan: It is the same.  
 168  
 169 C. Karolian: What is the difference between the current procedure and what is proposed? Isn't  
 170 the section in red in conflict with the current procedure?  
 171  
 172 B. Thomas: It says the department head, in consultation with the Town Administrator, must get  
 173 one or more bids.  
 174  
 175 C. Karolian: What is new under Section (A) is that the Town Administrator and the department  
 176 head can solicit only one versus three bids. Isn't it the job of department heads to take care of  
 177 all of this, as opposed to just making it easier? They all would love to go through Sourcwell or  
 178 the State. Is anyone else reading this as I am?  
 179  
 180 B. Thomas: Those under \$15,000 are small jobs. For example, on the Winter Street project we  
 181 needed a consultant for a drainage analysis. The cost was under \$10,000 so we chose a  
 182 consultant who knew the area. I am willing to strike that paragraph.  
 183  
 184 A. Garron: It currently says 'one or more.' I understand where Mr. Karolian is coming from. I  
 185 have the authority to look at these offers for bids under \$15,000. We could strike 'one or more'  
 186 and say 'three.'  
 187  
 188 R. Lapierre: To answer Mr. Karolian's question, this is clearly a special exception from the RFP  
 189 rule for professional services. These could be added to Section 5.3.3 regarding special  
 190 exceptions, with a reference to the section being added.  
 191

192 D. Boutin: Sometimes we bottle ourselves up with additional language. I am comfortable with  
 193 'one or more' because it allows flexibility and gets the job done.  
 194  
 195 A. Walczyk: Referring to what Mr. Lapierre said, the bottom of page 12, Section 5.3.3, is  
 196 specifically for purchase orders.  
 197  
 198 Chair Sullivan: Would adding professional services to the list of special exceptions take care of  
 199 the issue?  
 200  
 201 B. Thomas: I like Mr. Lapierre's suggestion of adding 'professional services' to the special  
 202 exceptions for professional services over \$15,000 as outlined in 5.3.6. Then, we can get rid of  
 203 the whole section in red under (A) at the top of page 12 and go back to the existing language of  
 204 5.3.2 for professional services under \$15,000.  
 205  
 206 Chair Sullivan: So, we would add a bullet for professional services to 5.3.3 under special  
 207 exceptions and eliminate (A) in red, reverting to 5.3.2.  
 208  
 209 D. Boutin: This doesn't specify what is going to be up for competitive bid. The list is for single  
 210 source vendors. It doesn't make sense just to add 'professional services.' This has been  
 211 addressed, so why change it?  
 212  
 213 Chair Sullivan: Maybe we should not add professional services to the list of special exceptions  
 214 in 5.3.3.  
 215  
 216 D. Boutin: Where are you putting 5.3.6? It doesn't talk about the process for professional  
 217 services. If we take that paragraph out, we are leaving ourselves naked, not covered. Maybe it  
 218 should say 'up to \$15,000 or more.'  
 219  
 220 Chair Sullivan: Section B would become Section A now.  
 221  
 222 A. Walczyk: I am confused. If we change (B) at the top of page 15 to 'professional services up to  
 223 \$15,000 or more,' that's everything.  
 224  
 225 Chair Sullivan: Under \$15,000 reverts to the existing process. The new language is only for  
 226 projects over \$15,000.  
 227  
 228 D. Boutin: We should add 'professional services \$15,000 or less' to page 12.  
 229  
 230 B. Thomas: It could say: 'refer to section 5.3.2'.  
 231  
 232 C. Karolian: I wonder if we are trying to reinventing the wheel. We should add 'professional  
 233 services' to page 12 and page 15, 2. A – L, and disregard everything in red.  
 234  
 235 Chair Sullivan: The verbiage in red doesn't exist in any written process. We want to add it.  
 236  
 237 C. Karolian: It is in the RFP.  
 238  
 239 Chair Sullivan: I suggest that Mr. Thomas draft the changes suggested. Others with input should  
 240 contact Mr. Garron.

241  
242 A. Garron: For the most part, Mr. Karolian is correct. We want to hire the right firm. This  
243 establishes the qualifications that go along with the bid. Using just the lowest bidder is not going  
244 to get us there.

245  
246 A. Walczyk: I agree that this should be an agenda item. The purpose is to address item C on  
247 page 14; it doesn't have to go to the lowest bidder. Section 5.3.6 says what the professional  
248 services are. We don't have to get rid of 5.3.6. I do have some suggested edits. A – L needs to  
249 be more flexible. It shouldn't be a list because it is not comprehensive. Some items on the list  
250 don't always apply and some items which should be on the list aren't there. We should not  
251 eliminate Section (A).

252  
253 Chair Sullivan: Mr. Thomas, you should but together a draft based on all suggestions.

254  
255 D. Boutin: It would be fatal to remove Section (A). Just add the requirement of three bids. Then  
256 we have a comprehensive process for reviewing professional services under \$15,000. I don't  
257 have a problem with the list. It is pretty comprehensive.

258  
259 B. Thomas: This is a suggested list. It says, 'such as...' It is pretty comprehensive.

260  
261 C. Karolian left the meeting at 8:41 pm.

262  
263 Chair Sullivan: The other agenda items can be on the agendas of future meetings. I suggest we  
264 move on to technology improvements.

265  
266 **OTHER ITEMS**

267  
268 **Technology Improvements for Town Councilors (i.e. tablets) & Chambers Meeting Room**  
269 **(i.e. audio)**

270  
271 A. Garron: We should look at this in two sections: the layout of this room and the audio system. I  
272 know that you tried tablets and that did not work out. I would suggest that paper copies of the  
273 agenda packet could be replaced by using an iPad or a laptop, along with a program such as  
274 Dropbox. You can decide whether you want to use a touch screen or a keyboard.

275  
276 J. Durand: The devices would pay for themselves with what would be saved in paper, ink and  
277 postage.

278  
279 Chair Sullivan: I am concerned because I need to have the agenda at hand, not all of the  
280 backup. I want it right there without having to boot up.

281  
282 R. Lapierre: I use a PC-based laptop. I favor the One Note program because it allows me to put  
283 documents in the program and add my own notes. If you write neatly, it will even convert your  
284 notes to type.

285  
286 D. Fitzpatrick: The packet averages 200 pages, and we make 14 sets.

287  
288 R. Duhaime: I have a ZBA packet and a BOS one; I sometimes get them mixed up. Also, we  
289 might get more volunteers if we make this easier.

290  
 291 A. Garron: Mr. Germain and I have talked a lot about these issues.  
 292  
 293 N. Germain: It is important that we go in the direction you want to go in. For example, do you  
 294 want your devices to stay here or do you want to take them home? To provide devices for every  
 295 board and committee could get expensive very fast. We might get them for the Council and  
 296 have a library of other devices to be borrowed by other board and committee members.  
 297  
 298 C. Jones: Maybe we could phase them in. The Council should have them first, and if that works  
 299 well, try to get them for the others.  
 300  
 301 D. Boutin: I prefer a laptop.  
 302  
 303 N. Germain: My plan is to send you a questionnaire so that you can express your preference.  
 304  
 305 A. Garron: Regarding the Chambers, we need portable desks so that you are not boxed in. This  
 306 is important for social distancing.  
 307  
 308 C. Jones: There is a system which makes it possible to talk through a microphone on your  
 309 laptop.  
 310  
 311 Chair Sullivan: I want to get rid of the wires. We need portable microphones.  
 312  
 313 N. Germain: Your packets present some options. One suggestion is bubble mics like those used  
 314 on conference calls. Bonnie Smith has been doing some research for us. The lapel mics are  
 315 popular, but some are not completely wireless. They can be fragile and finicky. Batteries need to  
 316 be replaced often, and they can die in the middle of a meeting. Some people take them home  
 317 by mistake.  
 318  
 319 Chair Sullivan: We need them to be portable in case we change the layout and so that we can  
 320 bring a microphone to someone in the audience, if necessary.  
 321  
 322 D. Boutin: I favor the third solution, the ceiling tile inserted array. Everything is picked up.  
 323  
 324 N. Germain: We can check into that. The disadvantage is that if you say something off mic, it  
 325 will be picked up. This room was set up before streaming. The mixer is old and we will need a  
 326 new one. We need to re-wire the room.  
 327  
 328 D. Boutin: The first and second solutions are not very practical.  
 329  
 330 R. Lapierre: We have a ceiling array where I work, and you don't even hear papers rustling.  
 331  
 332 R. Duhaime: The screens are a big improvement. It is great for the ZBA when we need to view  
 333 maps of sites and plans,  
 334  
 335 Chair Sullivan: We might want to move a meeting to the gym when we have a big crowd – for  
 336 social distancing. The portable furniture will be good for that. This room has limited capacity.  
 337

338 A. Garron: Mr. Germain and I have talked a lot about having the gym as a secondary meeting  
339 place.  
340

341 N. Germain: It is relatively inexpensive to wire the gym. I was surprised at how little it would  
342 cost. We might use television screens or magic screens.  
343

344 D. Boutin: Are we planning to move to the gym permanently? That is an expensive second  
345 option. It would cost several thousand dollars.  
346

347 Chair Sullivan: We expect to be able to use COVID-19 funds.  
348

349 J. Durand: Are these improvements eligible for COVID-19 funds?  
350

351 A. Garron: We have been allocated \$346,080. These modifications would be for social  
352 distancing.  
353

354 D. Boutin: Do we have these funds in our account?  
355

356 A. Garron: No, they are available for COVID-19 expenses. We used them for the iWave  
357 systems we installed to purify the air.  
358

359 Chair Sullivan: I would ask Mr. Germain to take a survey regarding devices – video and audio –  
360 including wireless mics, chairs and tables we can easily move. We are 99% sure these would  
361 be eligible for COVID-19 funds.  
362

363 D. Boutin: Can you send us examples of laptops and tablets?  
364

365 N. Germain: Yes. I will send the questionnaire first.  
366

### 367 **OTHER BUSINESS** 368

369 Chair Sullivan: We have a legislative conference survey from NHMI looking for a response to  
370 the question of whether someone would want to represent us remotely or in person.  
371

372 D. Boutin: I would participate in person.  
373

374 Chair Sullivan: I have a proclamation for William H. Danford of Boy Scout Troop 603. He earned  
375 his Eagle Scout award in April.  
376

377 A. Garron: I would like to have a straw vote to see if we will have a quorum for a non-public  
378 Zoom meeting tomorrow at 5:30 pm. We will schedule the meeting and hope for a quorum. The  
379 meeting may be cancelled.  
380

381 D. Boutin motioned to adjourn at 9:38 pm. A. Walczyk seconded the motion.  
382  
383

384 Respectfully submitted,  
385

386 *Kathleen Donnelly*

387 Kathleen Donnelly  
388 Recording Clerk  
389  
390

391 **Please see subsequent meeting minutes for any amendments to these minutes.**  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405





**SPECIAL MEETING MINUTES**  
**Town of Hooksett Town Council**  
**Thursday, August 13, 2020 5:30 PM**  
**Zoom**

**1. THIS MEETING IS A VIRTUAL MEETING**

**2. CALL TO ORDER**

Chair Sullivan called to order the Special Meeting of the Town of Hooksett Town Council at 5:37 pm.

**3. PROOF OF POSTING**

Donna Fitzpatrick, Administrative Services Coordinator, provided proof of posting.

**4. ROLL CALL**

**Roll Call #1**

Clark Karolian – present and alone (Zoom)

David Boutin – not present

Tim Tsantoulis – present and alone (Zoom)

Randall Lapierre – present in Chambers with minor son & Chair Sullivan in room

Alex Walczyk – present and alone (Zoom)

Roger Duhaime – present and alone (Zoom)

John Durand – present and alone (Zoom)

Cliff Jones – not present

James Sullivan – present in Chambers with Councilor Lapierre and his minor son in room

**7-0**

**5. PLEDGE OF ALLEGIANCE**

Chair Sullivan called for the Pledge of Allegiance.

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

**Note:** Regularly scheduled Town Council meetings provide for public input. Since this is a special meeting, there will be no public input; and the public does not participate in non-public sessions.

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting.

***Chair Sullivan motioned to enter non-public session of 08/13/2020 in accordance with RSA 91-A:3 II (c) at 5:39pm. R. Lapierre seconded the motion.***

53 **Roll Call #2**

54 R. Duhaime – yes  
 55 J. Durand – yes  
 56 C. Jones – not present  
 57 R. Lapierre – yes  
 58 A. Walczyk – yes  
 59 D. Boutin – not present  
 60 C. Karolian – yes  
 61 T. Tsantoulis – yes  
 62 J. Sullivan – yes

63 **Vote 7 in favor 7-0.**

64

65 ***J. Sullivan motioned to exit non-public session of 08/13/2020 at 6:09pm. Seconded by T.***  
 66 ***Tsantoulis.***

67

68 **Roll Call #3**

69 D. Boutin – not present  
 70 C. Jones – not present  
 71 A. Walczyk – not present  
 72 J. Durand – yes  
 73 R. Duhaime – yes  
 74 T. Tsantoulis – yes  
 75 R. Lapierre – yes  
 76 C. Karolian – yes  
 77 J. Sullivan – yes

78 **Vote 6 in favor 6-0.**

79

80 **PUBLIC SESSION 6:12PM**

81 ***J. Sullivan motioned to seal the non-public session minutes of 08/13/2020. Seconded by T.***  
 82 ***Tsantoulis.***

83

84 **Roll Call #4**

85 A. Walczyk – not present  
 86 R. Lapierre – yes  
 87 C. Jones – not present  
 88 R. Duhaime – yes  
 89 J. Durand – yes  
 90 C. Karolian – yes  
 91 T. Tsantoulis – yes  
 92 D. Boutin – not present  
 93 J. Sullivan – yes

94 **Vote 6 in favor 6-0.**

95

96 **7. ADJOURNMENT**

97

98 ***T. Tsantoulis motioned to adjourn the public session of 08/13/2020 at 6:12pm. Seconded***  
 99 ***by R. Lapierre.***

100

101 **Roll Call #5**

102 T. Tsantoulis – yes  
 103 C. Jones – not present  
 104 R. Duhaime – yes  
 105 A. Walczyk – not present  
 106 R. Lapierre – yes  
 107 C. Karolian – yes

108 J. Durand – yes  
109 D. Boutin – not present  
110 J. Sullivan – yes  
111 **Vote 6 in favor 6-0.**  
112  
113 Respectfully submitted,  
114  
115  
116  
117 Donna Fitzpatrick  
118 Recording Clerk  
119  
120  
121 **Please see subsequent meeting minutes for any amendments to these minutes.**  
122  
123  
124



**Town of Hooksett  
Town Council Meeting Minutes  
Wednesday, August 26, 2020**

The Hooksett Town Council met on Wednesday, August 26, 2020 at 6:00 in the Hooksett Municipal Building.

**CALL TO ORDER**

Chair Sullivan called the meeting of 26 Aug 2020 to order at 6:02 pm.

**PROOF OF POSTING**

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

**ROLL CALL**

**In Attendance:** Councilor James Sullivan, Councilor Roger Duhaime, Councilor John Durand, Councilor Roland Lapierre, Councilor David Boutin, Councilor Timothy Tsantoulis, Councilor Clark Karolian

Councilor Alex Walczyk arrived at 6:04 pm.

**Missing:** Councilor Clifford Jones

**PLEDGE OF ALLEGIANCE**

Chair Sullivan called for the Pledge of the Allegiance.

**PUBLIC HEARINGS**

**Public Hearing to accept \$32,462.53 in grant funding from the CARES Act funding for elections support**

Chair Sullivan: I will read the Public Hearing Notice:

The Hooksett Town Council will be holding a public hearing on Wednesday, August 26, 2020, at 6:00 pm at the Hooksett Town Hall in Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept the \$32,462.53 in grant funding from the CARES Act funding for elections' support. For further information please contact Town Clerk Todd Rainier at [trainier@hooksett.org](mailto:trainier@hooksett.org) or 603-485-9534.

T. Rainier: The CARES Act has not neglected the election process; the Secretary of State has received \$3.5 million and has chosen to allocate the funds to each town in the State according to a formula they have developed. This is intended to cover the overage in absentee ballot requests, returns and processing. I will prepare a report after each election of the number of absentee ballots requested and returned. It is expected that each town which applies will receive the full, allotted amount of funds.

T. Tsantoulis: Is this \$32,462.53 for each election in the fall?

T. Rainier: It is a total of \$32,462.53 for both elections. That is the whole pool.

Chair Sullivan: I am opening the public hearing at 6:11 pm.

**SPECIAL RECOGNITION**

TC MINUTES 08-26-2020

**Sandra Soule, Retirement - 11 years Public Works**

Chair Sullivan: Mrs. Soule worked mainly at the Safety Center, and she has a smile for everyone. I am going to call upon Police Chief Janet Bouchard to say a few words about Mrs. Soule, who is her mother.

Chief Bouchard: My mother asked me to thank you very much for this recognition. She is shy and doesn't like attention, but she loved her time here. My father is retiring as well, and they will celebrate their 50<sup>th</sup> wedding anniversary in December.

Chair Sullivan: I am going to ask Vice Chair Tsantoulis to make a presentation to Chief Bouchard for her mother. I wish her a happy retirement.

**SCHEDULED APPOINTMENTS**

**Merrimack County Sheriff Candidate, Mr. David Croft**

D. Croft: Thank you for having me here. I have lived with my family and dogs for over a year now in Salisbury. Becoming a sheriff has been on my agenda for a long time. I am a 6.5-year Marine Corp veteran and received my education while in the service, thanks to Uncle Sam. I worked as a corrections officer at the Merrimack County House of Corrections for three years after my Marine Corp service. From there I worked as a police officer in Boscawen for 20 years, 12 of those as Chief. I was enlisted to work on Governor Sununu's Alternative to Prosecution program, whereby we see 800 to 1,000 first-time, low-level defendants each year and help them return to society. Many of them have substance abuse and mental health issues. My idea is to assign a deputy sheriff to the prosecutor's office and engage in early intervention. Instead of locking up these offenders, we offer treatment, housing employment and insurance. For me, this will be an easy transition because I will be working with the same people I work with now. I currently create and manage a \$1 million budget, and I never exceed the expense budget and have always exceeded the revenue projection. Recently, I have been working on Governor Sununu's task for on law enforcement credibility. Currently, a police officer in NH needs only eight (8) hours of education to maintain certification. I would like to increase that and change the atmosphere at the Academy from militaristic to college-like. I want us to focus more on what society is asking of us as police officers. I would like to see the County government more involved as in other states. I would have two deputies working 24 hours a day roaming the county to help small communities. My three areas of focus are giving back, mental health and substance abuse, and increased education of police officers. Thank you.

**Merrimack County Sheriff Candidate, Mr. Michael Labrecque**

M. Labrecque: Thank you for this opportunity. I will be brief. I worked as a corrections officer for five (5) years at the state prison, five (5) years as a police officer in Bow, 12.5 years here in Hooksett and am now Chief of Police in Canterbury. My goals are transparency, professionalism and respect. In Canterbury, I have revamped the entire department from the floor up. Thank you for this opportunity to speak.

**Todd Rainier, Town Clerk and Cindy Robertson, Moderator - September 8, 2020 State Election Preparations and Town Clerk Update on Dog Civil Forfeiture Process**

Chair Sullivan: On behalf of the Town Council, I want to thank Marc Miville for his service to the Town, both as Town Moderator and as a Town Councilor.

T. Rainier: I also want to thank Marc Miville for his service to Hooksett as Town Moderator. He was an integral member of the election team and his dedication will be sorely missed. In the event of a vacancy

111 in the Moderator position, NH Law tasks the Supervisors of the Checklist with appointing a Moderator to  
 112 serve until the next town election. Thankfully for the citizens of Hooksett, Cindy Robertson has  
 113 remained in contact and agreed to serve. At the Board of Elections meeting August 10<sup>th</sup>, the  
 114 Supervisors of the Checklist appointed Cindy Robertson to serve as Hooksett Town Moderator, with a  
 115 term expiring June 30, 2021. Ms. Robertson has filled this role before, and we want to thank her for  
 116 stepping up. Additionally, Cindy has appointed Don Riley to serve as Assistant Moderator through the  
 117 fall elections.

118

119 T. Rainier: As anticipated, a record number of absentee ballots has been requested for the fall 2020  
 120 elections. As of today, we have fulfilled 849 requests for the September Primary, and 444 voters have  
 121 returned their absentee ballots. By comparison, we had just over 700 absentee ballots for the 2016  
 122 General Election. The Town Clerk/Tax Collector's office has been very busy, and I would like to thank  
 123 our staff – Billie, Kim and Caitlin – for their unwavering support while we navigate this election cycle  
 124 together. I have brought in three (3) additional people who have previously worked at the polls to work  
 125 several hours per week assisting with the absentee ballots and election preparation. There is lots of  
 126 paperwork, and all has been going very well.

127

128 T. Rainier: The NH Legislature has passed a law allowing for the pre-processing of absentee ballots for  
 129 the fall 2020 elections only. This is a public session held by the Town Moderator before election day.  
 130 For the September Primary, Hooksett will hold this public session in the Council Chambers on Monday,  
 131 September 7<sup>th</sup> (Labor Day) from 9:00 am until 3:00 pm. Four election officials will be present throughout  
 132 this process, Thank you to Councilors Boutin, Tsantoulis and Walczyk for volunteering. We need just  
 133 one more for that day. The process will be as follows: The Moderator will look at each request, open the  
 134 outer envelope, check that all is in order and announce the name. Although the voters' names cannot  
 135 be checked off/crossed off the checklist at this time, the names can be highlighted to make them easier  
 136 to find on election day. The name will not be announced again at the election. The absentee ballots will  
 137 be not be out of sight from that time until cast the next day. With the polls opening at 6:00 am,  
 138 casting of absentee ballots will begin at 7:00 am on election day.

139

140 J. Durand: What is the deadline for mailing back absentee ballots?

141

142 T. Rainier: Absentee ballots can be received until 5:00 pm on election day.

143

144 J. Durand: What is the last opportunity to request an absentee ballot?

145

146 T. Rainier: All Town Clerks must be open between 3:00 pm and 5:00 pm on the day before the election.  
 147 People may vote at the Town Clerk's office at this time. As far as what to expect on election day, in-  
 148 person State elections are enshrined in the NH Constitution. Hooksett polls at Cawley Middle School will  
 149 be open to the mask-wearing public from 6:00 am until 7:00 pm. In accordance with school policy, all  
 150 persons entering the school must wear a mask at all times while in the building. Two (2) representatives  
 151 from the Hooksett Fire Department will be present at the voter entrance to offer masks to those without  
 152 one and to encourage voters to sanitize hands before entering. No one will be allowed entry to the  
 153 school without a mask.

154

155 T. Rainier: Moderator Robertson, with guidance from the NH Attorney General and Secretary of State,  
 156 and the approval of Hooksett legal counsel, has developed accommodations for voters who cannot/will  
 157 not wear a mask to still register to vote and cast a ballot. An election person outside the school with a  
 158 two-way radio and will be alerted to escort a voter behind the school near the cafeteria where a tent will  
 159 be set up for registration and voting. Speaking at this meeting is important for getting the message out.

160

161 T. Rainier: In accordance with school policy all workers and volunteers must complete a health  
 162 screening before entry and wear a mask at all times while in the school. Election workers will have  
 163 shorter shifts than usual. The primary is a sort of trial run for November. I think it will work well. Proper

164 distances will be marked on the floor with painter's tape to ensure voters are queueing safely. Ballot  
165 clerk stations and voting booths will be distanced to the degree possible. The voting booths are linked  
166 units, but we will be working with the Highway Department to arrange them as safely as possible.  
167 Luckily, there is no school that day and we have the whole auditorium.

168  
169 T. Rainier: Voters will be provided a disposable pen and protective shield for placement on the writing  
170 surface with their ballot. Ballot clerk training is extensive this year. Per the NH Constitution, Selectmen  
171 (Councilors) must be present throughout every election. In an effort to collaborate, I have called each of  
172 you in the last week and had great conversations with many of you, and I thank you for your  
173 cooperation. I have the blank schedule for you to fill in times you each are able to work at the polls on  
174 September 8<sup>th</sup>. Please keep in mind we need a minimum of three (3) Councilors to witness the ballots  
175 being sealed in boxes and to sign the box seals. The schedule can be signed tonight, and I appreciate  
176 your help. The health screening and mask requirement apply to you as well. I thank you in advance for  
177 your help.

178  
179 C. Robinson: We are asking all workers to arrive 15 minutes early for screening.

180  
181 T. Tsantoulis: I was concerned about Moderator position, and I want to thank both of you for all the

182  
183 Chair Sullivan: The Town of Hooksett is a model for others to follow when it comes to elections.

184  
185 T. Rainier: The SOS has provided a lot of support. We have had bi-weekly, one-hour meetings and two  
186 hour-long meetings with Benjamin Chan. The SOS has provided PPE - pens, masks, and plexiglass  
187 shields. The ballot clerks will sit behind a six-foot- wide table with shields in front of them.

188  
189 A. Garron: I have been at all of these presentations. The plan is a good one, addressing all details.  
190 I would like to take this opportunity to announce that the Conservation Commission has been awarded  
191 a grant from RTP to help with the Riverwalk project.

192  
193 C. Robinson: We were thrilled to be notified that we will receive \$80,000 from RTP to help with Phase 3  
194 of the Riverwalk project. Five years ago, we received \$50,000.

195  
196 Chair Sullivan: Kudos to everyone who has been working on this development.

197  
198 T. Rainier: Turning to civil forfeitures, this body voted to proceed with the civil forfeiture process on  
199 June 10, 2020 at a virtual meeting. Over the next two weeks, I obtained seven of nine Councilor  
200 signatures as of June 24<sup>th</sup>. Civil forfeiture notices were printed and sent via certified mail on July 15<sup>th</sup>.  
201 Our office was delayed in getting the notices out due to office traffic and catching up on urgent  
202 transactions, which gave residents an extra month to renew without civil forfeiture penalties. Taking  
203 advantage of this, residents renewed their dogs' licenses or contacted the Town Clerk's office, resulting  
204 in status updates for almost 100 dogs. We began with a list of 743 unlicensed dogs as of June 10,  
205 2020. Bear in mind that notices go to households, many of which have more than one dog.

206  
207 T. Rainier: This was an exceptional year in terms of negative feedback, some of which was  
208 constructive, and I will work to provide additional communication to Hooksett dog owners in 2021.  
209 Numerous residents cited the closure of Town Hall as a barrier to licensing their dogs. As of today,  
210 there are 172 unlicensed dogs. Gary Blanchette from the Hooksett Police Department is in the process  
211 of hand delivering 63 unclaimed notices to the owners of record.

212  
213 Chair Sullivan: I am closing the Public Hearing on the CARES Act election funding at 6:51 pm.

214  
215



216 ***D. Boutin made a motion to waive Town Council rules of procedure and vote the same night as***  
 217 ***the public hearing to accept the CARES grant awarded in the amount of \$32,463.53 to the Town***  
 218 ***of Hooksett for the Town elections per RSA 31:95-b III (a), and to have the Council Chair sign the***  
 219 ***Certificate of Authority for the Town Administrator to sign the contract. A. Walczyk seconded***  
 220 ***the motion.***

221  
 222 Chair Sullivan called for a roll call vote on the motion.

223

224 **Roll Call Vote #2**

225 ***R. Duhaime Aye***

226 ***J Durand Aye***

227 ***C. Jones Not present***

228 ***R. Lapierre Aye***

229 ***A. Walczyk Aye***

230 ***D. Boutin Aye***

231 ***C. Karolian Aye***

232 ***T. Tsantoulis Aye***

233 ***J. Sullivan Aye***

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

235

236 **Deb Miville and Andy Janosz, Parks & Recreation Advisory Board - Lambert's Park Pavilion**  
 237 **Project**

238

239 B. Thomas: I am here with member and past chair Deb Miville and Chair Andy Janosz of the Parks &  
 240 Recreation Advisory Board regarding the Pavilion Project for Lambert's Park. In March of this year,  
 241 Town residents approved a warrant article to purchase and install a pavilion at Lambert's Park to  
 242 replace the existing 12 X 12-foot gazebo constructed by an Eagle Scout about 25 years ago. The  
 243 Warrant Article for \$93,390.00 was passed. The project was advertised in the Manchester Union  
 244 Leader and on the Town website, in addition to being sent to several contractors. Three bids were  
 245 received, and the low bidder was Probuilt Designs, LLC, for a base bid of \$89,919.00 plus \$18,900.00  
 246 for a concrete pad. The total was \$102,719.00. In order to keep costs within the budget, we negotiated  
 247 with the contractor, who agreed to install the pavilion without a concrete or bituminous pad, but with a  
 248 stone dust surface, bringing the total down to the amount of the warrant article - \$93,390.00. The  
 249 project was approved by the Parks & Rec Advisory Board at their August 10, 2020 meeting. The other  
 250 two contractors were contacted to see if they could meet the bid of Probuilt; both said they could not.  
 251 References for Probuilt were all positive, the best one saying that Probuilt has the hardest working  
 252 crews, the owner is a "go-to guy" and that he goes "above and beyond."

253

254 B. Thomas: Funding will consist of \$50,000.00 from the Public Recreation Facilities Impact Fees  
 255 Special Revenue account and \$43,390.00 from the Parks & Rec Facilities Development Capital  
 256 Reserve account. We have not yet selected colors but the Board members favor evergreen (dark)  
 257 green for the roof and beige posts. The size is 52 X 24 feet.

258

259 C. Karolian: I have a few questions: The amount of \$93,390.00 is a very precise amount. How did you  
 260 arrive at that specific amount?

261

262 B. Thomas: I came up with that amount based on estimates for the project, including electrical service  
 263 for the pavilion.

264

265 C. Karolian: No one came in at exactly \$93,390.00. Did you say the other two bidders couldn't come  
 266 down in price?

267

268 B. Thomas: Yes, I did.

269

270 C. Karolian: This is a metal structure with a metal roof. I believe the Planning Board wants to avoid  
271 metal structures in Hooksett in order to improve aesthetics. I think Chair Sullivan once said they want to  
272 avoid used car lots and storage facilities.

273

274 R. Duhaime: Aesthetically, we would like to see more masonry and wood than steel, but this is not a  
275 building. It is a meeting place, and if it is constructed of wood it will require a lot more maintenance.

276

277 D. Boutin: The Planning Board has no policy regarding metal structures. They prefer other construction  
278 materials for businesses, but this is not out of character and looks nice.

279

280 T. Tsantoulis: I am not a huge fan of tin shacks. They do not look good and don't bring much revenue to  
281 the town. However, this is a recreational structure.

282

283 Chair Sullivan: I will read Warrant Article #16:

284

285 To see if the town will vote to raise and appropriate the sum of \$93,390.00 to purchase and  
286 install a pavilion for community use; of this amount, not to exceed \$50,000.00 is authorized to  
287 be withdrawn from the Public Recreation Facilities Impact Fees Special Revenue and not to  
288 exceed \$43,390.00 to be withdrawn from the Parks and Recreation Facilities Development  
289 Capital Reserve. No amount to be raised from general taxation. Approved by the Town Council  
290 8-1 and by the Budget Committee 10-0.

291

292 Chair Sullivan said that the accompanying information for voters says this is for a 24 X 52-foot shelter  
293 with a concrete or rice gravel floor.

294

295 B. Thomas: The rice gravel is ADA compatible, as is stone dust.

296

297 E. Labonte: Stone dust meets ADA specs for wheelchairs, and I assume that rice gravel does as well.

298

299 Chair Sullivan: We could contribute \$15,000.00 for a concrete floor and get it done now. We could do it  
300 right the first time.

301

302 D. Boutin: We would be hard-pressed to do that. How do we tell the voters we are spending another  
303 \$15,000.00, and they don't have the right to vote on it?

304

305 J. Durand: I agree with Councilor Boutin.

306

307 D. Boutin: The stone dust or rice gravel is better for children and the elderly.

308

309 T. Tsantoulis: I agree with Councilor Boutin.

310

311 R. Lapierre: This is the second time I have seen departments devise creative solutions to stay within a  
312 budgeted amount.

313

314 R. Duhaime: We should stay with what the voters want. Furthermore, we should have a wish list of  
315 things we would like to do. I can think of a lot of things for the list.

316

317 **J. Durand motioned to award the pavilion contract to Probuilt Designs for the Base Bid of**  
318 **\$89,919.00 plus \$3,471.00 for the stone dust surface, for a total bid amount of \$93,390.00. D.**  
319 **Boutin seconded the motion.**

320  
 321 C. Karolian: A kid could tip back and bang his head on a metal post. Stone dust will turn to mud and run  
 322 off. I just want to do what the warrant article says. You can vote the way you want to.  
 323  
 324 R. Lapierre: The ground material is not in the warrant article; it is in the explanation.  
 325  
 326 Chair Sullivan: It is assumed we will adhere to what the additional voter information says.  
 327  
 328 B. Thomas: What if you change the motion to say "...stone dust or rice gravel"?  
 329  
 330 C. Karolian: If we don't know what it is, we shouldn't be doing this. I am looking at what is right and  
 331 what is wrong.  
 332  
 333 ***J. Durand motioned to revised his motion to add "or rice gravel" for the surface. D. Boutin***  
 334 ***seconded the revision.***  
 335  
 336 A roll call vote was taken on the motion.  
 337  
 338 **Roll Call Vote #3**  
 339 ***D. Boutin Aye***  
 340 ***C. Jones Not present***  
 341 ***A. Walczyk Aye***  
 342 ***J. Durand Aye***  
 343 ***R. Duhaime Aye***  
 344 ***T. Tsantoulis Aye***  
 345 ***R. Lapierre Aye***  
 346 ***C. Karolian Nay***  
 347 ***J. Sullivan Aye***  
 348 ***Voted in favor (7-1).***  
 349  
 350 **CONSENT AGENDA**  
 351  
 352 **Accept the donation of \$500.00 from the Hooksett Kiwanis Foundation to the Town of Hooksett**  
 353 **for DPW Parks & Recreation Division per RSA 31:95-b: III(b).**  
 354  
 355 **Motion to accept the donation of Dunkin gift cards from an anonymous citizen, valued at \$40.00**  
 356 **(4 - \$10.00 Cards), to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:**  
 357 **II and 31:95-b, III(b).**  
 358  
 359  
 360  
 361 **Motion to accept the donation of 12 First Responder Kits from Shannon Earnshaw of Hooksett,**  
 362 **unknown value (less than \$5,000.00), to the Town of Hooksett for the Hooksett Police**  
 363 **Department per RSA 31:95-e: II**  
 364  
 365  
 366 **Acceptance of NH DOJ Grant Round 2**  
 367  
 368 ***T. Tsantoulis motioned to approve the four (4) Consent Agenda items. D. Boutin seconded the***  
 369 ***motion.***  
 370  
 371 A roll call vote was taken on the motion.  
 372  
 373 **Roll Call Vote #4**  
 374 ***A. Walczyk Aye***  
 375 ***R. Lapierre Aye***  
 376 ***C. Jones Not present***

377 **R. Duhaime Aye**

378 **J. Durand Aye**

379 **C. Karolian Aye**

380 **T. Tsantoulis Aye**

381 **D. Boutin Aye**

382 **J. Sullivan Aye**

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

384

385 **TOWN ADMINISTRATOR'S REPORT**

386

387 A. Garron: Your packet includes a draft travel policy. It addresses things that have been issues.  
388 Hooksett presently does not have an approved travel policy. We contacted the town's legal counsel in  
389 the preparation of the policy, which reads as follows:

390

391 The Town of Hooksett continues to monitor guidance and information provided by the State of  
392 New Hampshire and the Center for Disease Control (CDC) relative to COVID-19 and take the  
393 appropriate steps to protect the health and safety of our employees. In response to the travel  
394 guideline published by the NH Department of Public Health Services (DPHS) on July 22, 2020,  
395 the Town will take the following course of action, effective (date to be determined).

396

397 The Town of Hooksett strongly discourages international travel, cruise ship travel and travel out-  
398 side of New England.

399

400 Any employee who chooses to travel internationally, on a cruise ship, or outside of New  
401 England is required to do the following for each instance of travel:

402

- 403 ▪ Notify your supervisor as soon as possible of your plans to travel.
- 404 ▪ Within 2 to 4 calendar days of your return from travel, submit to a COVID-19 test.
- 405 ▪ Upon return to work, wear a cloth face covering over your nose and mouth at all times
- 406 while indoors and when unable to maintain a 6' distance while outdoors, until such time
- 407 as a negative COVID-19 test is received or 14 days have passed since your return from
- 408 travel, whichever is earlier.
- 409 ▪ Notify your supervisor immediately if you develop COVID-like symptoms at any time
- 410 within 14 days of your return from travel.

411

412 Any employee who chooses not to submit to a COVID-19 test and/or wear an appropriate face  
413 covering must quarantine for 14 days. During the 14-day quarantine period, employees must  
414 use available accrued time or emergency paid sick leave or go without pay if neither accrued  
415 time nor emergency paid sick leave are available.

416

417 This policy will remain in effect through December 31, 2020, or until such time as the CDC  
418 and/or NH DPHS revises its current travel guidelines.

419

420 A. Garron: Our dilemma now is that the CDC recently took out the 14-day quarantine requirement.  
421 Should we follow the State or the CDC?

422

423 J. Durand: That was just this week, wasn't it?

424

425 A. Garron: Yes. The town attorney says we should follow the CDC.

426

427 Chair Sullivan: Which guidelines do you follow?

428

429 A. Garron: Actually, we follow both  
 430  
 431 J. Durand: The testing requirement is fair.  
 432  
 433 R. Lapierre: If someone refuses to be tested, they would have to quarantine for 14 days.  
 434  
 435 A. Garron: And if someone tests positive, they would be sent home immediately.  
 436  
 437 R. Lapierre: I assume everyone with whom they work would be sent home too.  
 438  
 439 C. Karolian: Is there a concern about HIPPA violations?  
 440  
 441 A. Garron: Employees must review a list of questions posted on the door and notify their supervisors if  
 442 they answer 'yes' to any of the questions. This is not divulging medical information.  
 443  
 444 D. Fitzpatrick: This draft travel policy includes the opinions of the town attorney and Primex. This is an  
 445 exception for the welfare of all.  
 446  
 447 C. Karolian: Could disciplinary action be taken if an employee does not comply?  
 448  
 449 A. Garron: Yes, it could.  
 450  
 451 J. Durand: Do employees sign the policy?  
 452  
 453 D. Fitzpatrick: Yes, they acknowledge receipt. If they don't comply, their actions could be seen as  
 454 insubordination.  
 455  
 456 D. Boutin: Mr. Serge made it clear that this should be discussed with the town employees, and  
 457 especially the unions.  
 458  
 459 D. Fitzpatrick: The draft policy was sent to the unions, not for consent but as information.  
 460  
 461 A. Garron: The Town Council can set the effective date. I would like to have a week to prepare.  
 462  
 463 ***R. Lapierre motioned to amend the second bullet of the draft policy, removing "2 to." R.***  
 464 ***Duhaime seconded the motion.***  
 465  
 466 A roll call vote was taken on the motion.  
 467  
 468 **Roll Call Vote #5**  
 469 ***T. Tsantoulis Aye***  
 470 ***C. Jones Not present***  
 471 ***R. Duhaime Aye***  
 472 ***A. Walczyk Aye***  
 473 ***R. Lapierre Aye***  
 474 ***C. Karolian Nay***  
 475 ***J. Durand Aye***  
 476 ***D. Boutin Aye***  
 477 ***J. Sullivan Aye***  
 478 ***Voted in favor (7-1).***  
 479

480

481 R. Duhaime: I would like to change "international travel" to "non-essential travel" in the second  
482 paragraph.

483

484 Chair Sullivan: How do you define "non-essential?" It is a subjective term.

485

486 ***R. Lapierre motioned to amend the draft Travel Policy by striking everything up to the comma***  
487 ***before "until" in the third bullet and replacing it with, "Do not return to work." A Walczyk***  
488 ***seconded the motion.***

489

490 R. Lapierre: This avoids the scenario whereby someone who is positive doesn't know until the test  
491 results are received, and by then a whole office must be sent home.

492

493 D. Boutin: That is arbitrary.

494

495 R. Lapierre: This is a serious public health issue, a pandemic. These are the guidelines used in  
496 schools.

497

498 A. Walczyk: And at the YMCA as well.

499

500 ***C. Karolian motioned to call the question. T. Tsantoulis seconded the motion to call the***  
501 ***question.***

502

503 A roll call vote was taken on the motion.

504

505 ***Roll Call Vote #6***

506 ***J. Durand Aye***

507 ***R. Lapierre Nay***

508 ***C. Karolian Aye***

509 ***D. Boutin Aye***

510 ***C. Jones Not present***

511 ***T. Tsantoulis Aye***

512 ***A. Walczyk Nay***

513 ***R. Duhaime Nay***

514 ***J. Sullivan Nay***

515 ***Motion failed (4-4).***

516

517 T. Tsantoulis: There are too many moving parts. I am not comfortable with changing at this point.

518

519 Chair Sullivan called for a roll call vote on the amendment offered by Councilor Lapierre.

520

521 ***Roll Call Vote #7***

522 ***C. Jones Not present***

523 ***C. Karolian Nay***

524 ***R. Lapierre Aye***

525 ***R. Duhaime Aye***

526 ***A. Walczyk Aye***

527 ***J. Durand Nay***

528 ***T. Tsantoulis Nay***

529 ***D. Boutin Nay***

530 ***J. Sullivan Nay***

531 **Motion failed (3-5).**

532

533 **D. Boutin motioned to adopt the COVID-19 Travel Policy as presented by Town Administrator**  
 534 **Garron for effective date September 2, 2020. J. Durand seconded the motion.**

535

536 A. Walczyk: I would like this to be effective immediately. Better sooner than later. We can't know every  
 537 scenario. We shouldn't table this; it will take forever.

538

539 A roll call vote was taken on the motion.

540

541 **Roll Call Vote #8**

542 **R. Lapierre Aye**

543 **R. Duhaime Aye**

544 **T. Tsantoulis Abstained**

545 **A. Walczyk Aye**

546 **J. Durand Aye**

547 **C. Jones Not present**

548 **D. Boutin Aye**

549 **C. Karolian Abstained**

550 **J. Sullivan Aye**

551 **Voted unanimously in favor with two abstentions (6-0). Councilor Tsantoulis abstained because**  
 552 **he didn't understand and was confused, and Councilor Karolian abstained because he had**  
 553 **unanswered questions.**

554

555 J. Durand: Mr. Garron needs time to get the notice out.

556

557 C. Karolian: How does the employee get paid while in quarantine?

558

559 A. Garron: An employee can use emergency paid leave, sick leave, or unpaid sick leave.

560

561 A. Garron said that Administrative Services Coordinator Donna Fitzpatrick has good news regarding  
 562 insurance.

563

564 D. Fitzpatrick: I have very good news. Health Trust is our broker of medical and dental insurance.  
 565 Because of a significant reduction in claims, they have a surplus which, per State law, must be returned  
 566 to the political subdivision paying for the insurance – in this case, the Town of Hooksett. The estimated  
 567 amount to be returned to Hooksett is \$93,693.73. We will know the actual amount on October 6, 2020,  
 568 the same date when they will set the new rate for January 1, 2021.

569

570 D. Boutin: Who gets the money?

571

572 D. Fitzpatrick: The Town of Hooksett.

573

574 A. Garron: This was a welcome surprise, especially since we don't know what we will have for revenues  
 575 from Highway Block Grants or the Meals & Lodging tax.

576

577 Mr. Garron: The Kiwanis Club has decided not to hold its trail race this fall.

578

579 Mr. Garron: I am pleased to report that GOFERR is adding one more date for reporting COVID  
 580 expenses – October 15<sup>th</sup>. We also received an indication that the full amount of the current submission,  
 581 \$81,287.17 has been approved.

582

583

584

585

Mr. Garron: I have completed a review of employees. In the coming months we will do some reorganizations and job description updates. As all of you know, we have a great staff.

586

587

588

Mr. Garron: Police Chief Bouchard has agreed to provide you with a summary of the work of the State Commission on Police Accountability, Community and Transparency

589

590

591

592

593

594

595

596

597

598

599

600

Chief Bouchard: This group of 12 from several areas of government and other organizations has met once or twice a week since being formed in June. I have followed their discussions in order to know what issues they are looking at and to assess how the Hooksett Police Department measures up. The Commission's draft report emphasizes the importance of having a good relationship with the community. The Hooksett PD has a very good relationship with the community and works hard at it. The Commission discussed the importance of removing implicit bias. Hooksett police officers could benefit from training in this area, and we are reviewing department policies. The collection and analysis of data regarding race and gender was identified as very important by the Commission. They may decide to gather this information at the state level, which would be good. We keep our own data currently. Some members seemed to think that SRO's are arresting students. Their role is mostly to counsel students. Officer Bergeron does a great job at our schools. We also have a juvenile detective, which the Commission recommends.

601

602

603

604

605

Chief Bouchard: The Commission wants to legalize marijuana, decriminalize all drugs and make possession a misdemeanor. They also advocate police officer training about mental illness, substance abuse and working with veterans – specifically, supporting a veteran mobile assessment team.

606

607

D. Boutin: What have they done with the Laura List?

608

609

610

Chief Bouchard: Some want it to be public. They have an Exculpatory Evidence Schedule, and police departments are to report to the Attorney General about untruthful officers.

611

612

613

614

615

A. Garron: We are negotiating a land swap for the sewer pump station, which is part of the Route 3A TIF. We will get a larger piece of land for future development. We are also pursuing an Economic Development Administrative Grant, working with the Southern NH Regional Planning Commission. The TIF project fits the criteria.

616

617

T. Tsantoulis: What do you know about the gypsy paving company setting up camp on Bypass 28?

618

619

620

621

A. Garron: I am aware of the situation, as is Code Enforcement Officer Matt Lavoie. They will be submitting a Site Plan to the Planning Board, but in the meantime, they have been issued a Cease & Desist order.

622

623

624

625

## **OLD BUSINESS**

### **2020 Paving Update (Rescind vote of 07/15/2020 and seeking new vendor approval)**

626

627

628

E. Labonte: After awarding this work to Pike Industries, they found an error in their bid, and the amount of the bid is higher than what was approved. We missed the error too.

629

630

631

***T. Tsantoulis motioned to rescind the original action awarding the 2020 Resurfacing bid to Pike Industries, Inc. In the amount of \$339,563.50. J. Durand seconded the motion.***

632

633

634

A roll call vote was taken.

### **Roll Call Vote #9**

TC MINUTES 08-26-2020

12



635 **J. Durand Aye**  
 636 **D. Boutin Aye**  
 637 **C. Jones Not present**  
 638 **R. Duhaime Aye**  
 639 **C. Karolian Aye**  
 640 **A. Walczyk Aye**  
 641 **T. Tsantoulis Aye**  
 642 **R. Lapierre Aye**  
 643 **J. Sullivan Aye**

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

645  
 646 T. Tsantoulis: Weren't there questions regarding the integrity of GMI when they worked on Hackett Hill  
 647 Road?

648  
 649 E. Labonte: That was two years ago, and I wasn't here. GMI could have been removed from future  
 650 bidding in Hooksett or suspended from bidding for a period of time, but no action was taken. Their  
 651 recommendations are good.

652  
 653 **Chair Sullivan motioned to approve and consent to award the 2020 Resurfacing bid to GMI**  
 654 **Asphalt, LLC, the lowest bidder, for \$344,546.60, to be funded out of the current FY 2020-2021**  
 655 **budget. D. Boutin seconded the motion.**

656  
 657 T. Tsantoulis: What would be different now?

658  
 659 E. Labonte: I heard they weren't being monitored at the Hackett Hill job two years ago. That won't  
 660 happen now because we will have a DPW employee there all of the time.

661  
 662 C. Karolian: When do you pay them?

663  
 664 E. Labonte: They submit a pay application about every 30 days. We retain about ten percent until near  
 665 completion.

666  
 667 C. Karolian: I want to remind everyone about COVID and the effect it might have on revenues. We don't  
 668 know how much our losses might be, and tax bills go out in December. Was Pike's bid about  
 669 \$15,000.00 more than the lowest bid? What is their business address?

670  
 671 E. Labonte: The business address is out of state.

672  
 673 A. Walczyk: I want to remind Councilor Karolian that we invested in an analysis of our roads to have a  
 674 data driven plan. Mr. Labonte, is the correct figure on the table inserted on page 37 \$5,000 or \$1,000?

675  
 676 E. Labonte: It is \$1,000.

677  
 678 A. Walczyk: I am not familiar with *Contingencies as Ordered and Approved by Town* in that same table.

679  
 680 E. Labonte: That is in case of overruns so we don't have to come back before the Council.

681  
 682 Chair Sullivan: You don't have to choose the lowest bid, do you?

683  
 684 E. Labonte: No, we have to make a decision in the best interest of the town.

685

686 R. Duhaime: I would like to see Pike do this project. In this case, the lowest bidder isn't the best  
687 because of the issues we had with GMI. Hooksett has Pike's largest plant. The asphalt will be warm.  
688  
689 T. Tsantoulis: It would be good to have the materials here in Hooksett. The temperature of the asphalt  
690 is important, especially in the fall.  
691  
692 E. Labonte: GMI gets some of its materials from Pike.  
693  
694 D. Boutin: Is GMI's bid on page 37 the lowest? Is it reasonable?  
695  
696 E. Labonte: It is the lowest and it's what we asked for.  
697  
698 D. Boutin: What is Pike's bid?  
699  
700 E. Labonte: It is \$360,563.50.  
701  
702 C. Karolian: Too many times I hear that something has to be done urgently – eleventh hour decisions.  
703 These are uncertain times. We shouldn't be spending \$400,000 now. Take a ride up Dale and Morse.  
704  
705 **C. Karolian motioned to table this item. T. Tsantoulis seconded the motion.**  
706  
707 Chair Sullivan: Since this is a motion to table, there is no discussion.  
708  
709 D. Boutin: We can discuss a motion to table.  
710  
711 Chair Sullivan: We can only ask for more information, for clarification.  
712  
713 D. Boutin: We want more information, but we are one week from September and the temperature was  
714 57 degrees in Hooksett this morning. How late in the year can you pave roads?  
715  
716 E. Labonte: We are supposed to stop paving by November 15<sup>th</sup>.  
717  
718 Chair Sullivan called for a roll call vote on the motion to table.  
719  
720 **Roll Call Vote #10**  
721 **C. Karolian Aye**  
722 **T. Tsantoulis Aye**  
723 **R. Lapierre Nay**  
724 **C. Jones Not present**  
725 **D. Boutin Nay**  
726 **J. Durand Aye**  
727 **A. Walczyk Nay**  
728 **R. Duhaime Nay**  
729 **J. Sullivan Nay**  
730 **Motion failed (3-5).**  
731  
732 Chair Sullivan called for a roll call vote on the motion to award the contract to GMI, the lowest bid.  
733  
734 **Roll Call #11**  
735 **T. Tsantoulis Nay**  
736 **R. Lapierre Aye**

737 **J. Durand** **Nay**  
 738 **C. Jones** **Not present**  
 739 **C. Karolian** **Nay**  
 740 **A. Walczyk** **Aye**  
 741 **R. Duhaime** **Nay**  
 742 **D. Boutin** **Aye**  
 743 **J. Sullivan** **Aye**  
 744 **Motion failed (4-4).**

745  
 746

747 **T. Tsantoulis motioned to approve and consent to award the 2020 Resurfacing bid to Pike**  
 748 **Industries in the amount of \$360,563.50.**

749

750 Chair Sullivan asked Councilor Tsantoulis to add to his motion waiving the Administrative Code rules.

751

752 D. Boutin: This is wrong. You need to waive the rules first.

753

754 **D. Boutin motioned not to waive the rules. R. Lapierre seconded the motion.**

755

756 Chair Sullivan: A motion should be expressed in the positive.

757

758 D. Boutin: My motion was totally legitimate.

759

760 C. Karolian: I have a point or order. Now you are waiving the rules to get something passed.

761

762 R. Lapierre: If I vote no, is that a vote to waive the rules?

763

764 Chair Sullivan: No, it is a vote against not waiving the rules

765

766 T. Tsantoulis: It is a motion that does nothing.

767

768 Chair Sullivan: I would like to have a motion stated in the positive.

769

770 D. Boutin: I will withdraw my motion.

771

772 R. Lapierre: Councilor Tsantoulis was going to make a motion and Councilor Boutin jumped in.

773

774 D. Boutin: I did not jump in.

775

776 **C. Karolian motioned to waive the rules of the Administrative Code. J. Durand seconded the**  
 777 **motion.**

778

779 A roll call vote was taken.

780

781 **Roll Call Vote #12**

782 **D. Boutin** **Nay**

783 **A. Walczyk** **Aye**

784 **J. Durand** **Nay**

785 **C. Karolian** **Nay**

786 **R. Lapierre** **Aye**

787 **T. Tsantoulis** **Aye**

TC MINUTES 08-26-2020

788 **R. Duhaime Aye**  
 789 **C. Jones Not present**  
 790 **J. Sullivan Aye**  
 791 **Voted in favor (5-3).**

792  
 793 **T. Tsantoulis motioned to approve and consent to award the 2020 Resurfacing bid to Pike**  
 794 **Industries in the amount of \$360,563.50. R. Duhaime seconded the motion.**

795  
 796 A roll call vote was taken on the motion.

797  
 798 **Roll Call Vote #13**

799 **C. Karolian Nay**  
 800 **D. Boutin Nay**  
 801 **T. Tsantoulis Aye**  
 802 **R. Lapierre Aye**  
 803 **A. Walczyk Aye**  
 804 **R. Duhaime Aye**  
 805 **J. Durand Nay**  
 806 **C. Jones Not present**  
 807 **J. Sullivan Aye**  
 808 **Voted in favor (5-3).**

809  
 810 T. Tsantoulis: I was voting against the contractor, not the Resurfacing.

811  
 812 C. Karolian: I want to ask my fellow Councilors if they have driven up Morse and Dale.

813  
 814 **T. Tsantoulis motioned to continue the meeting at 9:30 pm. A. Walczyk seconded the motion.**

815  
 816 A roll call vote was taken on the motion.

817  
 818 **Roll Call Vote #14**

819 **R. Duhaime Aye**  
 820 **J Durand Nay**  
 821 **C. Jones Not present**  
 822 **R. Lapierre Nay**  
 823 **A. Walczyk Aye**  
 824 **D. Boutin Nay**  
 825 **C. Karolian Nay**  
 826 **T. Tsantoulis Aye**  
 827 **J. Sullivan Aye**  
 828 **Motion failed (4-4).**

829  
 830 The meeting ended.

831 Respectfully submitted,

832 *Kathleen Donnelly*

833 Kathleen Donnelly

834 Recording Clerk

835

836

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