

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

1
2 **CALL TO ORDER**

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

5
6 Chair Sullivan: The purpose of this annual workshop is to have the Town Council discuss
7 various topics, including but not limited to, Council Rules of Procedure, Administrative Code,
8 and Town Administrator goals for FY 2021/2022. Regularly scheduled Town Council meetings
9 provide for public input. Since this is a workshop, there will be no public input; however, the
10 public is welcome to attend as audience members. No votes will be taken.

11
12 **PROOF OF POSTING**

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

14
15 **ROLL CALL**

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

19
20 **Missed:** Councilor Timothy Tsantoulis

21
22 **PLEDGE OF ALLEGIANCE**

23 Chair Sullivan called for the Pledge of Allegiance.

24
25 **WORKSHOP ITEMS**

26
27 **Town Charter: Review Process for Article 10 General Provisions – Section 10.2 B Term
28 Commencement; Notice of Election or Appointment**

29
30 Chair Sullivan: It was my suggestion to put this on the agenda for discussion. Prior to three
31 years ago, Town Councilors were elected in May and took their seats on July 1st. Three years
32 ago, the Charter was changed and Town Councilors are now elected at the Town Election in
33 March, not at a separate election in May. I am wondering if anyone has a concern about the
34 lame duck status lasting three and a half months. I am not saying that I am particularly
35 concerned. The evaluation of the Town Administrator is also an issue, given that some
36 Councilors may have served only a few months before participating in the evaluation.

37
38 D. Boutin: I am concerned about going that far out. The new Councilors should start serving at
39 the beginning of April.

40
41 Chair Sullivan: Any change would involve changing the Charter.

42
43 R. Lapierre: I did feel out of place at the review of the Town Administrator. Is it possible to have
44 a different schedule for the review of the Town Administrator?
45

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 1st, 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 put 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.**

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