

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, December 09, 2020**

1
2 The Hooksett Town Council met on Wednesday, December 09, 2020 at 5:30 pm in the Hooksett
3 Municipal Building.
4

5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 09 Dec 2020 to order at 5:45 pm.
7

8 **PROOF OF POSTING**

9 Human Resources Coordinator Donna Fitzpatrick provided proof of posting.
10

11 **ROLL CALL- ATTENDANCE**

12 **In Attendance:** Councilor James Sullivan, Councilor Clifford Jones, Councilor John Durand, Councilor
13 Randall Lapierre, Councilor David Boutin, Councilor Timothy Tsantoulis, Councilor Clark Karolian, and
14 Councilor Alex Walczyk
15

16 Councilor Roger Duhaime joined the meeting remotely at 6:05 pm. He joined the meeting in person at
17 6:44 pm.
18

19 **NON-PUBLIC SESSION #1 NH RSA 91-A:3 II**
20

21 ***Chair Sullivan motioned to enter non-public session at 5:46 pm in accordance with the***
22 ***provisions of RSA 91-A:3, II (a). D. Boutin seconded the motion.***
23

24 RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining*
25 *of such employee, or the investigation of any charges against him or her, **unless** the employee affected*
26 *(1) has a right to a public meeting, and (2) requests that he meeting be open, in which case the request*
27 *shall be granted.*
28

29 **Roll Call Vote #2**

30 ***R. Duhaime Not present***

31 ***J Durand Aye***

32 ***C. Jones Aye***

33 ***R. Lapierre Aye***

34 ***A. Walczyk Aye***

35 ***D. Boutin Aye***

36 ***C. Karolian Aye***

37 ***T. Tsantoulis Aye***

38 ***J. Sullivan Aye***

39 ***Voted unanimously in favor (8-0).***
40

41 Other persons present during non-public session:

42 Andre Garron, Town Administrator

43 Donna Fitzpatrick, Human Resources Coordinator

44 Christine Soucie, Finance Director

45 Earl Labonte, Public Works Director

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Description of Matters:
Town and Teamsters Local 633 (Public Works) Union Negotiations

STRAW VOTE:

C. Karolian motioned to accept the tentative agreement between the Town of Hooksett, NH and Teamsters Local 633, to include Appendix A Pay Scale, effective 07/01/2021-06/30/2024. D. Boutin seconded the motion.

Voted in favor (8-0).

D. Boutin motioned to exit non-public session at 6:05 pm. T. Tsantoulis seconded the motion.

Roll Call Vote #3

D. Boutin Aye
C. Jones Aye
A. Walczyk Aye
J. Durand Aye
R. Duhaime Aye
T. Tsantoulis Aye
R. Lapierre Aye
C. Karolian Aye
J. Sullivan Aye

Voted unanimously in favor (9-0).

Chair Sullivan called the Public Session back to order at 6:11 pm.

PLEDGE OF ALLEGIANCE

Chair Sullivan called for the Pledge of Allegiance.

AGENDA OVERVIEW

Chair Sullivan: I would ask that we move up Items 16.1 and 17.1 of the agenda, to be taken up in conjunction with the Scheduled Appointment with Keith Judge. The Hooksett Police Department Annual Awards Ceremony listed on the agenda for tonight has been postponed. We have a new audio system in the Chambers, purchased with COVID-19 GOEFFR funds, and we hope that this will enable people in the audience and at home to hear us better.

SPECIAL RECOGNITION

Hooksett Municipal Employee - New Hire

A. Garron: I am pleased to announce that we have hired Susan Faretra as a part-time Administrative Assistant in the Administration Department. She started this week, and we can use the help

SCHEDULED APPOINTMENTS

Keith Judge, Business Agent, Teamsters Local 633

97 K. Judge: I want to thank the town for the very successful union negotiations. The new contract should
98 go a long way toward attracting and retaining employees, and keep the current employees happy. They
99 like working for Hooksett.

100
101 **C. Karolian motioned to accept the tentative agreement between the Town of Hooksett, NH and**
102 **Teamsters Local 633, to include Appendix A Pay Scale, effective 07/01/2021 – 06/30/2024 and to**
103 **place said agreement as a warrant article on the March 2021 ballot to read as follows:**

104
105
106 **"To see if the town will vote to approve the cost items included in the collective**
107 **bargaining agreement reached between the Hooksett Town Council and the Public**
108 **Works' Employees Local 633, Teamsters, which calls for the following increases**
109 **in salaries and benefits at the current staffing level:**

110
111 **Estimated increase over prior year**

<u>Fiscal Year</u>	<u>Salaries</u>	<u>Benefits</u>	<u>Estimated Increase</u>
2021-22	\$ 62,326.00	\$ 16,462.00	\$ 78,788.00
2022-23	\$ 25,067.00	\$ 5,129.00	\$ 30,196.00
2023-24	\$ 25,439.00	\$ 5,154.00	\$ 30,593.00

116
117 **and further to raise and appropriate \$78,788.00 for the current fiscal year, such**
118 **sum representing the additional costs attributable to the increase in salaries and**
119 **benefits required by the new agreement over those that would be paid at current**
120 **staffing levels. Estimated tax rate impact is \$0.04. " D. Boutin seconded the**
121 **motion.**

122
123 **Roll Call Vote #4**

124 **A. Walczyk Aye**

125 **R. Lapierre Aye**

126 **C. Jones Aye**

127 **R. Duhaime Aye**

128 **J. Durand Aye**

129 **C. Karolian Aye**

130 **T. Tsantoulis Aye**

131 **D. Boutin Aye**

132 **J. Sullivan Aye**

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

134
135 **D. Boutin motioned to add a second article to the warrant as follows:**

136
137 **"Shall the town, if ARTICLE # ____ is defeated, authorize the governing body to**
138 **call one special meeting, at its option, to address ARTICLE # ____ cost items**
139 **only?" T. Tsantoulis seconded the motion.**

140
141 **Roll Call Vote #5**

142 **T. Tsantoulis Aye**

143 **C. Jones Aye**

144 **R. Duhaime Aye**

145 **A. Walczyk Aye**
146 **R. Lapierre Aye**
147 **C. Karolian Aye**
148 **J. Durand Aye**
149 **D. Boutin Aye**
150 **J. Sullivan Aye**
151 **Voted unanimously in favor (9-0).**
152

153 C. Karolian: I want to thank all parties involved in the negotiations, which resulted in a minimal effect of
154 the tax rate. We need to keep good staff at good salaries.
155

156 Chair Sullivan: We appreciate the good work done by the Public Works Department.
157
158

159 CONSENT AGENDA

160 To accept a \$1,000.00 (Check #821691) donation, from PROCON LLC, to the Town of Hooksett
161 for the Hooksett Police Department (Donation Line) per RSA 31:95-b III(b).
162

163 Donation of a check in the amount of \$400.00 from Kenneth and Joanne McHugh to the Town of
164 Hooksett for the Family Services Department to benefit children and families in need through
165 the Hooksett Family Services Department per RSA 31:95-b, III (b).
166

167 Donation of a check in the amount of \$200.00 from Anita Wolcott to the Town of Hooksett for the
168 Family Services Department for the Holiday Assistance Program to benefit children and families
169 in need through the Hooksett Family Services Department per RSA 31:95-b, III (b).
170

171 Donation of a check in the amount of \$1,000.00 from Russell Pelletier Construction SVCS, LLC
172 to the Town of Hooksett for the Family Services Department for the Holiday Assistance Program
173 to benefit children and families in need through the Hooksett Family Services Department per
174 RSA 31:95-b, III (b).
175
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179
180 **Partial Surety Release from \$79,321.25 to \$58,475.00 – Dion/Walnut Hill Road off Goffstown**
181 **Road**
182

183 **Eversource Lot at 13 Legends Drive Construction Bond Reduction \$184,009.66 to \$20,000**
184

185 Surety Bond Release of \$15,000 for the S&H Land Services Site at #141 Londonderry Turnpike
186
187

188 **C. Karolian motioned to approve Items 11.1, 11.2, 11.3 and 11.4 of the Consent Agenda. D.**
189 **Boutin seconded the motion.**
190

191 Chair Sullivan: Would you like to include Items 11.5, 11.6, and 11.7 in your motion?
192

193 **C. Karolian amended his motion to include Items 11.5, 11.6 and 11.7.**
194

195 B. Thomas: I distributed a handout with an amendment to Item 11.6. All of the work on the site plan has
196 been completed. The sand slope is not part of the site plan, so I am recommending release of the entire
197 amount of the bond.
198

199 T. Tsantoulis: It is to Eversource's advantage to take care of the sand slope, and I am confident that
200 they will do it.

201
202 B. Thomas: Yes, they will need to do that in order to sell homes.
203
204 **C. Karolian amended his motion to include the revision to Item 11.6 calling for the release of the**
205 **\$184,009.66 Performance Bond for the Eversource lot located at 13 Legends Drive to the**
206 **Travelers Casualty and Surety Company of America #106931174.**
207
208 C. Karolian: Is the amount of \$58,475 enough for Item 11.5, Dion/Walnut Hill Road?
209
210 B. Thomas: Yes, it is.
211
212 Chair Sullivan called for a roll call vote on the Consent Agenda Items as amended.
213

214 **Roll Call Vote #6**

215 **J. Durand Aye**
216 **R. Lapierre Aye**
217 **C. Karolian Aye**
218 **D. Boutin Aye**
219 **C. Jones Aye**
220 **T. Tsantoulis Aye**
221 **A. Walczyk Aye**
222 **R. Duhaime Not present**
223 **J. Sullivan Aye**
224 **Voted unanimously in favor (8-0).**

225
~~226~~

228 **TOWN ADMINISTRATOR'S REPORT**

229
230 A. Garron: The number of COVID-19 cases in Hooksett is at 121, as compared with 45 on November
231 17th. The total number of cases since March is now at 421. This is a significant increase. On November
232 20th the Governor issued Order #74, a mandatory mask mandate. As I see it, we have three (3)
233 alternatives for the meetings of Boards and Committees in Hooksett: 1) consistently maintain a distance
234 of six feet from others – and ‘consistently’ is the key word; 2) use the gymnasium for all meetings; 3)
235 hold all meetings completely virtual. Also, regarding the corona virus, it was learned on Tuesday that
236 the spouse of a Planning Board member has tested positive for the virus.
237

238 **A. Walczyk motioned to hold all Hooksett Board and Committee meetings in the gym until**
239 **further notice, effective January 01, 2021. D. Boutin seconded the motion.**
240

241 **Roll Call Vote #7**

242 **C. Jones Aye**
243 **C. Karolian Aye**
244 **R. Lapierre Aye**
245 **R. Duhaime Not present**
246 **A. Walczyk Aye**
247 **J. Durand Aye**
248 **T. Tsantoulis Aye**
249 **D. Boutin Aye**
250 **J. Sullivan Aye**

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

252
253 **A. Walczyk motioned to require face masks on town property until further notice. C. Karolian**
254 **seconded the motion.**

255

256 **Roll Call Vote #8**

257 **R. Lapierre Aye**

258 **R. Duhaime Not present**

259 **T. Tsantoulis Aye**

260 **A. Walczyk Aye**

261 **J. Durand Aye**

262 **C. Jones Aye**

263 **D. Boutin Aye**

264 **C. Karolian Aye**

265 **J. Sullivan Aye**

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

267

268 A. Garron: We have updated the matrix for the Family First Cares Act to better explain how it works and
269 to incorporate the recent change from 14 days to ten days required for quarantine by the CDC. The Act
270 allows for 80 hours of paid sick time for employees meeting the criteria. The reduction of quarantine
271 days from 14 to ten does not change the seven-day minimum for returning to work after a negative
272 COVID-19 test. I have asked Chief Burkush to explain some other important changes regarding
273 exemptions for specific employees.

274

275 Chief Burkush: We have been given guidance regarding quarantine exemptions for first responders,
276 firefighters, police officers and plow truck drivers. These exemptions are for those who have been
277 exposed to COVID but exhibit no symptoms. Under conditions of staff shortages, these essential
278 employees can be called back to service if they meet the following criteria: 1) They exhibit no
279 symptoms of COVID. 2) They are not in a household with someone who has COVID. 3) They are
280 essential. 4) Their work will be impacted if not done in person. That is, they cannot conduct essential
281 functions remotely. 5) No replacement exists for them. 6) They must quarantine when not working. 7)
282 They will wear a mask and maintain a distance of six feet from other people.

283

284 A. Garron: We want to emphasize that all seven (7) criteria must be met. This is for a situation where
285 perhaps six of the ten people available for work are out because they have COVID or are in quarantine.
286 It is a 'break glass' provision.

287

288 Chief Burkush: The most obvious situation would be a snowstorm when plow truck drivers are needed.

289

290 Chair Sullivan: I understand the plow driver who is alone in a truck. How does that work with
291 firefighters? They are not alone.

292

293 Chief Burkush: That would be difficult, more challenging.

294

295 C. Jones: I am not understanding this. Are we going to risk someone else's health? If a police officer
296 stops a driver, and the driver then tests positive for COVID, that is a problem.

297

298 D. Boutin: There is no silver bullet for this. We should give the Town Administrator, the Police Chief,
299 and the Fire Chief credit for their efforts to work with this situation.

300
301 Chair Sullivan: I agree. They are to be commended.
302
303 D. Boutin: Would you explain about the Planning Board member whose spouse has COVID?
304
305 C. Karolian: Are you saying that a Planning Board member has tested positive for COVID?
306
307 Chair Sullivan: No, it is a spouse of a Planning Board member.
308
309 C. Karolian: How did they find out?
310
311 A. Garron: The Planning Board met on Monday night. On Tuesday, a member reported that his/her
312 spouse tested positive for the virus. I want to commend the Fire Chief for all of his efforts related to the
313 pandemic. I also want to have him explain to you the FROST program.
314
315 Chief Burkush: FROST stands for First Responders Optional Screening Test program. The program
316 calls for testing of all firefighters and police officers when they arrive at work. This has been approved
317 by the Town Administrator.
318
319 A. Garron: Pennichuck East Utilities has announced a rate increase from \$65.52 to \$85.40 per month
320 for its water customers.
321
322 A. Garron: If you look across the river, the monuments are in place and the vendor did a fantastic job.
323 We need to find the proper time for a grand opening.
324
325 A. Garron: An application has been sent to reserve the Vietnam Moving Wall for the Bicentennial
326 celebration in two years.
327
328 A. Garron: Town Engineer Bruce Thomas, Councilor David Boutin and I attended the first meeting
329 regarding the NHDOT Route 3 project for Alans Drive and Whitehall Road. For more information, follow
330 the link under Special Projects on the website.
331
332 A. Garron: I have asked the Assessor, Jon Duhamel, to provide the Council with information on the full
333 measurement list project.
334
335 J. Duhamel: A full measurement list, which verifies the external measurements of properties, has not
336 been done in Hooksett for over ten years. This is the first step in the revaluation of 2023.
337
338 Chair Sullivan: I understand there are 6,400 parcels.
339
340 J. Duhamel: There are 6,402.
341
342 R. Duhaime: Have you notified the owners?
343
344 J. Duhamel: We don't have the funds in our budget to send letters, but the information is posted on our
345 website. Right now, we are doing about seven percent (7%) of the total, Tax Maps 1-7. Those
346 conducting the work are identifying themselves and providing photo ID. Although we would like to go
347 inside the houses, we cannot - and do not want to - force our ways into the homes. The owners can ask
348 us to leave.

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A. Garron: I would like to ask for a motion to close town offices at noon on December 24th.

D. Boutin motioned to close town offices at noon on December 24, 2020. Mr. Tsantoulis seconded the motion.

Roll Call Vote #10

C. Karolian Aye

T. Tsantoulis Aye

R. Lapierre Aye

C. Jones Aye

D. Boutin Aye

J. Durand Aye

A. Walczyk Aye

R. Duhaime Aye

J. Sullivan Aye

Voted unanimously in favor (9-0).

R. Lapierre: I just want to clarify that the change in quarantine guidelines from 14 days to ten days is only if an individual has no symptoms.

A. Walczyk: I want to make sure the Assessor has the funds needed to do this full measurement project.

A. Garron: One third of the cost is in the current budget.

D. Boutin: We want to be sure there is money in the budget for this project to get through the year.

A. Garron: We are trying to squeeze out the money for this.

PUBLIC INPUT

Margaret Avedisian-DeFreest, 56 Corriveau Drive: I have lived on Corriveau Drive for 30 years. Before this discussion begins, I want to emphasize that there are two, separate rights of way here, and they should be handled separately. Beginning on page 68 of the agenda is the information I submitted relating to the time in June 2017 when I received an abutter notice about logging activities that were going to take place. At the time, I was confident that the Town had oversight of this. Two years after the Cease & Desist notice, the equipment is still there. The second, and separate, issue is the right of way (ROW) by 81 Corriveau Drive.

NOMINATIONS AND APPOINTMENTS

December Nominations and Appointments

C. Karolian: The suggested motion for appointing Denise Pichette Volk as an alternate to the Planning Board indicates that the term expires on June 30, 2020.

N. Germain: That should be 2023.

398 **C. Karolian motioned to appoint David Scarpetti to the Tax Increment Financing Advisory Board,**
399 **term expiring June 30, 2023. D. Boutin seconded the motion.**
400

401 **Roll Call #11**

402 **T. Tsantoulis Aye**

403 **R. Lapierre Aye**

404 **J. Durand Nay**

405 **C. Jones Nay**

406 **C. Karolian Aye**

407 **A. Walczyk Aye**

408 **R. Duhaime Aye**

409 **D. Boutin Aye**

410 **J. Sullivan Aye**

411 **Voted in favor (7-2).**
412

413 **C. Karolian motioned to appoint Yolande Cotnoir-Walsh to the Heritage Commission, term**
414 **expiring June 30, 2023. D. Boutin seconded the motion.**
415

416 **Roll Call Vote #12**

417 **D. Boutin Aye**

418 **A. Walczyk Aye**

419 **J. Durand Aye**

420 **C. Karolian Aye**

421 **R. Lapierre Aye**

422 **T. Tsantoulis Aye**

423 **R. Duhaime Aye**

424 **C. Jones Aye**

425 **J. Sullivan Aye**

426 **Voted unanimously in favor (9-0).**
427

428 **C. Karolian motioned to appoint Denise Pichette Volk as an Alternate to the Planning Board,**
429 **term expiring June 30, 2023, and to appoint Denise Pichette Volk to the Town Hall Preservation**
430 **Committee, term expiring June 30, 2023.**
431

432 **Roll Call Vote #13**

433 **C. Karolian Aye**

434 **D. Boutin Aye**

435 **T. Tsantoulis Aye**

436 **R. Lapierre Aye**

437 **A. Walczyk Aye**

438 **R. Duhaime Aye**

439 **J. Durand Aye**

440 **C. Jones Aye**

441 **J. Sullivan Aye**

442 **Voted unanimously in favor (9-0).**
443

444 **C. Karolian motioned to appoint Nathan Duplessis to the Parks and Recreation Advisory Board,**
445 **term expiring June 30, 2023. D. Boutin seconded the motion.**

446
447 **Roll Call Vote #14**
448 **R. Duhaime Aye**
449 **J Durand Aye**
450 **C. Jones Aye**
451 **R. Lapierre Aye**
452 **A. Walczyk Aye**
453 **D. Boutin Aye**
454 **C. Karolian Aye**
455 **T. Tsantoulis Aye**
456 **J. Sullivan Aye**
457 **Voted unanimously in favor (9-0).**
458
459 **R. Duhaime motioned to appoint Robert Duhaime as an Alternate to the Planning Board, term**
460 **expiring June 30, 2023, and to appoint Robert Duhaime to the Bicentennial Committee, term**
461 **expiring June 30, 2023. T. Tsantoulis seconded the motion.**
462
463 **Roll Call Vote #15**
464 **D. Boutin Aye**
465 **C. Jones Aye**
466 **A. Walczyk Aye**
467 **J. Durand Aye**
468 **R. Duhaime Aye**
469 **T. Tsantoulis Aye**
470 **R. Lapierre Aye**
471 **C. Karolian Nay**
472 **J. Sullivan Aye**
473 **Voted in favor (8-1).**
474
475 **R. Duhaime made a motion to appoint Mark Chagnon to the Parks and Recreation Advisory**
476 **Board, term expiring June 30, 2023. C. Karolian seconded the motion.**
477
478 **Roll Call Vote #16**
479 **A. Walczyk Aye**
480 **R. Lapierre Aye**
481 **C. Jones Nay**
482 **R. Duhaime Aye**
483 **J. Durand Aye**
484 **C. Karolian Aye**
485 **T. Tsantoulis Not present**
486 **D. Boutin Aye**
487 **J. Sullivan Aye**
488 **Voted in favor (7-1).**
489
490 N. Germain: I want to note that everyone nominated for appointment was invited to this meeting.
491
492 **OLD BUSINESS**
493
494 **FY 2021-22 Budget and Warrant Article Review**

495
496 This item was dispensed with during the Scheduled Appointment of Keith Judge, which included action
497 on the related warrant article.
498
499

500 **NEW BUSINESS**

502 **Town of Hooksett, NH and Teamsters Local 633 Collective Bargaining Agreement 07/01/2021-**
503 **06/30/2024**

504
505 This item was dispensed with during the Scheduled Appointment of Keith Judge.
506
507

508 **Status of #81 Corriveau Drive and Future Driveway and Subdivision Plans Relating to Abutting**
509 **“Future Access” Road to Demers Property.**

510
511 A. Garron: In 2018, the Town won a civil action lawsuit, and Mr. Trimbur, was issued a Cease & Desist
512 order in relation to his lumbering operation. The vehicles used in his operation were left on the right of
513 way (ROW) or on the property where the timbering operations were taking place. We have pictures of
514 those vehicles. There is a question regarding the ownership of the vehicles, which raises the question
515 of whether or not the Town of Hooksett can remove the vehicles, not knowing who owns them.

516
517 Chair Sullivan: We need to ask our Town Attorney if we can remove and store the vehicles.

518
519 D. Boutin: We don't know that the vehicles are on town property. That is a paper street and therefore is
520 really just an easement. The equipment should not be on the paper street. Is there a license plate?

521
522 A. Garron: This can be taken care of, but not without the expense of moving the vehicles.

523
524 ***D. Boutin motioned to have the Town Administrator, to the best of his ability, find the owner of***
525 ***the equipment and send a certified letter giving the owner 15 days to remove the equipment,***
526 ***after which time it will be removed at the owner's expense. A. Walczyk seconded the motion.***

527
528 M. Avedisian-DeFreest: The owner owes other things he hasn't paid. Wouldn't there have been a bond
529 for restoring the property? What is the point of having these documents if they are not enforced?

530
531 D. Boutin: The town has to follow legal procedures. The bond is a separate issue.

532
533 R. Duhaime: We should keep the vehicles for bargaining with the owner for payment of the fines and
534 the bond.

535
536 A. Garron: It will be a challenge to find a place to park the vehicles.

537
538 T. Tsantoulis: Resolution is not perhaps the right word, but I would like the residents here tonight to
539 leave here knowing that they have our attention and we have a game plan. Resolution would be a
540 tough lift this evening.

541
542 C. Karolian: I totally understand your frustration and that of the other abutters. I went to the site and
543 was shocked about the equipment, whether abandoned or not. The vehicles have flat tires. We have
544 issues with the foresting company regarded the easement. I know we have sought legal advice. It
545 worries me that there are number lots there. One 25-acre parcel is landlocked. I am not sure how we
546 should proceed regarding the equipment. Perhaps we need to look at the State laws regarding

547 abandoned property. This has to be resolved. I am not grandstanding or politicking. I don't live in the
548 area but I feel for you. The town erred in 1983 when the Planning Board accepted Corriveau Drive and
549 requested the future access roads, A, B, C, & D. They lead to nowhere. The lot next to the access road
550 has access to one lot. The lots to the left and to the right have no access. There are a few layers of this
551 onion that need to get peeled back. The town erred because they were not specific. Many lots are
552 landlocked; some is wetlands. We need to give some solid direction to the residents. The equipment
553 needs to be removed. The access roads are owned by no one. This shouldn't be allowed to continue.
554 The abutters could be awarded the access roads.

555
556 Chair Sullivan: We are comingling items. We must first deal with the abandoned property. We need to
557 find out if the town owns the access ways.

558
559 C. Jones: We need to give the Town Administrator time to check with legal. What about the bond?

560
561 A. Garron: I will check. It is hard to imagine there was not a bond.

562
563 Chair Sullivan: It must be town land or we couldn't have given the easement.

564
565 A. Walczyk: We want the Town Administrator to act within the confines of the law.

566
567 C. Jones: The letter to the owner of the equipment should come from the Town Attorney.

568
569 R. Lapierre: I have been reading minutes from old meetings and everything being discussed now was
570 brought up in 2017.

571
572 Chair Sullivan: The access road which we are discussing, where the abandoned property is, is across
573 from the Valley View cul de sac.

574
575 D. Boutin: Do we know who owns the lot which the paper street goes to?

576
577 A. Garron: According to legal, the ROW is a paper street. When the Town Council approved the
578 driveway in 2019, even though it had not yet been accepted as a town road, the intent was for the it and
579 the other access roads to become public ways. That was part of the original subdivision.

580
581 ***D. Boutin motioned to call the question. T. Tsantoulis seconded the motion.***

582
583 ***Roll Call Vote #17***

584 ***T. Tsantoulis Aye***

585 ***C. Jones Aye***

586 ***R. Duhaime Aye***

587 ***A. Walczyk Aye***

588 ***R. Lapierre Aye***

589 ***C. Karolian Aye***

590 ***J. Durand Aye***

591 ***D. Boutin Aye***

592 ***J. Sullivan Aye***

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

594

595 M. Avedisian-DeFreest: I just want to answer a question that was asked earlier but not answered.
596 Louise Marple owns the lot at the end of the future access road. It is Lot 7.

597
598 **C. Karolian motioned to amend the current motion to say that the timeframe for responding to**
599 **the certified letter should be in accordance with State law.**

600
601 No second was requested or offered to this motion to amend.

602
603 Chair Sullivan: The Cease & Desist order was because of the lumbering activity on the ROW.

604
605 Chair Sullivan called for a roll call vote on the motion as amended.

606
607 **Roll Call Vote #6**

608 **J. Durand Aye**

609 **R. Lapierre Aye**

610 **C. Karolian Aye**

611 **D. Boutin Aye**

612 **C. Jones Aye**

613 **T. Tsantoulis Aye**

614 **A. Walczyk Aye**

615 **R. Duhaime Aye**

616 **J. Sullivan Aye**

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

618
619 S. Petrosky, 89 Corriveau Drive: We appreciate your efforts on removal of the equipment, but we don't
620 want to lose sight of the ruling to get this site back to its original state. They brought in gravel that was
621 not removed. They were supposed to plant trees but never did. One abutter continues to have his
622 driveway washed out.

623
624 T. Tsantoulis: This is a case of 'out of sight, out of mind.' I apologize for my part in the lack of action.
625 There was no malice. It just got by us.

626
627 Chair Sullivan: We were not aware of the problem.

628
629 E. Moser, 81 Corriveau Drive: After two years, we are still trying to get rid of the equipment.

630
631 A. Garron: We have to remember that there are two sides to every court case. The original decision
632 was appealed. The defendant filed action against the Cease & Desist order.

633
634 N. Williams, Town Planner: No one owns a paper street.

635
636 A. Garron: The town has an interest in a paper street but doesn't own it until it is accepted. A dedication
637 is made, which establishes the interest.

638
639 E. Moser: We heard there was going to be a driveway and a single-family house.

640
641 Chair Sullivan: The driveway was approved on April 10, 2019.

642

643 E. Moser: No one can give us an answer as to who owns the access road. We were not notified. I just
644 happened to see the surveyors. We want to make sure this is done correctly. We do have wetlands,
645 and there will be serious problems if this is not done right. We want it paved, and we want barriers.
646

647 Chair Sullivan: The person building the driveway must take into account all of the requirements.
648

649 N. Williams: The requirements are spelled out by the permit. Regarding the town's authority to grant
650 access, I will read into the record from Town Attorney Matt Serge's email dated March 12, 2019:
651

652 I have reviewed Attorney Michael's letter and I agree that the next step should be to move this
653 to the Town Council for consideration. "Future Access D" is a dedicated, but not yet accepted,
654 street and thus is a paper street. As a matter of law, a landowner has an implied easement to
655 access his or her lot using the paper street, if that is the means of accessing the lot. That said,
656 if someone intends to use this paper street for access, the Town Council has the authority to
657 require that certain standards are followed for improving the street.
658

659 N. Williams: In 2019, the Town Council granted permission to construct the driveway. We have not yet
660 received a request for the permit. When that happens, I will be better able to comment on the plan.
661

662 S. Petrosky: Who is responsible for maintaining the driveway?
663

664 N. Williams: I assume it would be the property owner, but that would have to be checked with legal.
665

666 S. Petrosky: So, you are giving the land to the owner of the property?
667

668 N. Williams: He has an implied easement.
669

670 E. Moser: What if he floods my basement?
671

672 B. Thomas, Town Engineer: The owner is not supposed to have an adverse impact downstream. It is a
673 private matter. I would be happy to walk the site if they request a permit.
674

675 C. Jones: It is considered to be an easement because it is used to access property, but the abutters
676 own to the center line.
677

678 Chair Sullivan: I am confused. It must be built to standard, and we have to make sure that happens –
679 the Town Administrator, the Town Engineer, and the Town Planner.
680

681 A. Garron: That is correct.
682

683 S. Petrosky: No offense, but I don't think the residents of Corriveau Drive have much faith, given our
684 experience with the other ROW.
685

686 R. Duhaime: I believe the driveway is in wetlands, so they will be coming before the ZBA.
687

688 N. Williams: That will be determined when we get the applications.
689

690 R. Duhaime: You need to keep an eye on it.
691

692 C. Karolian: What are the specs regarding pavement and drainage? Does the Council's driveway
693 approval have a sunset? Make no mistake, future development will occur. There is a +25-acres parcel,
694 a 12-acre one and a five-acre one.
695

696 N. Williams: Driveways should be paved in order to maintain shape and keep gravel off the pavement.
697 It is not required, but it is encouraged. There is no sunset that I know of.
698

699 Chair Sullivan: I will not again approve a driveway unless it is off an already approved road.
700

701 ***C. Karolian motioned to rescind the 2019 driveway approval for this lot. J. Durand seconded the***
702 ***motion.***
703

704 Chair Sullivan: Mr. Garron, what are the ramifications of this?
705

706 A. Garron: I don't have that information at hand. The vote was taken after legal advice was sought.
707

708 T. Tsantoulis: I don't want to be a party to this, drawing back something we voted for. It is not fair to the
709 landowner.
710

711 D. Boutin: I 100% agree with Councilor Tsantoulis. It is not wise, and it will cause legal trouble.
712

713 R. Duhaime: I'm not worried about legal trouble. I'm concerned about what is right.
714

715 **Roll Call Vote #19**

716 ***C. Jones Nay***

717 ***C. Karolian Aye***

718 ***R. Lapierre Nay***

719 ***R. Duhaime Aye***

720 ***A. Walczyk Nay***

721 ***J. Durand Aye***

722 ***T. Tsantoulis Nay***

723 ***D. Boutin Nay***

724 ***J. Sullivan Nay***

725 ***Motion failed (3-6).***
726

727 D. Boutin: With all due respect, we are chasing our tails. Common sense says to let the Town
728 Administrator do his research and return to present his findings.
729

730 **PUBLIC INPUT**
731

732 M. Avedisian-DeFreest: That makes perfect sense. It needs to be done right. Regarding the ownership
733 of the access roads, what about Matt from 101 Realty?
734

735 Phil Carle, 35 Corriveau Drive: I have a lack of confidence in follow-through. How could the town grant
736 a driveway with so much unknown?
737

738 Jim Flynn, 39 Corriveau Drive: Do you have a timeline regarding the removal of the logging equipment?
739

740 R. Duhaime: I am your Councilor. Call me and keep calling until this is resolved.

741
742 Sandra Moser, 81 Corriveau Drive: Can you amend your decision about the driveway to require it to
743 paved? Can you require trees for buffering?

744
745 A. Garron: I will ask these questions.

746
747 Chair Sullivan: We will resolve this as soon as possible, within the law. The Council should schedule a
748 discussion of paper streets for a future meeting.

749
750 **RECESS**

751
752 Chair Sullivan called for a recess at 8:46 pm.
753 Chair Sullivan called the meeting back to order at 8:58 pm.

754
755 ***D. Boutin motioned to rescind the vote on the Fire Department reorganization taken at the***
756 ***November 18, 2020 meeting. R. Lapierre seconded the motion.***

757
758 **Roll Call Vote #20**

759 ***R. Lapierre Aye***
760 ***R. Duhaime Nay***
761 ***T. Tsantoulis Nay***
762 ***A. Walczyk Nay***
763 ***J. Durand Nay***
764 ***C. Jones Aye***
765 ***D. Boutin Aye***
766 ***C. Karolian Nay***
767 ***J. Sullivan Aye***
768 ***Motion failed (4-5).***

769
770 **Town Councilor Training on Laptops with Nick Germain**
771 **Postponed.**

772
773
774 **APPROVAL OF MINUTES**

775 **Public: 10/28/2020**
776
777

778 ***T. Tsantoulis motioned to approve the minutes of the October 28, 2020 public session as***
779 ***written. D. Boutin seconded the motion.***

780
781 **Roll Call Vote #21**

782 ***J. Durand Aye***
783 ***D. Boutin Aye***
784 ***C. Jones Aye***
785 ***R. Duhaime Aye***
786 ***C. Karolian Aye***
787 ***A. Walczyk Aye***
788 ***T. Tsantoulis Aye***
789 ***R. Lapierre Aye***

790 **J. Sullivan Aye**
791 **Voted unanimously in favor (9-0).**

792
793 **Public: 11/04/2020**
794

795 ***T. Tsantoulis motioned to approve the minutes of the November 04, 2020 public session as***
796 ***written. D. Boutin seconded the motion.***

797
798 **Amendments submitted by Councilor Karolian**
799

800 To be added after line 299 (Line 300)

801
802 Councilor Duhaime:
803 "I'd like to direct this to Mr. Karolian, a lot of us spent a lot of time late last night at voting OK and we did
804 not see you at voting. Moving this along quickly would be nice so we can get home early tonight OK?
805 So, I don't think this is unlawful or any situation. I think you need to consider our time OK?"

806
807 Chair Sullivan:
808 "OK. So good points all around",
809

810 Councilor Durand:
811 "Councilor Duhaime is out of order with that statement".
812

813 Councilor Duhaime:
814 "Can we move the question?"
815

816 Councilor Jones:
817 "Karolian is the bald one".
818

819 Line 315:
820 Strike "Unanimously"
821

822 Line 316: Strike
823

824 To be added after line 507 (line 508)
825

826 Councilor Karolian:
827 Dover Rd & Avon Road HOAs there are 18 homes.
828 Hamlet there are 32. Oakhill Rd there are 5, Manchester Manor there are 135, these are manufactured
829 homes, Granite Brook 42, Meadowsett Village 41. Granite Hill alone has 50. There are about 250
830 homes total.

831 We spoke about Bayberry Hill Estates. I questioned why they weren't included. Private neighborhoods
832 are entitled to have town trash pick up if they sign the waiver. They pay taxes too, so if we do for some,
833 we should do for all. They should be entitled to have trash pick up also, if they sign the waiver."
834

835 Line 537: strike the words "this board" and replace with:
836 "the public body itself"
837

838 **Amendments submitted by Chair Sullivan:**

839
840 To be added after 'Councilor Durand: Councilor Duhaime is out of order with that statement.'
841 Chair Sullivan: Let's be patient, I understand where everyone is coming from.

842
843 To be added after 'Councilor Duhaime: Can we move the question?'
844 Chair Sullivan - Good points. We need to be as pleasant and courteous as possible.

845
846 Councilor Duhaime- I am trying.

847
848 Chair Sullivan called for a vote on the approval of the November 04, 2020 public meeting minutes as
849 amended.

850 **Roll Call Vote #10**

851 **C. Karolian Aye**

852 **T. Tsantoulis Aye**

853 **R. Lapierre Aye**

854 **C. Jones Aye**

855 **D. Boutin Aye**

856 **J. Durand Aye**

857 **A. Walczyk Aye**

858 **R. Duhaime Nay**

859 **J. Sullivan Aye**

860 **Voted in favor (8-1).**

861
862 ***T. Tsantoulis motioned to approve the minutes of the November 18, 2020 public session as***
863 ***written. D. Boutin seconded the motion.***

864
865 R. Duhaime requested an amendment to line 850, replacing, 'He started with the Fire Department.' with
866 'Maybe we should start with the Fire Department.'

867
868 Chair Sullivan called for a roll call vote on the motion as amended.

869
870 **Roll Call #23**

871 **T. Tsantoulis Aye**

872 **R. Lapierre Aye**

873 **J. Durand Aye**

874 **C. Jones Aye**

875 **C. Karolian Aye**

876 **A. Walczyk Aye**

877 **R. Duhaime Aye**

878 **D. Boutin Aye**

879 **J. Sullivan Aye**

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

881
882 ***T. Tsantoulis motioned to approve the non-public minutes of the October 28, 2020; November***
883 ***04, 2020; and November 18, 2020 as written. D. Boutin seconded the motion.***

884
885 **Roll Call Vote #24**

886 **D. Boutin Aye**

887 **A. Walczyk Aye**
888 **J. Durand Aye**
889 **C. Karolian Aye**
890 **R. Lapierre**
891 **T. Tsantoulis**
892 **R. Duhaime**
893 **C. Jones**
894 **J. Sullivan**

895
896 The roll call was not completed.

897
898 **A. Walczyk motioned to reconsider the vote on the Fire Department reorganization. D. Boutin**
899 **seconded the motion.**

900
901 D. Boutin: The Assistant Fire Chief does the inspections now. We used to have a Fire Inspector, and
902 the position was cut. He used to visit the schools. It was for our own safety.

903
904 R. Duhaime: This item is not on the agenda. I cannot address this without proper information.

905
906 C. Karolian: We were given incorrect information. The Deputy Chief is doing the job. They wanted to
907 make it a Captain.

908
909 D. Boutin: I had the right to bring this up again.

910
911 Chair Sullivan called for a roll call vote on the motion to reconsider.

912
913 **Roll Call Vote #25**

914 **C. Karolian Nay**

915 **D. Boutin Aye**

916 **T. Tsantoulis Nay**

917 **R. Lapierre Aye**

918 **A. Walczyk Aye**

919 **R. Duhaime Nay**

920 **J. Durand Nay**

921 **C. Jones Aye**

922 **J. Sullivan Aye**

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

924
925 **C. Jones motioned to approve the Fire Department reorganization plan and increase the FY 21-**
926 **22 budget by \$31,000 in the Full-Time Administration line. D. Boutin seconded the motion.**

927
928 A. Garron: The money is in the budget for this now, but it is more important to put money in the next
929 budget. This will have to go before the Budget Committee.

930
931 T. Tsantoulis: I would like to remind everyone that tax bills went out this week, and mine increased by
932 more than \$500. We have to stop spending if we don't want taxes to go up.

933
934 J. Durand: They already have too many Chiefs and not enough Indians at the Fire Department.

935
936 R. Duhaime: We have a responsibility to do this properly. We must do our job before we add more. The
937 Fire Department has the highest amount of overtime and the highest percentage budget increase.
938

939 A. Walczyk: It was a suggestion that the position be a Captain, but that doesn't have to be the case. I
940 agree it is an enormous budget.
941

942 Chair Sullivan: There are things we have asked previous Town Administrators to do, and there was no
943 follow through. It comes back to the Council. Inspections are not being done in a timely way, and that
944 creates a liability.
945

946 Chair Sullivan called for a roll call vote on the motion.
947

948 **Roll Call Vote #26**

949 **R. Duhaime Abstain**

950 **J Durand Nay**

951 **C. Jones Aye**

952 **R. Lapierre Aye**

953 **A. Walczyk Aye**

954 **D. Boutin Aye**

955 **C. Karolian Abstain**

956 **T. Tsantoulis Nay**

957 **J. Sullivan Aye**

958 **Voted in favor (5-2). R. Duhaime and C. Karolian abstained due to lack of information.**
959

960 **ADJOURNMENT**
961

962 ***J. Durand motioned to adjourned at 9:39 pm. C. Karolian seconded the motion.***
963

964 **Roll Call Vote #27**

965 **D. Boutin Aye**

966 **C. Jones Nay**

967 **A. Walczyk Aye**

968 **J. Durand Aye**

969 **R. Duhaime Aye**

970 **T. Tsantoulis Nay**

971 **R. Lapierre Aye**

972 **C. Karolian Aye**

973 **J. Sullivan Nay**

974 **Voted in favor (6-3).**
975

976 Respectfully submitted,
977 *Kathleen Donnelly*

978 Kathleen Donnelly

979 Recording Clerk
980
981

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

983
984
985
986
~~987~~
~~988~~