



AGENDA

Town of Hooksett Town Council

Wednesday, December 8, 2021 at 6:00 PM

A meeting of the Town Council will be held Wednesday, December 8, 2021 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 value over \$5,000.00 from multiple donors now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II. (see new business item 15.1)
[Staff Report - SR-21-192 - Pdf](#) 5 - 6
 - 6.2. Public Hearing In accordance with RSA 49-B:5 for two proposed amendments to the Town's Charter Article 8.2 Initiative Petitions (amend language) and Article 8.6 Recall of Officeholders (remove entire section).
[Staff Report - SR-21-193 - Pdf](#) 7 - 9
- 7. SPECIAL RECOGNITION**
 - 7.1. Hooksett Municipal Employee - New Hire
- 8. PUBLIC INPUT - 15 MINUTES**
- 9. SCHEDULED APPOINTMENTS**
 - 9.1. James Boffetti, Attorney General Office (via Zoom) - National Opioid Settlement - Why beneficial to the Town of Hooksett to add its name to the list of communities supporting this settlement claim (see attached)
[Opioid Memo](#)
[NATIONAL OPIOID SETTLEMENT 2021](#) 11 - 18
 - 9.2. Kathie Northrup, Heritage Commission -NH RSA 79-E: Community Revitalization Tax Relief Incentive (to expand definition)
[RSA 79-E Supplemental Information](#)
[Kathie Northrup Heritage Commission RSA 79-E - Pdf](#) 19 - 28
- 10. CONSENT AGENDA**
 - 10.1. Eckhart & Johnson Site, #6 East Point Drive, Surety Release of \$9,780.75
[Staff Report - SR-21-191 - Pdf](#) 29 - 33

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

11.	TOWN ADMINISTRATOR'S REPORT	
12.	NOMINATIONS AND APPOINTMENTS	
13.	BRIEF RECESS	
14.	OLD BUSINESS	
14.1.	FY2022-2023 Budget and Warrant Articles	
14.2.	Tax Increment Finance District (TIF) – Request for Public Hearing to Discuss Amending The Tax Increment Finance Plan and Expanding District Boundaries Staff Report - SR-21-198 - Pdf	35 - 43
14.3.	Tax Increment Finance District (TIF) – Request for Public Hearing to Discuss Funding Agreement between Town and Granite Woods Developer - Town Attorney via Zoom Staff Report - SR-21-197 - Pdf	45 - 55
14.4.	Tax Increment Finance District (TIF) – Status Report Staff Report - SR-21-196 - Pdf	57 - 59
14.5.	Town Council Participation in 2021 (Tabled at Council 11/17/2021 Meeting) Staff Report - SR-21-201 - Pdf	61 - 63
15.	NEW BUSINESS	
15.1.	Accept value over \$5,000.00 from multiple donors now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II. Staff Report - SR-21-202 - Pdf	65 - 67
15.2.	Hooksett Drainage Improvements Project Award (Scott Avenue/Leroux Drive) for \$127,150.20 Staff Report - SR-21-194 - Pdf	69 - 75
15.3.	Council Discussion on Town Charter Amendment for Proposed New Zoning Article for the Hooksett Town Council to have the authority to introduce and amend the Town's Zoning Ordinance(s). Staff Report - SR-21-195 - Pdf Charter Admendment Zoning Version5.11.10.2021	77 - 80
15.4.	Discussion to amend the Town Charter to Reflect State Law Allowing Five (5) Alternates on the Zoning Board of Adjustment - Anne Stelmach ZBA Chair Staff Report - SR-21-200 - Pdf	81 - 84
15.5.	Town of Hooksett and Teamsters Local 633 Mid-Management Contract Effective July 1, 2022	
16.	APPROVAL OF MINUTES	
16.1.	Public: November 17, 2021 TC Minutes 11172021	85 - 102
16.2.	Non-Public: November 17, 2021	
17.	SUB-COMMITTEE REPORTS	

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

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.
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 value over \$5,000.00 from multiple donors now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II.
Meeting: Town Council - 08 Dec 2021
Department: Family Services
Staff Contact: Donna Fitzpatrick, Human Resource Coordinator

BACKGROUND INFORMATION:

Public Hearing to accept value over \$5,000.00 from multiple donors now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II.

Family Services Director, Peter Flynn, in attendance at meeting for Council or audience Q & A

FINANCIAL IMPACT:

donations

RECOMMENDATION:

open public hearing, listen to public comments, close public hearing and see new business item

SUGGESTED MOTION:

See new business item

TOWN ADMINISTRATOR'S RECOMMENDATION:

See new business item

ATTACHMENTS:

[12082021 FS DONATION PH](#)

**TOWN OF HOOKSETT
PUBLIC HEARING NOTICE**

The Hooksett Town Council will be holding a public hearing on Wednesday, December 8, 2021 @ 6:00pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept the donation value over \$5,000.00 from multiple donors now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II. For documentation or questions contact the Hooksett Family Services Department at 603-485-8769.

Town Council **STAFF REPORT**



To: Town Council
Title: Public Hearing In accordance with RSA 49-B:5 for two proposed amendments to the Town's Charter Article 8.2 Initiative Petitions (amend language) and Article 8.6 Recall of Officeholders (remove entire section).
Meeting: Town Council - 08 Dec 2021
Department: Town Clerk's Office
Staff Contact: Todd Rainier, Town Clerk

BACKGROUND INFORMATION:

Public Hearing In accordance with RSA 49-B:5 for two proposed amendments to the Town's Charter Article 8.2 Initiative Petitions (amend language) and Article 8.6 Recall of Officeholders (remove entire section). See attached public hearing notice as published in the Union Leader December 1, 2021 edition for details.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

TBD - steps for Articles 8.2 & 8.6 - see recommendation below.

RECOMMENDATION:

1) open public hearing, listen to public input, close public hearing. If there are no further language changes of substantial impact, see below steps 2-4. If there are further language changes of substantial impact, then another public hearing is needed.

These are the next steps in the process:

- 2) Town Clerk submit final language from the closed public hearing to DRA, AG & SOS for approval
- 3) DRA, AG & SOS approved language to be placed on Council Agenda for Council to make decision on placing on the March ballot - this Council meeting targeted for January 5, 2022
- 4) If this item is on the March ballot, then up to the voters for the Charter Amendment

TOWN ADMINISTRATOR'S RECOMMENDATION:

Listen to the recommendation from Town Clerk on the proposed amendments to the Charter.

ATTACHMENTS:

[2021 Charter Amendment - Public Hearing Notice](#)

TOWN OF HOOKSETT PUBLIC HEARING NOTICE

In accordance with RSA 49-B:5, the Hooksett Town Council hereby provides notice that it will hold a Public Hearing in regards to two proposed amendments to the Town's Charter at their next regularly scheduled meeting, which will take place at the Hooksett Municipal Offices (35 Main Street, Hooksett, NH 03106) on December 8, 2021, at 6:00PM. The proposed amendments are as follows: Article 8.2 Initiative Petitions *Amend paragraph 2 to the following:* The initiative petition shall include the personal signature and legible name and address of each petitioner and shall be filed with the Town Clerk as one instrument of endorsement. The ~~Town Clerk~~ *Supervisors of the Checklist* shall verify the number of registered voters signing the petition and shall attach thereto a certificate showing the result of such examination. Within seven (7) business days, the Town Clerk shall transmit the petition and certificate to the Town Council and shall send a copy of the certificate to the first signer of the petition. *Explanation: The Supervisors of the Checklist are the elected board assigned by RSA 39:3 and RSA 655:41 to certify whether or not the signer is a registered voter in said town or ward. Amendment aligns charter with state law.* Article 8.6 Recall of Officeholders. *Amendment proposed to remove entire section as follows:* Any individual elected official who has completed at least six months of his term of office may be recalled therefrom by the voters as follows: A. ~~Three percent (3%) or more registered voters of the Town may file a request for a recall petition with the Town Clerk for an office holder elected at large; three percent (3%) of the registered voters in a district for a district Councilor. This request shall include the name of the officer and the grounds for which the recall is sought together with the signature and a legible name and address of each voter.~~ B. ~~The Town Clerk shall verify the names of the registered voters and promptly issue blank petitions for recall. Each petition shall be addressed to the Council, be dated, include the grounds for recall as stated in the request, the name of the registered voter to whom it is issued, the signature of the Town Clerk, and the Town Seal. The recall petitions bearing the signatures and legible names and addresses of at least twenty percent (20%) of the registered voters of the Town or of the district shall be returned to the Town Clerk within twenty (20) days. The Town Clerk shall promptly certify the number of registered voters who signed the petitions.~~ C. ~~If the petitions are certified to be sufficient by the Town Clerk, he/she shall submit them to the Council together with his/her certification. The Council shall forthwith give written notice of the petition and certification to the officer whose recall is sought. If this officer does not resign within five (5) days after delivery of this notice, the Council shall order a recall election to be held not less than thirty (30) days nor more than sixty (60) days after the date the Town Clerk certified the petitions. If, however, any other town election is scheduled within ninety (90) days of the date of the certification, the Council shall hold the recall election on the same date as any other town election. The filing of candidates and the conduct of the election shall be in accordance with the provisions of this Charter and the election laws of the State of New Hampshire.~~ D. ~~The proposition on the ballot~~

shall be "For the recall of" or "Against the recall of (name of officer)". E. If the incumbent is not recalled he/she shall continue in office for the remainder of his/her unexpired term and may not again during that term be subject to recall. If he/she is recalled he/she shall be deemed removed from office on the day after the recall election and the vacancy filled as provided by this Charter. F. A separate recall petition, requiring the signatures of three percent (3%) of the registered voters of the Town or the district to initiate and twenty percent (20%) to be certified, shall be required for each elected official who is the subject of a 24 recall; and, each official's recall shall be voted on as a separate question at the recall election. *Explanation: RSA 49 does not grant municipalities authority to remove elected officials without cause.*

**MEMORANDUM**

TO: DWM Attorneys
FROM: Demetrio F. Aspiras
DATE: October 20, 2021
RE: National Opioid Settlement Letter

BACKGROUND

Over the past several years, many states and political subdivisions filed lawsuits against opioid manufacturers and distributors to recover for harm caused by the opioid epidemic.

In 2019, the State of New Hampshire filed a case against McKesson and Cardinal Health, two major national distributors of opioids.

In addition, various municipalities, including towns, cities, and counties, in New Hampshire filed their own suits. Some of those municipalities are clients of the firm. Generally, the litigation has been handled by national counsel. For New Hampshire, there are essentially two sets of national counsel representing various municipalities.

Many of the federal cases were combined into a multi-district litigation case currently managed in the Northern District of Ohio. However many discrete state and federal actions persist independently and this has resulted in a disjointed litigation effort, where national distributors, manufacturers, etc. are defending cases in state and federal courts throughout the country. Compounding problems is the fact that not all defendants are named in all suits. Generally speaking, the defendants have sought global resolutions by negotiating with state level officials, resolving other cases only on the courthouse steps as-needed.

Early on, various New Hampshire attorneys rightly expressed concerns over the possibility of the State exercising *parens patriae* authority and steering the cases down the same path as the MTBE litigation. As time wore on, the State did not express a particular intent to do so, though it generally stuck its nose into the situation. In July 2020, the New Hampshire Legislature short-circuited the process and enacted a series of laws creating a so-called Opioid Abatement Trust Fund. *See* RSA 126-A:83 et seq.

While the administration of the fund is a bit nuanced and there is an advisory commission involved, the net effect is that **all** money received by the State **OR** any subdivision for any opioid related settlement or judgment is funneled into the fund:

October 20, 2021
Page 2

All proceeds received by the state from all consumer protection settlements or judgments against opioid manufacturers or distributors shall be deposited in accordance with RSA 7:6-f. Any amount that would have been deposited in the general fund under 7:6-f shall, instead, be placed in the trust fund. All other opioid-related settlement funds or judgments from New Hampshire counties and all political subdivisions shall, likewise, be placed in the trust fund.

RSA 126-A:83, I.

The fund then essentially creates two classes of municipalities: those that had already filed suit prior to September 2019 and those that did not. The former automatically get a cut of any proceeds right off the top, and can apply for additional funds as needed. The latter can only apply for grants, loans and matching funds for opioid abatement purposes.

THE PROPOSED SETTLEMENT

A few weeks ago, some of our clients began receiving letters from the State regarding a settlement with three distributors: McKesson, Cardinal Health, and Amerisource Bergen. The letter asks for the subdivisions' consent to settlement and provides a link to a website and a unique code to opt into the settlement. The proposed settlement amount is \$21 billion payable over 18 years. New Hampshire's share would be approximately \$115 million over 18 years.

The proposed settlement agreement is available on the State's website. The State is asking subdivisions to submit their consent to the agreement via the litigation website.

What does a subdivision get by consenting?

Nothing directly.

The proposed agreement divides subdivisions into multiple classes: A) Litigating Subdivisions and B) Primary Subdivisions. Litigating subdivisions are those that filed suit against the distributors or **their affiliates**. **NOTE:** There are 28 so-called "litigating subdivisions" in New Hampshire. Primary subdivisions are just based on population. There are approximately ~30 primary subdivisions in NH, some of which are also litigating subdivisions.

Essentially, the proposed Settlement Agreement incentivizes subdivision participation by giving more money to Settling States if they have a high enough participation rate of litigating/participating subdivisions. So, the more subdivisions that consent, the more money comes to New Hampshire.

October 20, 2021
Page 3

Further, while the Settlement Agreement contemplates making some payments directly to subdivisions, and a non-participating subdivision cannot receive any payments, this **does not apply to New Hampshire** since we have the trust statute. As far as I can tell whether or not a particular subdivision consents to this settlement will have no bearing on the receipt of trust money pursuant to RSA 126-A. Indeed, if it did the State would certainly have pointed that out. Instead the State characterizes it as follows:

The more New Hampshire's political subdivisions that sign on to the settlement, the larger the amount of money that comes to the State for opioid abatement purposes. See NH RSA 126-A:83-86.

So, at the end of the day it is simply putting more money in the pot, with no guarantee that a particular consenting subdivision will receive any of it (other than, perhaps, the litigating subdivisions who receive an automatic cut under RSA 126-A).

What does a subdivision give up by consenting?

A consenting subdivision is releasing all claims against the Settling Distributors **and** their affiliates. At this stage, the likelihood of a particular subdivision possessing a meaningful discrete claim is minimal. Either the subdivision is already participating in the larger scale litigation effort or not. Add in the ever-present risk that the State would swoop in at the last minute and the practical reality that any proceeds would be funneled through the trust anyways, the subdivisions do not have much of a direct pecuniary interest in any claim against any opioid defendant.

That being said, the total list of Released Entities is in the hundreds so a Participating Subdivision is releasing a lot of entities. If a subdivision was flagged as a Litigating Subdivision then presumably it filed a claim of some sort against at least one of the Distributors or related entities. However, from reviewing the list I am not sure that is absolutely true. I suspect the defendants may also be flagging subdivisions that have filed any sort of opioid suit (though the definition used in the proposed agreement is more narrow). Or, it may simply be that the subdivision filed a proof of claim in a bankruptcy matter involving a tangential Released Entity. In any event, affected clients that are involved in active litigation should consult their national counsel and review the full list to ensure they are not inadvertent releasing a claim in another matter.

Other catches

The only parties to this agreement are the Settling States and the Settling Distributors. Even if a subdivision grants their consent and release, they gain minimal enforceable rights under the agreement. All primary rights flow to the states.

October 20, 2021
Page 4

There are a significant amount of “offset” conditions whereby the Settling Distributors can reduce their future settlement payments. For example, if a subdivision does **not** consent but later successfully settles/obtains judgment independently, that amount will **reduce** the overall amount allocated to that subdivision’s state.

For example, a city in another state with home rule and no trust fund could conceivably see a better return by litigating separately, at the expense of the common fund.

For New Hampshire this is meaningless since all receipts go to the same place.

General conclusion/advice

Given the lack of home rule in New Hampshire, the MTBE case, and the Opioid Trust Fund, the net effect of a subdivision’s decision whether to consent or not is minimal.

At the end of the day, all money is flowing through the state. While the decision not to consent could affect the total amount received by the state, it does not appear to do so in a significant enough way where the subdivisions could leverage the decision to their advantage. Unless a particular subdivision has a meaningful discrete claim against one of the Released Entities, the actual consideration given on the part of the subdivision is also minimal.

General points for clients:

- Consenting could lead to more money in the state trust fund. NH is set to receive \$115 million over 18 years from this settlement.
- Consenting will not result in a direct receipt of funds by the consenting entity.
- Consenting releases any claims against hundreds of entities, but the likelihood of any subdivision having a viable claim is minimal.
 - As a matter of due diligence, the decision maker should review the list attached to the proposed agreement.
 - If a client has an active claim in court, consult with litigation counsel first.
- Withholding consent has no meaningful benefit for New Hampshire subdivisions that I can ascertain.

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JANE E. YOUNG
DEPUTY ATTORNEY GENERAL

TO LOCAL POLITICAL SUBDIVISIONS:
IMPORTANT INFORMATION ABOUT THE NATIONAL OPIOID SETTLEMENT.
SUBDIVISIONS MUST SUBMIT SIGNED DOCUMENTATION TO PARTICIPATE.
THE DEADLINE FOR PARTICIPATION TO MAXIMIZE SETTLEMENT BENEFITS IS JANUARY 2, 2022.

If your subdivision is represented by an attorney with respect to opioid claims, please immediately contact them.

The New Hampshire Department of Justice has indicated its intention to join a proposed nationwide settlement agreement ("Settlement") that would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen ("Distributors"). The Attorney General has decided against joining another national Settlement with Johnson & Johnson/Janssen and is proceeding with the state's litigation against those defendants in Merrimack County Superior Court. A trial in that case is set to begin on February 1, 2022.

The proposed Settlement requires the Distributors to pay billions of dollars to abate the opioid epidemic. Specifically, the Settlement requires the Distributors to pay up to \$21 billion over 18 years. The vast majority of the settlement funds are earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis.

The Settlement also contains injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states' and subdivisions' lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids.

The proposed Settlement has two key participation steps. First, each state decides whether to participate in the Settlement, and the New Hampshire Department of Justice has already indicated its intention to join the Settlement with the Distributors. The defendants have determined that sufficient state participation exists to go forward with the Settlement process. Second, the subdivisions within each participating state must then decide whether to participate in the Settlement. The more subdivisions that participate, the greater the amount of funds that flow to that state and its participating subdivisions.

This letter is part of the formal notice required by the Settlement.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

You are receiving this letter because the New Hampshire Attorney General has elected to participate in this national Settlement against the Distributors, and, consequently, your subdivision may participate in this Settlement. This notice is being sent directly to subdivisions that we understand are litigating against these companies, as well as to subdivisions identified by the defendants as non-litigating primary subdivisions. If you are represented by an attorney with respect to opioid claims, please immediately contact them. Please note that there is no need for subdivisions to be represented by an attorney or to have filed a lawsuit to participate in the Settlement.

WHERE CAN YOU FIND MORE INFORMATION?

This letter is intended to provide a brief overview of the Settlement. Detailed information about the Settlement may be found at: <https://nationalopioidsettlement.com/>. You can also find New Hampshire-specific information on our website: <https://www.doj.nh.gov/opioid-settlement/index.htm>.

New Hampshire already has passed legislation that provides for a dedicated opioid abatement trust fund to receive all opioid-related settlement funds or judgments coming to the State or to all political subdivisions within the State. A commission has been formed to receive, review and recommend to the Governor and Executive Council grant applications for the use of these funds. That legislation can be found at NH RSA 126-A:83-86.

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

You must go to the national settlement website to register to receive in the coming weeks and months the documentation your subdivision will need to participate in the Settlements. All required documentation must be executed and submitted electronically through the website and must be executed using the "DocuSign" service. As part of the registration process, your subdivision will need to identify, and provide the email address for, the individual who will be authorized to sign formal and binding documents on behalf of your subdivision.

Your unique Subdivision Identification Number to use to register is: 3Y5UXH

HOW WILL SETTLEMENT FUNDS BE ALLOCATED IN EACH STATE?

The settlement funds are first divided among the participating states according to a formula developed by the Attorneys General that considers population and the severity of harm caused by the opioid epidemic in each participating state. Each state's share of the abatement funds is then further allocated within each state according to state law (RSA 126-A:83-86). Any questions concerning the status or terms of the statutory trust can be directed to the Attorney General's Office. Please contact Associate Attorney General James T. Boffetti (james.t.boffetti@doj.nh.gov; 603-271-0302).

We encourage you to review all materials and to follow up with any questions. The terms of this Settlement are complex and we want to be sure you have all the information you need to make your participation decision.

WHY YOU SHOULD PARTICIPATE

Subdivision participation is strongly encouraged, for the following reasons:

First, the amounts to be paid under the Settlement, while insufficient to abate the epidemic fully, will allow state and local governments to commence with meaningful change designed to curb opioid addiction, overdose and death;

Second, time is of the essence. The opioid epidemic continues to devastate communities around the country and it is critical that the funds begin to flow to allow governments to address the epidemic in their communities *as soon as possible*;

Third, if there is not sufficient subdivision participation in this proposed Settlement, the Settlement will not be finalized, the important business practice changes will not be implemented, the billions of dollars in abatement funds will not flow to communities, and more than 3,000 cases may be sent back to their home courts for trial, which will take many years;

Fourth, the extent of participation also will determine how much money each state and its local subdivisions will receive because approximately half of the abatement funds are in the form of “incentive payments,” *i.e.*, the higher the participation of subdivisions in a state, the greater the amount of settlement fund that flow into that state;

Fifth, you know first-hand the effects of the opioid epidemic on your community. Funds from this Settlement will be used to commence abatement of the crisis and provide relief to your citizens while litigation and settlement discussions proceed against numerous other defendants in the opioid industry; and

Sixth, because pills do not respect boundaries, the opioid epidemic is a national crisis that needs a national solution.

NEXT STEPS

This Settlement require that you take affirmative steps to “opt in” to the Settlement. If you do not act, you will not contribute to reaching the participation thresholds that will deliver the maximum amount of abatement funds to New Hampshire.

First, register your subdivision on the national settlement website so that information and documents required to participate can be sent to you. You will need the email address of the person who will be authorized to sign on behalf of your subdivision. This is the only action item needed at this time.

Second, have your authorizing person(s) or body begin to review the materials on the websites concerning the settlement agreement terms, allocation and other matters. Develop a list of questions for your counsel or the Attorney General’s Office. In the very near future, your subdivision will need to begin the process of deciding whether to participate in the proposed Settlement and subdivisions are encouraged to work through this process well before the January 2, 2022 deadline to be an initial participating subdivision. Again, the Attorney General’s Office, your counsel, and other contacts within the state are available to discuss the specifics of the Settlement within your state and we encourage you to discuss the terms and benefits of the Settlement with them.

Third, monitor your email for further communications, which will include a Participation Agreement, Release, (where applicable) a model Resolution, and instructions on executing and using DocuSign.

National Opioids Settlements
P.O. Box 43196
Providence, RI 02940-3196

NPD

9



122810019433

Postal Service: Please do not mark barcode

NPD CN-459-868

Andre Garron Town Administrator/Legal Department

35 Main Street

Hooksett, NH 03106

We urge you to view the national settlement website at your earliest convenience. Information and documents regarding the national Settlement and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com/>. New Hampshire-specific information can be found on our website at: <https://www.doj.nh.gov/opioid-settlement/index.htm>. Questions for the Attorney General's Office can be directed to: Associate Attorney General James T. Boffetti
Office of the Attorney General
33 Capitol Street
Concord, NH 03301
james.t.boffetti@doj.nh.gov
603-271-0302

Official

**TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, September 26, 2007**

ORIGINAL

CALL TO ORDER: Chairman P. Loiselle called the meeting to order at 6:30 pm.

PRESENT: David Dickson, William "Bill" Gahara, James Gorton, Jason Hyde, George Longfellow, David Ross, Patricia Rueppel, Stuart Werksman, Chairman Paul Loiselle, David Jodoin (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

September 5, 2007 – G. Longfellow moved to approve the September 5, 2007 minutes as amended. Motion seconded by S. Werksman. Motion carried unanimously.

PUBLIC INPUT:

David Hess, Conservation Commission: I'd like to update the Council on the Open Space Committee. We are up and running with four members so far. We are hoping to expand membership to include other board members and one Councilor.

D. Ross volunteered to be a member of the Open Space Committee.

Joanne McHugh, School Board Chair: We have to see the analysis as to what impact the TIF District will have on the school fund. The School Board needs time to discuss it and if needed, we have to forward the matter to our Legal Counsel. He needs time to digest the information, advise us and give us recommendations. The school district needs some information in order to be able to review it and have time to react to it. At some point, there has to be a decision made. We need time to analyze it. It would be in the Town's best interest to have the analysis as soon as possible.

The Town advisors are presently working on the analysis to be presented to the Council as well as the School District.

J. Gorton: I'd suggest contacting the school board in Keene. They have the most successful TIF Districts in the State.

SCHEDULED APPOINTMENTS:

Community Revitalization Tax Relief Incentive per RSA 79-E

Kathie Northrup, Heritage Commission Chair asked the Council to adopt RSA 79-E Tax Relief Incentive for taxpayers who invest to benefit and/or enhance the Village Center. There are standards to be met to be qualified for the tax relief. First, the property must be located in the designated district. There has to be a substantial rehabilitation of at least 15% of the building's pre-rehab assessed value or \$75,000, whichever is less. The rehabilitation must be consistent with the municipality's master plan or development regulations and must enhance the designated historic district. K. Northrup asked for the Council to designate the Village area as a historic district for this purpose only. This program would offer incentives to property owners of cultural and/or historic buildings to invest on preserving their properties, thus enhancing the appearance of the community and promote economic development.

Town Council Minutes
September 26, 2007

2

D. Ross expressed his concerns with the district overlapping with the TIF District.

J. Hyde: I like the idea of tax relief for anybody. Why not offer it to everyone, not just the Village area?

G. Longfellow: The way I look at it, a family puts an addition to their house because they needed the room. Do they get the tax relief? Where do you draw the line?

K. Northrup: The application has to meet that public benefit tests. Does it enhance economic viability of the district? Does it promote development of the district? These criteria have to be met in order to be eligible for the tax relief.

W. Gahara: Looking at the map, I think of a list of properties that would qualify. Maybe it would be better to have a list of properties instead of designating a district. This way it would be a simpler process.

Discussion on the matter ensued.

W. Gahara moved to cancel the previously scheduled Village School walk through and hold a public hearing on Oct. 10th 2007. Motion seconded by S. Werksman. Roll call vote carried unanimously.

Arah Prescott Library

K. Northrup asked for the Council's consent to prepare and file an application to list the Arah Prescott Library on the State/National Register of Historic Places.

D. Ross moved to authorize the Heritage Commission to file an application to list the Arah Prescott Library on the State/National Register of Historic Places. Motion seconded by J. Gorton. Roll call vote carried unanimously.

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Frank Kotowski: Seven years ago today, the Hooksett Kiwanis was formed. Kiwanis is a global association of volunteers dedicated to changing the world one child and community at a time. We would like to take on a major project that would benefit the children in this community. We decided to construct walking/hiking/biking trails with four major trail segments, (1) Head's Pond from Route 3 & 28, (2) Route 3 & 28 to Hooksett Village, (3) Hooksett Village to Hooksett-Manchester town line and (4) Head's Pond towards Candia. Kiwanis will pledge \$10,000 for the project.

F. Kotowski asked for the Council to authorize Kiwanis to be responsible for amenities and maintenance of the trail to be constructed by Manchester Sand & Gravel.

W. Gahara moved to (1) Designate Hooksett Kiwanis as the organization responsible for trails, coordination and development in Hooksett, (2) Authorize Kiwanis to be responsible for amenities and maintenance of the new trail constructed by Manchester Sand & Gravel at Head's Pond, (3) Authorize Hooksett Kiwanis to proceed with research and development on additional trail segments that would connect the Head's Pond trail to Hooksett Village and ultimately to the Heritage Trail at the Hooksett-Manchester town line and (4) Research to be completed no later than September 1, 2008 and would include an operational plan and budget for construction of these segments, for a period of 3 years. Motion seconded by S. Werksman.

Fred Bishop: I'd like to take this opportunity to thank Manchester Sand & Gravel and David Campbell for all the work they did at Head's Pond trail.

D. Campbell: We look forward to working with Kiwanis to expand the trails.

Town Council Minutes
October 10, 2007

2

Wal-mart had already earmarked the funds and offered the money to the Town to help with the Village School renovation as a donation.

Roll call vote carried unanimously.

Acceptance of \$8,000.00 donation from Wal-Mart for Goonan Road repairs per condition of the site plan approval.

J. Gorton moved to accept \$8,000.00 donation from Wal-Mart for Goonan Road repairs under RSA 31:95(b). Motion seconded by W. Gahara. Roll call vote carried unanimously.

Adoption of Community Revitalization Tax Relief Incentive Program.

At the last meeting, the Council discussed a proposal from Heritage Commission Chair Kathie Northrup to adopt RSA 79-E, Community Revitalization Tax Relief Incentive Program

Steve Korzyniowski, 329 W. River Road: I am here to support the proposal and encourage the Council to adopt the RSA. By preserving the historical aspects of the community, you make it more attractive to businesses and it improves the residents' quality of life. I hope you'll support the RSA.

Kathie Northrup, Heritage Commission Chair: You should have received four letters of support from various individuals.

The letters were read into the record (attached).

K. Northrup reviewed the area being considered for the program. It was suggested at the last meeting to have a list of properties instead of assigning a geographic district. She explained that it is not encouraged to exclude certain properties in the area. In other towns, the driving force for adopting the program is economic development, not historic preservation.

W. Gahara moved to adopt RSA 79-E, Community Revitalization Tax Relief Incentive Program. Motion seconded by P. Rueppel.

J. Hyde: I will reiterate what I stated at the last meeting. If you want to revitalize this Town, offer a tax break to anyone who rehabs his/her property. I'm not against the tax break but you have to offer it to everyone not just to a targeted area.

D. Ross: The concept of the tax incentive is to preserve historical buildings in town. If you give someone the incentive to do something, they will. So many Towns have given up on their heritage.

Roll Call:

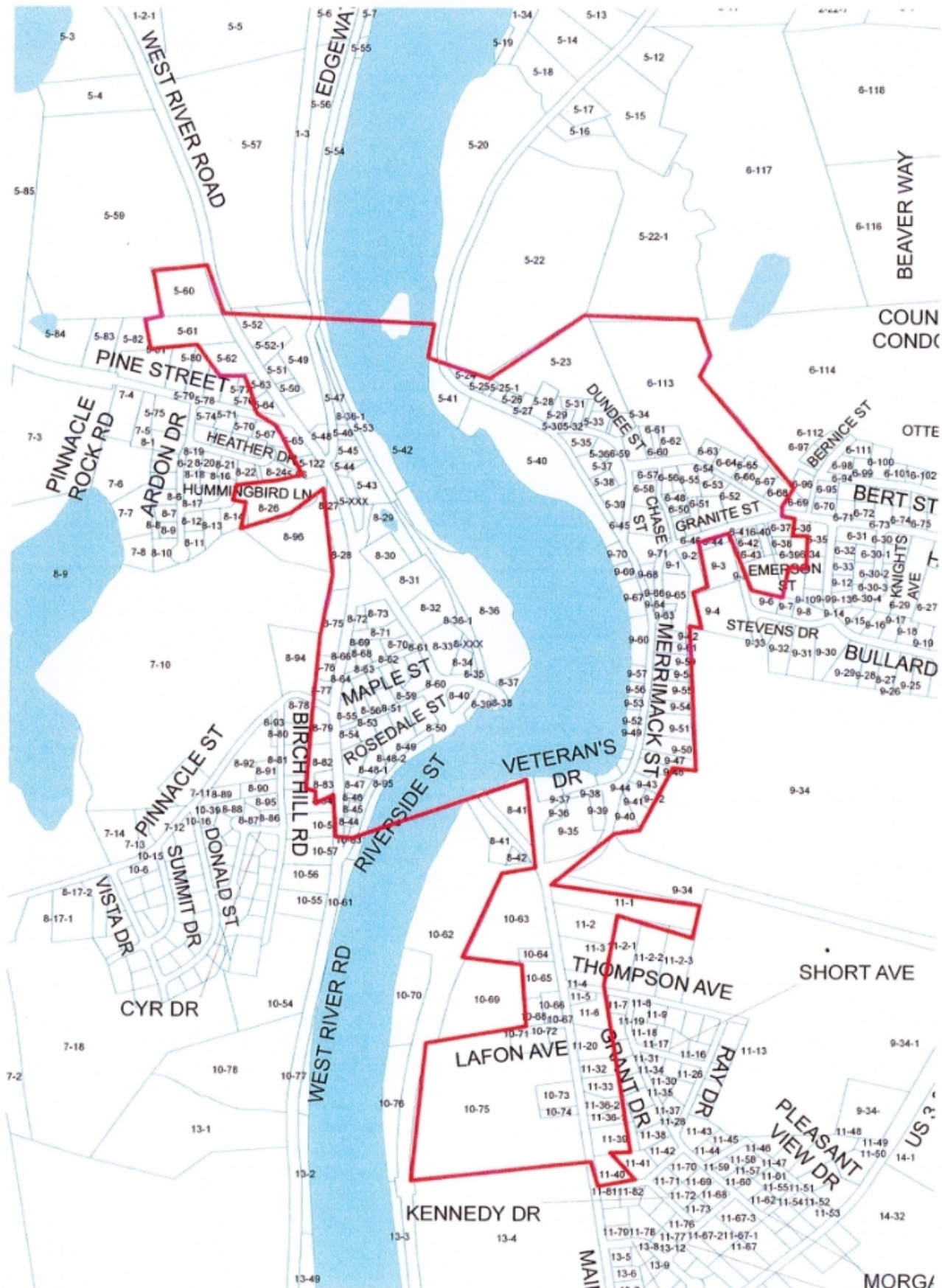
D. Dickson	Yes	D. Ross	Yes	
W. Gahara	Yes	P. Rueppel	Yes	
J. Gorton	Yes	S. Werksman	Yes	
J. Hyde	No	Chairman P. Loiselle	Yes	8-1
G. Longfellow	Yes			<u>Motion carried.</u>

K. Northrup asked for the Council to adopt the proposed boundaries for the purpose of the tax incentive program.

P. Rueppel moved to adopt the boundaries. Motion seconded by D. Ross.

D. Ross suggested presenting a proper map showing the boundaries. Planning Department could help map out the area.

D. Ross moved to table. Motion seconded by J. Gorton. Motion carried unanimously.



Town Council STAFF REPORT



To: Town Council
Title: Kathie Northrup, Heritage Commission
 NH RSA 79-E: Community Revitalization Tax Relief Incentive
Meeting: Town Council - 08 Dec 2021
Department: Community Development
Staff Contact: Kathy Lawrence, Community Development Clerk

BACKGROUND INFORMATION:

This program offers property tax relief for substantial rehabilitation of qualifying structures – usually designated by a municipality as being a downtown area or other central area of historic importance – by providing a 5-year exemption on increased property values as a result of a rehabilitation or renovation project. The goal is to incentivize the adaptive reuse of the existing building stock, revitalize blighted downtown areas, and preserve historic structures. Currently, the Town has a designated zone – the Village – in which properties are eligible for this exemption, however the incentive has not been utilized to its full potential. The Council adopted the provisions of RSA 79-E in 2007. The Council reviewed and approved the provisions of the program for properties located within a defined area. See the attached meeting minutes and map displaying this area. To date, no eligible properties have taken advantage of this program.

In 2013, SB 80 amended RSA 79-E to include the following verbiage under the definition of a qualifying structure: *“Historic Structure” means any building that is listed on or is determined eligible for listing on the National Register of Historic Places or the state register of historic places.*

One such property which may benefit from this amendment is the Stone House located at 1253 Hooksett Road. The property is eligible for listing on both the National and state registers. The property recently sold to a new owner and is in need of substantial renovations in order to attract potential commercial tenants.

FINANCIAL IMPACT:

Short term forfeiture of net property tax revenues on the increased assessment resulting from qualifying work/renovations/additions to qualifying structures for a period of time to be determined at time of application. Properties will continue to be taxed at their current assessed value at the time of application. Specific figures will be variable depending on the assessed value of the property and the amount of tax relief granted by Council.

POLICY IMPLICATIONS:

Continues to advance the Town's economic development policy as well as the Town's historic preservation policies, as spelled out in the Town Master Plan, which includes providing incentives for the redevelopment and preservation of historic structures and opportunities for commercial growth and business development.

RECOMMENDATION:

Adopt the 2013 amendment to RSA 79-E

SUGGESTED MOTION:

Motion to adopt the amendment to RSA 79-E as presented by SB 80 in 2013:

“Section I: Definition of Qualifying Structures

“Historic Structure” means any building that is listed on or is determined eligible for listing on the National Register of Historic Places or the state register of historic places. “

TOWN ADMINISTRATOR'S RECOMMENDATION:

Listen to Ms. Northrup's proposal request for Hooksett to adopt an amendment to the 79-E program.

ATTACHMENTS:

[RSA 79-E Supplemental Information](#)

Official

**TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, September 26, 2007**

ORIGINAL

CALL TO ORDER: Chairman P. Loiselle called the meeting to order at 6:30 pm.

PRESENT: David Dickson, William "Bill" Gahara, James Gorton, Jason Hyde, George Longfellow, David Ross, Patricia Rueppel, Stuart Werksman, Chairman Paul Loiselle, David Jodoin (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

September 5, 2007 – G. Longfellow moved to approve the September 5, 2007 minutes as amended. Motion seconded by S. Werksman. Motion carried unanimously.

PUBLIC INPUT:

David Hess, Conservation Commission: I'd like to update the Council on the Open Space Committee. We are up and running with four members so far. We are hoping to expand membership to include other board members and one Councilor.

D. Ross volunteered to be a member of the Open Space Committee.

Joanne McHugh, School Board Chair: We have to see the analysis as to what impact the TIF District will have on the school fund. The School Board needs time to discuss it and if needed, we have to forward the matter to our Legal Counsel. He needs time to digest the information, advise us and give us recommendations. The school district needs some information in order to be able to review it and have time to react to it. At some point, there has to be a decision made. We need time to analyze it. It would be in the Town's best interest to have the analysis as soon as possible.

The Town advisors are presently working on the analysis to be presented to the Council as well as the School District.

J. Gorton: I'd suggest contacting the school board in Keene. They have the most successful TIF Districts in the State.

SCHEDULED APPOINTMENTS:

Community Revitalization Tax Relief Incentive per RSA 79-E

Kathie Northrup, Heritage Commission Chair asked the Council to adopt RSA 79-E Tax Relief Incentive for taxpayers who invest to benefit and/or enhance the Village Center. There are standards to be met to be qualified for the tax relief. First, the property must be located in the designated district. There has to be a substantial rehabilitation of at least 15% of the building's pre-rehab assessed value or \$75,000, whichever is less. The rehabilitation must be consistent with the municipality's master plan or development regulations and must enhance the designated historic district. K. Northrup asked for the Council to designate the Village area as a historic district for this purpose only. This program would offer incentives to property owners of cultural and/or historic buildings to invest on preserving their properties, thus enhancing the appearance of the community and promote economic development.

Town Council Minutes
September 26, 2007

2

D. Ross expressed his concerns with the district overlapping with the TIF District.

J. Hyde: I like the idea of tax relief for anybody. Why not offer it to everyone, not just the Village area?

G. Longfellow: The way I look at it, a family puts an addition to their house because they needed the room. Do they get the tax relief? Where do you draw the line?

K. Northrup: The application has to meet that public benefit tests. Does it enhance economic viability of the district? Does it promote development of the district? These criteria have to be met in order to be eligible for the tax relief.

W. Gahara: Looking at the map, I think of a list of properties that would qualify. Maybe it would be better to have a list of properties instead of designating a district. This way it would be a simpler process.

Discussion on the matter ensued.

W. Gahara moved to cancel the previously scheduled Village School walk through and hold a public hearing on Oct. 10th 2007. Motion seconded by S. Werksman. Roll call vote carried unanimously.

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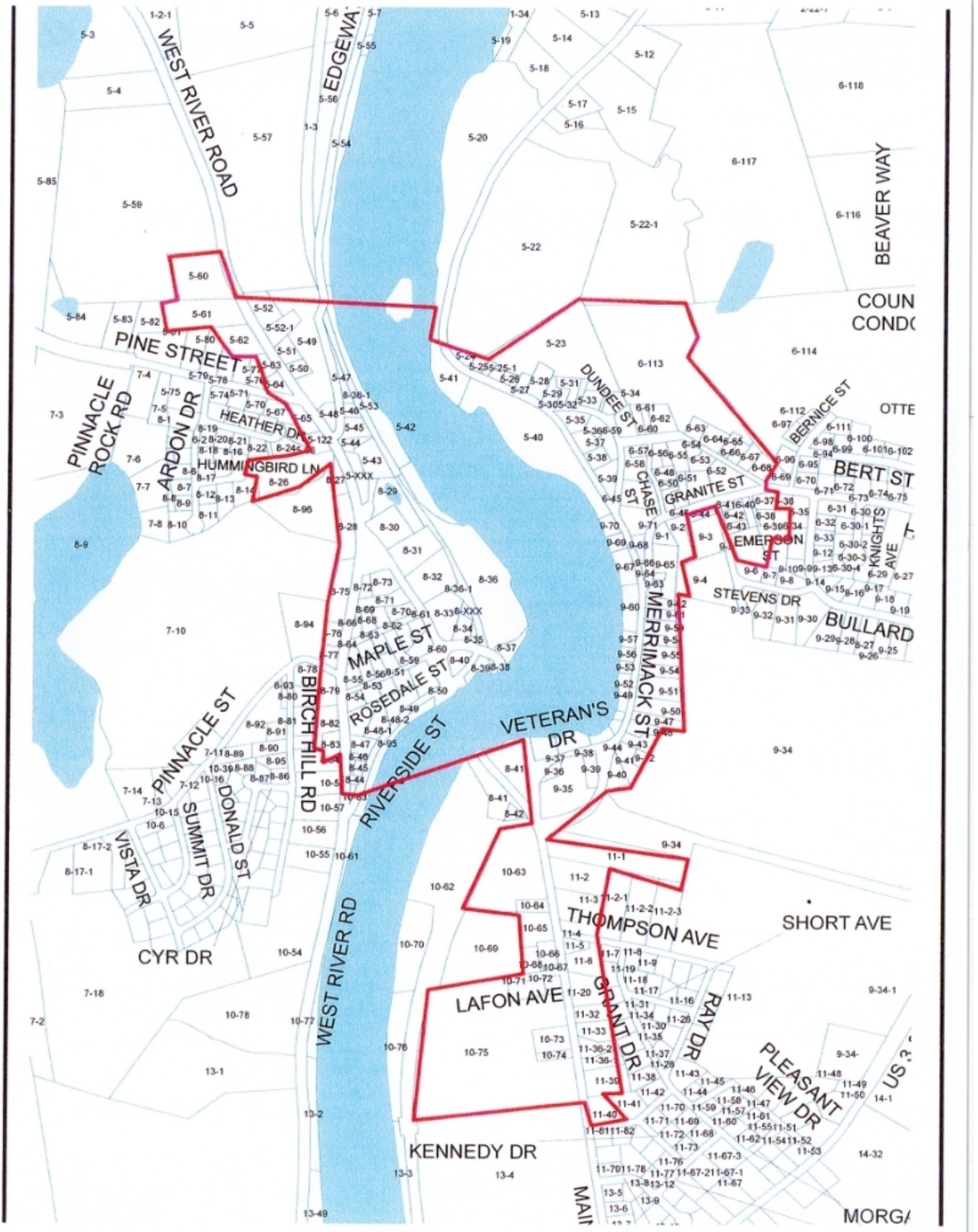
D. Dickson	Yes	D. Ross	Yes	
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J. Gorton	Yes	S. Werksman	Yes	
J. Hyde	No	Chairman P. Loiselle	Yes	8-1
G. Longfellow	Yes			<u>Motion carried.</u>

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D. Ross moved to table. Motion seconded by J. Gorton. Motion carried unanimously.



Town Council
STAFF REPORT



To: Town Council
Title: Eckhart & Johnson Site, #6 East Point Drive, Surety Release of \$9,780.75
Meeting: Town Council - 08 Dec 2021
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The Developer of the Eckhart & Johnson #6 East Point Drive, has requested the release of Surety being held on the site plan.

The current road bond is the site is \$9,780.75. Since the site work has been completed, I recommend returning this surety to the developer.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Recommend to release of surety of the bond of \$9,780.75 for the Eckhart & Johnson Site at #6 East Point Drive to the International Fidelity Insurance Company #0743261.

SUGGESTED MOTION:

Motion to release of surety of the bond of \$9,780.75 for the Eckhart & Johnson Site at #6 East Point Drive to the International Fidelity Insurance Company #0743261.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Eckhart & Johnson Bond Release Attachment](#)

Town of Hooksett		11/22/2021	
Performance Sureties Located at the Finance Dept			
Project Name	Reason	Amount	Released Date
6 Eastpoint Drive International Fidelity Insurance Company # 0743261	Site Surety	9,760.75	05/15/18



Eckhart & Johnson 1



Eckhart & Johnson 2



Eckhart & Johnson 3



Eckhart & Johnson 4



Eckhart & Johnson 5



Eckhart & Johnson 6

Town Council STAFF REPORT



To: Town Council
Title: Tax Increment Finance District (TIF) – Request for Public Hearing to Discuss Amending The Tax Increment Finance Plan and Expanding District Boundaries
Meeting: Town Council - 08 Dec 2021
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION: PUBLIC HEARING:

The purpose of this agenda item is request that the Town Council schedule a public hearing at their January 5, 2022 Town Council meeting to present and take public comment on amending the March 23, 2017 adopted TIF district plan in accordance with NH RSA 162-K.

BACKGROUND INFORMATION:

The Town is contemplating the amendment of the current TIF district plan to incorporate the following changes:

1. To add several parcels on the east side of the Merrimack River to the TIF District as listed and as shown on a plan by the Southern New Hampshire Planning Commission (see attached).
2. To add three parcels (17-9, 17-38, and 17-39) off Cross Street as listed and as shown on a plan by the Southern New Hampshire Planning Commission (see attached) to the TIF District. The purpose of these additions is to address the issue that sewer and water utilities planned to service the Granite Woods development are shown exiting and then entering the TIF District. Thus, a portion of the proposed installation of sewer and water lines necessary to complete the water utility work from the Granite Woods property will be outside of the TIF district.

Per the Town's attorney:

*There is nothing in the TIF statute (RSA 162-K) that explicitly authorizes the use of TIF increments on projects that extend beyond the confines of the TIF. Based upon the language of RSA 162-K:6, III, I believe the intent is that the use of TIF increments is limited to the properties within the TIF district". The town could leave the TIF district as is and make the argument that as currently contemplated the use of TIF increments satisfies the spirit of 162-K because the work outside of the district is de minimis and essential to the functioning of the project within the district. But if challenged, that would be expensive, could delay development, and a reviewing court could disagree. Rather than take that risk, I recommend the town err on the side of caution and relocate this portion of water/sewer line **or simply amend the TIF district.***

Based on the attorney's statements above, we are recommending that the TIF district be amended to add the properties on Cross Street to the TIF district and the TIF district boundary be amended accordingly to include the properties and the section of Cross Street from Route 3A to the west end of the frontage of the properties.

3. As part of the Granite Woods Development agreement, The developer's has proposed to construct the infrastructure within this section of the TIF District, seek private bonding/debt to fund the installation of the infrastructure and for Hooksett to use the tax revenue derived from the project to fund their debt. The Town attorney was asked *"If Hooksett wanted to proceed with the proposal offered by Port One, private financing of the debt and Hooksett reimbursing them for it, would that be allowable under Hooksett's TIF Plan and RSA 162:K?"*

The Town Attorney responded with *"I do believe a valid alternative to the above exists, at least from the Town's perspective. It could take the form of **amending the TIF plan** to include use of TIF increments to reimburse private investors for private borrowing or financing and also to require and enforce fair share contributions in certain situations."*

Based on the attorney's statements above, we are recommending that the TIF district be amended to include use of TIF increments to reimburse private investors for private borrowing or financing and also to require and enforce fair share contributions in certain situations. The Attorneys full legal opinion is attached.

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Recommendation to have the Town Council hold a Public Hearing at its January 5, 2022 Town Council Meeting to present and take public comment on amending the March 23, 2017 adopted TIF district plan in accordance with NH RSA 162-K.

SUGGESTED MOTION:

Motion to have the Town Council hold a Public Hearing at its January 5, 2022 Town Council Meeting to present and take public comment on amending the March 23, 2017 adopted TIF district plan in accordance with NH RSA 162-K.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. The requested public hearing will address the amendment of the TIF District Plan, as recommended by Town's legal counsel, and the enlargement of the district boundaries.

ATTACHMENTS:

[Proposed-TIF Parcel-List v3](#)

[Proposed-TIF Limits toAG 21-1104](#)

[Proposed-TIF District-Map v3](#)

[TIF District Expansion Full Legal Opinion](#)

AV Parcel IDParcel #Owner NameStreet AddressMapBLKLotAssessed ValueArea (Acres)								
Draft Parcel List for inclusion in a Proposed 3A TIF District Amendment	1477	17-9	STATE OF NEW HAMPSHIRE	(OFF EVERETT TURNPIKE)	17	9	\$134,800	27.00
	1543	17-38	STATE OF NEW HAMPSHIRE	17 CROSS ROAD	17	38	\$151,400	9.00
	1544	17-39	ERMAN REV TRUST, GLEN A. & THERESE L	31 CROSS ROAD	17	39	\$113,200	5.57
	1709	18-42	GENERAL ELECTRIC CORPORATION	9 INDUSTRIAL PARK DRIVE	18	42	\$6,000,000	11.69
	1710	18-43	NH AEROSPACE HOLDINGS LLC	13 INDUSTRIAL PARK DRIVE	18	43	\$12,684,800	17.42
	1711	18-44	ZIBV PROPERTIES LLC	18 WATER WORKS DRIVE	18	44	\$1,217,200	5.07
	1712	18-45	CENTRAL HOOKSETT WATER PRECINCT	10 WATER WORKS DRIVE	18	45	\$478,300	2.15
	1713	18-46	1370 HOOKSETT RD REALTY, LLC	1370 HOOKSETT ROAD	18	46	\$619,800	1.83
	1714	18-47	TK PROPERTY GROUP LLC	1380 HOOKSETT ROAD	18	47	\$267,900	4.99
	1715	18-47-1	NTD SALES LLC	1378 HOOKSETT ROAD	18	47	\$535,700	2.01
	1716	18-48	SUNSET ROCK LLC	1396 HOOKSETT ROAD	18	48	\$1,325,566	19.16
	103695	18-48-1	RENFREW, JAMES A.	HOOKSETT ROAD	18	48	\$251,000	2.29
	1607	18-7	CMI LEASING CORP.	1500 HOOKSETT ROAD	18	7	\$3,249,800	135.12
	2374	24-31	MANCHESTER WATER WORKS	OFF INDUSTRIAL PARK DR	24	31	\$7,500	2.50
	2375	24-32	OLDCASTLE LAWN & GARDEN INC.	24 LEHOUX DRIVE	24	32	\$896,600	27.70
	2376	24-33	JOHN G. MACLELLAN, INC.	29 LEHOUX DRIVE	24	33	\$201,200	1.00
	100818	24-35	MANCHESTER SAND & GRAVEL	LEHOUX DRIVE	24	35	\$95,700	13.67
	100002	24-35-12	IMC MERCIER HOOKSETT PROPERTIES LLC	11 LEHOUX DRIVE	24	35	\$346,900	2.63
	2379	24-35-2	RB MERCIER HOOKSETT PROPERTIES LLC	5 LEHOUX DRIVE	24	35	\$1,045,100	4.14
	2380	24-35-3	COPACON LLC	7 LEHOUX DRIVE	24	35	\$307,200	1.00
	2381	24-35-4	NORTHERN NEW ENGLAND TEL OPS LLC	14 PETERS BROOK DRIVE	24	35	\$163,300	2.00
	2382	24-35-5	STATE OF NEW HAMPSHIRE	2 PETERS BROOK DRIVE	24	35	\$247,100	2.80
	2383	24-35-6	LACO CORPORATION	4 PETERS BROOK DRIVE	24	35	\$4,091,700	6.20
	2384	24-35-8	KAPUR, AMAR	8 PETERS BROOK DRIVE	24	35	\$158,700	3.00
	2385	24-35-9	TOWN OF HOOKSETT	20 INDUSTRIAL PARK DRIVE	24	35	\$311,700	14.12
	2387	24-36	MANCHESTER SAND & GRAVEL	21 LEHOUX DRIVE	24	36	\$3,689,800	120.20
	100817	24-36-1	SUNSET ROCK LLC	15 LEHOUX DRIVE	24	36	\$872	25.30
	101625	24-36-2	SWEENEY, DENNIS	17 LEHOUX DRIVE	24	36	\$400,300	4.00
	101626	24-36-3	BGH HOOKSETT LLC	25 LEHOUX DRIVE	24	36	\$7,099,900	19.90
	101627	24-36-4	SUNSET ROCK LLC	27 LEHOUX DRIVE	24	36	\$303,300	8.23
	101628	24-36-5	SUNSET ROCK LLC	LEHOUX DRIVE	24	36	\$368,600	7.49
	101629	24-36-6	HOOKSETT SEWER COMMISSION	31 LEHOUX DRIVE	24	36	\$323,800	13.71
	103391	24-36-7	MANCHESTER SAND, GRAVEL & CEMENT	LEHOUX DRIVE	24	36	\$381,400	10.00
	2388	24-37	BOSTON & MAINE RAILROAD	OFF LEHOUX DRIVE	24	37	\$366,600	39.10
	2637	25-80	PUBLIC SERVICE OF NH	13 LEGENDS DRIVE	25	80	\$11,687,000	39.63
	2638	25-80-1	TOWN OF HOOKSETT	15 LEGENDS DRIVE	25	80	\$3,555,100	5.57
	5027	25-80-2	TOWN OF HOOKSETT	LEGENDS DRIVE	25	80	\$244,000	2.05
	5026	25-80-3	UNDERBROOK LLC	18 LEGENDS DRIVE	25	80	\$899,200	42.00
	2902	29-32	HANDLEY 1%, GERALD A.	(OFF) DEPOT ROAD	29	32	\$13,100	1.40
	2903	29-33	SOUTHERN NH UNIVERSITY	OFF MARTINS FERRY ROAD	29	33	\$3,800	0.20
	5202	29-34	SOUTHERN NH UNIVERSITY	75 MARTINS FERRY ROAD	29	34	\$86,300	6.00
	2906	29-35	SOUTHERN NH UNIVERSITY	65 MARTINS FERRY ROAD	29	35	\$83,500	1.56
	2909	29-38	TOWN OF HOOKSETT	75 DEPOT ROAD	29	38	\$283,600	0.34
	2910	29-39	TOWN OF HOOKSETT	79 DEPOT ROAD	29	39	\$3,700	0.35
	2939	29-81	TOWN OF HOOKSETT	73 DEPOT ROAD	29	81	\$12,800	0.10
	2998	30-57	TOWN OF HOOKSETT	OFF DEPOT ROAD	30	57	\$93,900	24.60
	3176	33-1	SOUTHERN NH UNIVERSITY	61 MARTINS FERRY ROAD	33	1	\$74,700	0.50
	3177	33-2	SOUTHERN NH UNIVERSITY	57 MARTINS FERRY ROAD	33	2	\$82,350	18.00
	3178	33-3	LAVOIE, MATTHEW TODD	53 MARTINS FERRY ROAD	33	3	\$257,600	4.58

AV Parcel ID	Parcel #	Owner Name	Street Address	Map	BLK	Lot	Assessed Value	Area (Acres)	
Existing Route 3A TIF District Parcel Set	577	07-18	TOWN OF HOOKSETT	12 PINNACLE STREET	7	18	\$156,100	19.90	
	828	10-77-	CHANDONNET, FRANCES	421 WEST RIVER ROAD	10	77	\$16,100	0.90	
	829	10-78-	CHANDONENET FAMILY REV TRUST	420 WEST RIVER ROAD	10	78	\$214,700	7.20	
	946	13-1	KEYLAND PROPERTIES LLC	412 WEST RIVER ROAD	13	1	\$423,700	9.50	
	947	13-2	KEYLAND PROPERTIES LLC	411 WEST RIVER ROAD	13	2	\$19,300	1.10	
	1103	13-50	YNIOWSKI FAMILY REVOC TRUST OF 2020	329 WEST RIVER ROAD	13	50	\$315,800	2.71	
	1104	13-50-1	FRASCH, ZOLTAN	341 WEST RIVER ROAD	13	50	1	\$428,800	0.79
	1105	13-51	SILVER CITY NH LLC	39 HACKETT HILL ROAD	13	51	\$1,436,700	54.14	
	1110	13-56	KOKOSING LLC	51 HACKETT HILL ROAD	13	56	\$452,200	5.00	
	1111	13-57	SHOOTERS OUTPOST LLC	HACKETT HILL ROAD	13	57	\$182,400	6.16	
	1112	13-58	CJM INDUSTRIES LLC	47 HACKETT HILL ROAD	13	58	\$176,400	5.36	
	1114	13-60	PIKE INDUSTRIES, INC.	1 CATE ROAD	13	60	\$174,500	0.52	
	1115	13-61	PIKE INDUSTRIES, INC.	40 HACKETT HILL ROAD	13	61	\$93,800	0.52	
	1116	13-62	CATE ROAD LLC	3 CATE ROAD	13	62	\$970,300	2.75	
	1478	17-10	SJB PROPERTIES LLC	290 WEST RIVER ROAD	17	10	\$592,600	4.88	
	5073	17-13-1	TRI-TOWN ICE ARENA LIMITED	311 WEST RIVER ROAD	17	13	1	\$4,031,700	9.86
	5045	17-13-2	321 WEST RIVER ROAD LLC	321 WEST RIVER ROAD	17	13	2	\$373,300	3.37
	1504	17-14	BERGERON, JOEL MATTHEW	325 WEST RIVER ROAD	17	14	\$118,600	1.00	
	1505	17-15	DONOVAN, KATE V.	327 WEST RIVER ROAD	17	15	\$260,000	0.85	
	1538	17-33	COTE, THOMAS F	246 WEST RIVER ROAD	17	33	\$319,200	3.90	
	1539	17-34	DOYON REV TRUST, RICHARD W.	12 CROSS ROAD	17	34	\$309,600	3.95	
	1540	17-35	MAYHEW, JUSTIN PAUL	8 CROSS ROAD	17	35	\$206,300	0.92	
	1541	17-36	ALL OR NOTHING LLC	254 WEST RIVER ROAD	17	36	\$798,400	2.34	
	1542	17-37	FIVE CROSS ROAD LLC	5 CROSS ROAD	17	37	\$334,100	5.00	
	103852	17-37-1	15 CROSS ROAD LLC	15 CROSS ROAD	17	37	1	\$1,515,400	5.42
	1471	17-7	GRANITE WOODS LLC	HACKETT HILL ROAD	17	7	\$855,300	60.15	
	1472	17-7-1	NELSON,DOYLE& MARILYN R	77 HACKETT HILL ROAD	17	7	1	\$301,064	12.52
	2342	24-1	VINMAR ENTERPRISES LLC	242 WEST RIVER ROAD	24	1	\$529,000	2.53	
	2343	24-2	BUTLER, BRIAN F.	236 WEST RIVER ROAD	24	2	\$389,200	0.50	
	2371	24-29-1	J & M REALTY TRUST	213 WEST RIVER ROAD	24	29	1	\$345,700	1.37
	2372	24-29-2	CKS REALTY TRUST	16 SCOTT AVENUE	24	29	2	\$767,000	7.55
	2373	24-30	HIP PEAS FARM LLC	191 WEST RIVER ROAD	24	30	\$545,700	5.29	
	101325	24-30-1	SJB DEVELOPMENT LLC	209 WEST RIVER ROAD	24	30	1	\$1,356,400	2.68
	101326	24-30-2	BRIEN REALTY TRUST	205 WEST RIVER ROAD	24	30	2	\$461,400	0.70
	2344	24-3-1	COLBY BROOKSIDE REALTY LLC	2 BROOKSIDE WEST ROAD	24	3	1	\$798,600	2.00
	2345	24-3-2	HYMAN 1994 TRUST, SUZANNE	4 BROOKSIDE WEST ROAD	24	3	2	\$3,082,900	7.69
	2391	24-40	DOBROWSKI, GEORGE H.	149 WEST RIVER ROAD	24	40	\$226,200	7.45	
	2411	24-57	NERR LLC	180 WEST RIVER ROAD	24	57	\$3,323,900	40.12	
	2872	29-1	STATE OF NEW HAMPSHIRE	OFF EVERETT TURNPIKE	29	1	\$221,800	105.60	
	2898	29-28	NORTHEAST RECORD RETENTION LLC	107 WEST RIVER ROAD	29	28	\$194,300	9.20	
	100127	29-64-1	1000 QUALITY DRIVE LLC	1000 QUALITY DRIVE	29	64	1	\$5,019,400	10.60
	100128	29-64-2	CITY OF MANCHESTER	77 KIMBALL DRIVE	29	64	2	\$454,900	7.17
	100129	29-64-3	WEST RIVER ROAD LLC	500 QUALITY DRIVE	29	64	3	\$294,900	3.33
	100130	29-64-4	TARGET CORPORATION T-1520	100 QUALITY DRIVE	29	64	4	\$19,984,700	17.25
	100131	29-64-5	SUPERSKILLS HOCKEY NH LLC	600 QUALITY DRIVE	29	64	5	\$2,119,100	9.95
	100288	29-64-6A	KOFFLER/GID LLC	200 QUALITY DRIVE	29	64	6A	\$14,985,000	13.56
	100924	29-64-6B	400 QUALITY DRIVE LLC	400 QUALITY DRIVE	29	64	6B	\$6,500,000	15.80
	2930	29-70	NORTHEAST RECORD RETENTION LLC	91 WEST RIVER ROAD	29	70	\$2,500,000	6.78	
	2931	29-71	NORTHEAST RECORD RETENTION LLC	100 WEST RIVER ROAD	29	71	\$36,200	0.39	
	2932	29-72	WESTRIVER REALTY LLC	90 WEST RIVER ROAD	29	72	\$1,887,400	3.64	
	2933	29-74	IRVING OIL PROPERTIES NH CORP	86 WEST RIVER ROAD	29	74	\$1,300,000	4.17	
	2934	29-76-1	SHARON & BETH DEVELOPMENT LLC	400 TECHNOLOGY DRIVE	29	76	1	\$448,000	64.11
	2935	29-76-2	JMM HOOKSETT REALTY LLC	300 TECHNOLOGY DRIVE	29	76	2	\$3,337,800	13.13
	2936	29-76-4	READCO HOOKSETT LLC	100 TECHNOLOGY DRIVE	29	76	4	\$3,643,800	12.48
	2937	29-76-5	NH CENTER FOR CANCER MEDICINE	200 TECHNOLOGY DRIVE	29	76	5	\$1,323,900	7.44
	2938	29-77	NORTHEAST RECORD RETENTION LLC	108 WEST RIVER ROAD	29	77	\$53,200	8.00	
	3451	37-10	TOMBS 2004 TRUST, NICOLE Y.	38 WEST RIVER ROAD	37	10	\$921,700	1.40	
	3452	37-11	MANCHESTER WATER WORKS	18 KIMBALL DRIVE	37	11	\$273,900	6.58	
	3453	37-12	MANCHESTER WATER WORKS	27 KIMBALL DRIVE	37	12	\$8,700	2.00	
	3454	37-13	AN, KYUNG	11 KIMBALL DRIVE	37	13	\$2,243,500	6.60	
3442	37-2-1	GETTY NH LEASING INC.	28 WEST RIVER ROAD	37	2	1	\$2,198,500	6.15	
3443	37-2-2	14 CENTRAL PARK LLC	14 CENTRAL PARK DRIVE	37	2	2	\$10,300,000	15.07	
3444	37-2-3	MAGALLOWAY REALTY LLC	1 CENTRAL PARK DRIVE	37	2	3	\$495	10.14	
3483	37-43	AGREE EASTERN LLC	3 COMMERCE DRIVE	37	43	\$12,000,000	25.16		
104232	37-43-A	AGREE EASTERN LLC	2 COMMERCE DRIVE	37	43	A	\$14,527,000	16.99	
3484	37-44	BEMIS SAVOIE ROAD II LLC	11 BEMIS ROAD	37	44	\$1,443,200	4.82		
4932	37-5	DSM MB 1 LLC	30 MARKET DRIVE	37	5	\$9,034,300	18.76		
3448	37-6	TOMBS 2004 TRUST, NICOLE Y.	42 WEST RIVER ROAD	37	6	\$571,800	8.20		
3449	37-8	PINARD WASTE SYSTEMS INC.	32 WEST RIVER ROAD	37	8	\$490,600	1.01		
3450	37-9	AOUDE INC	36 WEST RIVER ROAD	37	9	\$997,900	1.20		
100923	38-43-B	WINTERHILL REALTY TRUST LLC	38 KIMBALL DRIVE	38	43	B	\$247,100	3.01	
	Proposed TIF Total						\$211,682,847	1,467.15	
	Town of Hooksett Total						\$2,078,641,876	23,831.95	
	Proposed TIF Percent of Town Total						10.2%	6.2%	



Southern New Hampshire Planning Commission

438 Dubuque Street, Manchester, NH 03102-3546, Telephone (603) 669-4664 Fax (603) 669-4350
www.snhpc.org

November 4th, 2021

André L. Garron, ICMA-CM
Town Administrator
Town of Hooksett
85 Main Street
Hooksett, NH 03106

Mr. Garron:

Per the request from the Town of Hooksett, I have enclosed a draft parcel list for amending the existing Hooksett Route 3A Tax Increment Finance (TIF) District. The enclosed draft parcel list would expand the TIF district to an area East of the existing TIF district boundary as well as three parcels abutting the west boundary of the existing TIF district. The proposed parcels to the East are primarily zoned Mixed Use and represent a consistent grouping of future use parcels. The parcels to the West are proposed for inclusion in the TIF district in order to maintain the planned sewer improvements within the district bounds. The SNHPC staff is happy to revise this draft parcel list at the direction of the Town of Hooksett.

State RSA 162-K sets limitations on the size and value of a TIF District when it is amended. The SNHPC has calculated both the land area and assessed value of the proposed 3A TIF District using the enclosed draft parcel list to demonstrate that the proposed amendment to the TIF District is within the limitations set forth in the State's RSA. The State RSA 162-K:5 states the Limitations of Districts as follows:

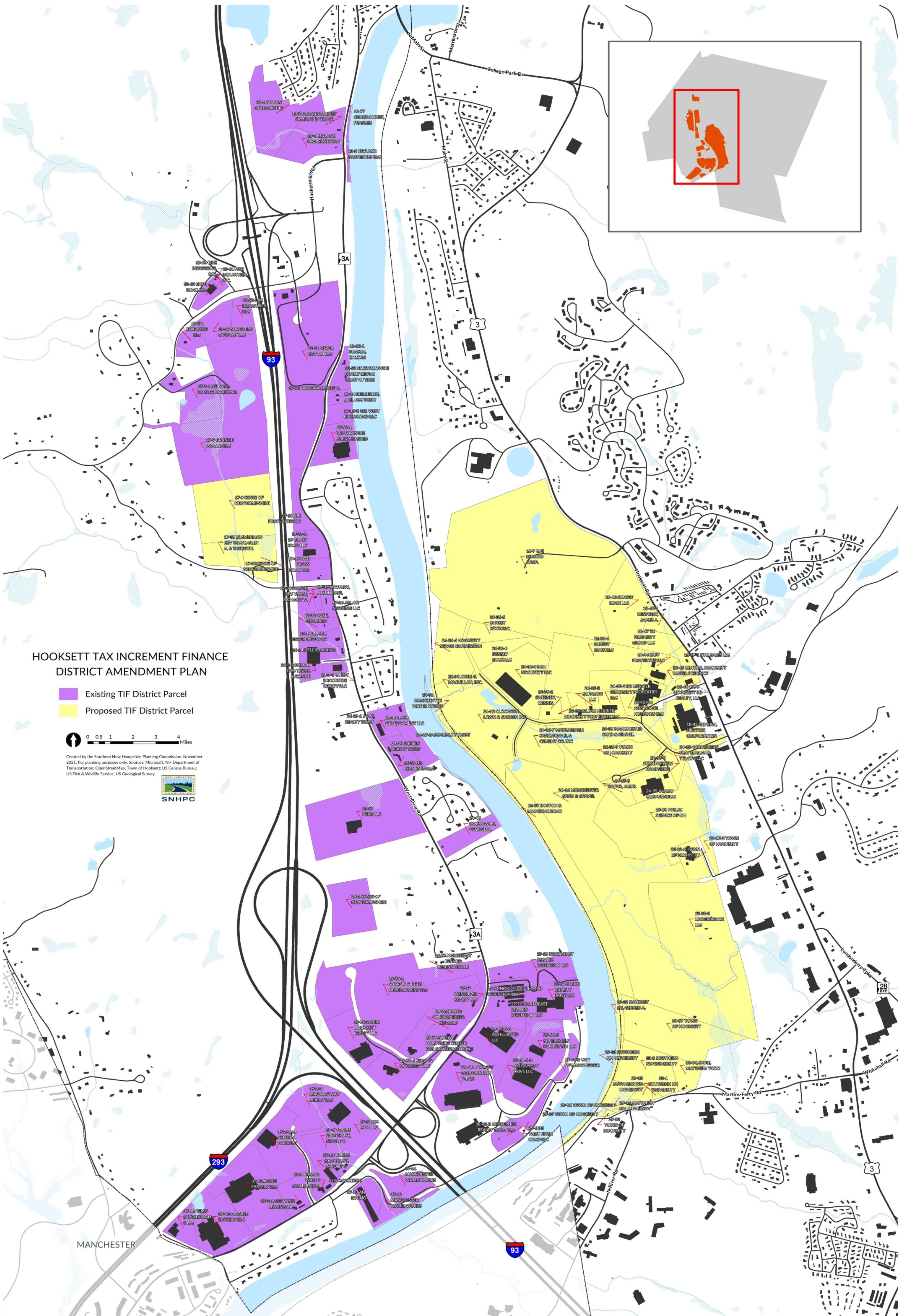
- I. *The total acreage included in any one development district ... when added to the total current acreage within the development districts for which bonds remain outstanding shall not exceed 10 percent of the total acreage of the municipality.*
- II. *The total assessed value of taxable real property of any one development district ... when added to the current total assessed value of taxable real property within development districts for which bonds remain outstanding, shall not exceed 16 percent of the most recent total assessed value of taxable real property in the municipality.*

The SNHPC analysis of the draft parcel list resulted in a proposed total TIF District area of 1,467.15 acres which is 6.2% of the Town of Hooksett's total taxable acreage. The total proposed TIF District value is \$211,682,847 which is 10.2% of the town's total assessed value before exemptions.

Sincerely,

James Vayo, AICP
Project Manager
Southern NH Planning Commission
438 Dubuque Street
Manchester, NH 03102

Enclosure: Draft Proposed Route 3A Tax Increment Finance District Amendment Map and Parcel List



Bruce Thomas

From: Steven M. Whitley <SWhitley@dwmlaw.com>
Sent: Tuesday, November 02, 2021 2:20 PM
To: Bruce Thomas
Cc: Matthew R. Serge; Andre Garron; 'dmercier@underwoodengineers.com'
Subject: RE: TIF District Question

Hi Bruce,
 Matt asked me to respond to your questions.

As between "will" vs. "shall", I don't think there is much difference in intended meaning. In other words, either of those conveys that the provision or term is mandatory and so either is fine. Whereas, "may" or "could" denotes a permissive term and that the other party has some discretion on whether to take the described action. You already have it in the document as "shall" and that works; each party should understand that those terms are mandatory.

The paragraph in bold on page 3 also appears fine. Did you have any specific concerns related to this language? It allows Granite Woods to transfer its rights and obligations under the MOU to a related entity provided that subparagraph items (i-iii) are satisfied; if the transfer complies with this language, the town cannot prevent the transfer. If the town has concerns about such a transfer, the town could ask to add an additional "iv" that the affiliated-entity-transferee has sufficient expertise and/or experience with the magnitude and type of infrastructure development to carry out the obligations of the MOU in a timely and satisfactory manner. If the contemplated transfer is to an unaffiliated entity, the town does have the discretion to prevent the transfer provided there is a reasonable basis for doing so.

Your other question related to the use of TIF increments contemplated for water/sewer work taking place outside of the present boundaries of the TIF district. I recommend the town either move the water/sewer line to within the present TIF boundary or amend the TIF district to add additional property(ies) so that the water/sewer work is wholly within the TIF.

There is nothing in the TIF statute (RSA 162-K) that explicitly authorizes the use of TIF increments on projects that extend beyond the confines of the TIF. Based upon the language of RSA 162-K:6, III, I believe the intent is that the use of TIF increments is limited to the properties within the TIF district:

"III. In conformity with the development program, within the district, the municipality may:

- (a) Acquire, construct, reconstruct, improve, alter, extend, operate, maintain or promote developments aimed at improving the physical facilities, quality of life and quality of transportation;
- (b) Acquire real property or easements through negotiation or through powers of eminent domain, except that property acquired through powers of eminent domain shall be put to public use, as defined in RSA 162-K:2, IX-a;
- (c) Adopt ordinances regulating the use of public parking structures and other facilities constructed within the development district and access to them and the conditions under which such access is allowed. Traffic regulations may include, but shall not be limited to, direction and speed of traffic, kinds of service activities that will be allowed in arcades, parking structures and plazas, and rates to be charged in the parking structures;
- (d) Require construction of buildings within the district so as to accommodate and support pedestrian systems which are part of the program for the development district. When the municipality requires for the public

benefit the construction of columns, beams or girders with greater strength than required for normal building purposes, the municipality shall reimburse the owner for the added expense from development district funds;

- (e) Install lighting systems, street signs and street furniture, landscaping of street and public property, and snow removal systems compatible with the character of the district;
- (f) Acquire property for the district;
- (g) Lease air rights over public property and spend public funds for constructing the foundations and columns in the public buildings strong enough to support the buildings to be constructed on air rights;
- (h) Lease all or portions of basements, ground and second floors of the public buildings constructed in the district; and
- (i) Negotiate the sale or lease of property for private development if the development is consistent with the development program for the district."

The town could leave the TIF district as is and make the argument that as currently contemplated the use of TIF increments satisfies the spirit of 162-K because the work outside of the district is de minimis and essential to the functioning of the project within the district. But if challenged, that would be expensive, could delay development, and a reviewing court could disagree. Rather than take that risk, I recommend the town err on the side of caution and relocate this portion of water/sewer line or simply amend the TIF district.

Note that enlarging the TIF district boundaries is explicitly allowed: "The area of a district may be enlarged following the date of designation of the district." RSA 162-K:5. Enlarging the district can be done by the Town Council and requires a public hearing (with 7 days advance notice posted in 2 public places or publication in the paper), waiting at least 15 days, and then a Council meeting where the Council votes to expand. If expanded, the town should also revise Sect. V of the TIF Development Program to update the expanded TIF district's conformance with 162-K:5 (limitations on size or assessed value within TIF). As I understand it, the Council is already planning to amend the TIF development plan, so enlarging the TIF boundary could happen at the same time.

If you have any questions about this, just let me know. Thanks,
Steven

Steven M. Whitley
Attorney
Drummond Woodsum
603.792.7434 Direct | SWhitley@dwmlaw.com

From: Bruce Thomas <BThomas@hooksett.org>
Sent: Monday, November 1, 2021 2:34 PM
To: Matthew R. Serge <MSerge@dwmlaw.com>
Cc: Andre Garron <agarron@hooksett.org>; David Mercier <dmercier@underwoodengineers.com>
Subject: FW: TIF District Question

Hi Matt,

In addition to the issues below, attached is the latest version of the draft agreement with Granite Woods. The question came up of whether I was using the term "Shall" correctly or should it be "will" in some instances. "Shall" is shown in bold format in all instances.

Also, please review the paragraph in bold format on page 3.

Thank you,

Bruce A. Thomas, P.E.
Town Engineer
35 Main Street
Hooksett, NH 03106
(603) 419-4003
Cell: (603) 264-8508

From: Bruce Thomas
Sent: Thursday, October 28, 2021 4:08 PM
To: Matthew R. Serge
Cc: Andre Garron; David Mercier; Nicholas Williams; David Mercier
Subject: TIF District Question

Hi Matt,

We have another question about the TIF district. Shown on the attached plan, the sewer and water pipes are planned to exit then re-enter the TIF district. This is part of the system that the Developer will install and be reimbursed with his tax revenues (He pays the full amount of taxes and reimbursed for 60%).

The question is whether or not the sewer and water construction can be funded with the tax revenues even though it is out of the TIF district.

Also, the properties outside of the TIF district are zoned low density residential if that matters.

I'm hoping for an answer by Wednesday when we have a deadline for preparation for a public hearing about revising the TIF district.

Thank you,

Bruce A. Thomas, P.E.
Town Engineer
35 Main Street
Hooksett, NH 03106
(603) 419-4003
Cell: (603) 264-8508

Town Council STAFF REPORT



To: Town Council
Title: Tax Increment Finance District (TIF) – Request for Public Hearing to Discuss Funding Agreement between Town and Granite Woods Developer
Meeting: Town Council - 08 Dec 2021
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

Background Information:

The purpose of this agenda item is request that the Town Council schedule a public hearing at their January 5, 2022 Town Council meeting to present and take public comment on the proposed agreement between Granite Woods and the Town.

Project Description:

The Tax Increment Finance (TIF) Committee, Town Staff and Consultant Underwood Engineering have been working to expand the sewer system in the Route 3A Tax Increment Finance (TIF) District. Concurrently, the developer of the Granite Woods property (Port One Companies) has expressed interest in having sewer and water installed to his property. The Granite Woods property is on Hackett Hill Road and is situated along the east side of the Route 93.

The water and sewer installation to the Granite Woods property is expected to cost approximately \$7,000,000. It includes the installation of the pump station on the Tri-Town arena property and the installation of sewer lines from the pump station, through the neighborhood south of the pump station, up Cross Road a short distance, and cross country across properties owned by the State of New Hampshire to the Granite Woods property and to Hackett Hill Road.

The improvements will also include the installation of water lines and other utility accoutrements necessary to complete the water utility work from the Granite Woods property down Hackett Hill road underneath Rte 93 and then cross country to Rte 3A, and also cross country across properties owned by the State of New Hampshire to Cross Road and then down to Rte 3A thus creating the loop.

All of the sewer and water work will be designed by Underwood Engineering and the Hooksett Village Water Precinct and will be designed and constructed to acceptable standards. Costs of sewer and water that cross the Granite Woods property will be borne by the Developer.

Under the agreement, the Developer will finance and construct the sewer and water work. Once the additional taxes are realized, the Developer would be given tax credits to cover his bond payments.

Taxes collected over and above the bond payments would be utilized to develop other projects in the TIF District.

The Granite Woods Developers expect to pay approximately \$1,500,000 per year in taxes based upon a future re-assessment to reflect the as-built value of the development. In exchange for Developer's funding and performing the work to complete the Improvements, the Granite Woods property would pay a tax rate in the amount of 40% of the new property tax per year property tax per year as adjusted (annual consumer price index estimated at 2.39% per annum) for a period of 15 years. The remaining 60% of the new property tax would be paid directly by the Granite Woods property owner to its lenders and investors to offset financing costs attributable to the work. The 40%/60% split will hold true for the 15 year period regardless of what the actual tax rate is in any of the given years.

The Town Attorney's opinion regarding the legality of the Agreement is attached.

FINANCIAL IMPACT:

Future Taxation from the TIF District will be obligated to the Developer of the Granite Woods property.

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Recommendation to have the Town Council hold a Public Hearing at its January 5, 2022 Town Council Meeting to present and take public comment on the proposed agreement between Granite Woods and the Town.

SUGGESTED MOTION:

Motion to have the Town Council hold a Public Hearing at its January 5, 2022 Town Council Meeting to present and take public comment on the proposed agreement between Granite Woods and the Town.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Off-site Development MOU - Granite Woods Ver 11-3-21](#)
[Town Attorney Full Opinion on Granite Woods MOU](#)

DRAFT 11-3-21

MEMORANDUM OF UNDERSTANDING
**Tax Increment Finance District (TIF) – Proposed Agreement between Town of
 Hooksett and Granite Woods Development JV LLC**

WHEREAS, the Town of Hooksett (herein called the “Town”) and the Granite Woods Development JV LLC (the “Developer”) wish to have sewer and water utilities installed from the Tri-Town Ice Arena (where there is an existing sewer crossing from the west side of the river to the east side near the Hooksett Sewer Treatment Plant) to the Developer’s property on Hackett Hill Road known as parcel 17-7. The Improvements are critical to the development of these properties and for furthering economic growth in the Exit 11 area that will enable the development of other commercial projects in the area. Taxes collected from other development projects and any taxes collected from the Granite Woods property would be utilized to develop other projects in the TIF District.

WHEREAS, the Granite Woods property is situated on the south side of Hackett Hill Road and along the west side of the Route 93 and includes parcel 17-7.

WHEREAS, the Town has been working to expand the sewer system in the Route 3A Tax Increment Finance (TIF) District area that encompasses most of the properties along Route 3A between Exits 10 and 11.

WHEREAS, the water and sewer installation (the “Improvements”) to expand the water and sewer network in the area of Exit 11 and to the Granite Woods property are estimated to cost approximately \$7,000,000 not including carry costs associated with market rate origination fees, closing fees, rates of interest, or additional interest reserves required to secure the funds. On-site water and sewer installation work is estimated to cost approximately \$1,900,000.

WHEREAS, The Granite Woods property is currently paying annual property taxes in the amount of \$19,663.

WHEREAS, the Granite Woods property expects to pay approximately \$1,500,000 per year in taxes based upon a future re-assessment to reflect the as-built value of the development. For a period of fifteen years, each year after Granite Woods has made their annual tax payment in full to the Town, the Town will reimburse Granite Woods for funding and performing the work to complete the Improvements, in the amount of 60% of the assessed property tax within 45 days. The 60% reimbursement will hold true for the fifteen year period regardless of what the actual tax rate is in any of the given years. **The reimbursement funds shall be used solely to for repayment of costs associated with the Improvements.**

WHEREAS, The total benefit to the Town, including the value of the on- and off-site improvements plus the incremental revenue to the TIF District, is equal to approximately \$18,087,847.

DRAFT 11-3-21

WHEREAS, The total benefit to the Developer based on a 15-year term and per the aforementioned structure is \$303,869.

WHEREAS, the Town has funded, and will continue to fund, costs to Underwood Engineers, Inc. for the design and specification of the Improvements.

WHEREAS, “Improvements” shall include the installation of the pump station on the Tri-Town arena property and the installation of sewer and other utility accoutrements necessary to complete the sewer work from the pump station, through the neighborhood south of the pump station including (Westbank Road, Meadow Crest Road, and West River Road), up Cross Road a short distance, and cross country across properties owned by others to the Granite Woods property to Hackett Hill Road.

WHEREAS, “Improvements” shall also include the installation of water lines and other utility accoutrements necessary to complete the water utility work from the Granite Woods property down Hackett Hill road underneath Rte 93 and then cross country to Rte 3A and cross country across properties owned by the State of New Hampshire to Cross Road and then down to Rte 3A thus creating a water line “looped” system.

WHEREAS, All of the sewer and water work will be designed by Underwood Engineers, Inc. and will be constructed by the Developer to the standards of the New Hampshire Department of Environmental Services, the New Hampshire Department of Transportation, the Hooksett Sewer Commission, the Hooksett Village Water Precinct and the Town of Hooksett.

WHEREAS, The Town and Developer would agree to a formal Off-Site Development Agreement based upon this Memorandum of Understanding (MOU) whereby the Developer would privately fund the work (the “Funds”) required to expand the water and sewer network per the “improvements” defined above. The total required Funds are currently estimated to be \$7,000,000 and shall include all costs of construction within the Right of Ways and Easements including project bidding, project management, pipe, manhole, hydrant, gate valve installation, water and sewer services to the right of way lines or easement lines, all paving and pavement patching, erosion control, mobilization, construction inspection and traffic control and all other costs associated with such work (the “Construction”), but do not include the costs of water and sewer utilities across the Granite Woods property. Once final bids are received, and reviewed, the final terms of reimbursement will be adjusted if necessary and finalized.

WHEREAS, The Developer, as Guarantor of the Funds, would construct the Improvements through a Contractor approved by the Town and meeting the Town’s pre-qualification criteria according to the drawings and specifications (the “Contract Documents”) prepared by Underwood Engineers, Inc.. Underwood Engineers, Inc. would perform construction observation services throughout the water and sewer utility installation process to evaluate whether the “Improvements” are installed in conformance with the Contract Documents. Discrepancies in the work will be corrected by the

DRAFT 11-3-21

Contractor in a timely fashion. Underwood Engineers, Inc.'s construction observation services would be paid for by the Town. Each progress payment made to the Contractor by the Developer for the completed "Improvements" would need to be signed off on by the Town prior to release of payment to the Contractor.

WHEREAS, Once complete, the Improvements would be granted to the Town along with easement(s) across the Granite Woods property in perpetuity along with all fee revenue generated by daily usage of the Improvements.

WHEREAS, The Town would be responsible for obtaining permission from NH DOT to construct water and sewer utilities through their parcels on Cross Road and any other easements or permits required to permit construction of the Improvements per the Contract Documents.

WHEREAS, The Town will not be held liable in any way for the payback of the financing to construct the "Improvements", and in the event that the Developer defaults on its payment to its lenders and investors, or does not complete construction of the "Improvements", the Town will become the sole owner of the "Improvements" in whatever state they may be in at that time, with no liens or encumbrances.

WHEREAS, Notwithstanding anything to the contrary hereunder, Developer shall have the right, in its sole and absolute discretion but otherwise in accordance herewith, to assign all or a portion of its rights under this Memorandum of Understanding, by providing prior written notice of the applicable Transfer(s) to the Town by a date that is no later than ten (10) days prior to the then-scheduled Closing Date, along with copies of all reasonably related Transfer documentation, provided that the applicable Transferee entity (or entities) is (or are) an entity (or entities) in which either Developer, directly or indirectly, owns an interest, is related to or is otherwise affiliated with, provided the applicable Transferee

(i) Assumes in writing the obligations of Developer hereunder,

(ii) Agrees to be bound by the terms of this Memorandum of Understanding, and

(iii) Shall be deemed to have made any and all representations and warranties made by Developer hereunder. The Town shall have the right, in its sole and absolute discretion, to approve such Transfer to an unaffiliated entity which approval shall not be unreasonable withheld. In the event of such a permitted Transfer, original Developer (but not any parties also comprising part of the applicable Transferee) shall, to the extent of such Transfer, automatically be released from any liability under this Memorandum of Understanding.

(iv) The affiliated-entity-transferee has sufficient expertise and/or experience with the magnitude and type of infrastructure development to carry out the obligations of the MOU in a timely and satisfactory manner. If the contemplated transfer is to an unaffiliated entity, the town has the discretion to prevent the transfer provided there is a reasonable basis for doing so.

DRAFT 11-3-21

NOW, THEREFORE, the parties do mutually agree as follows:

- 1) Granite Woods Development JV LLC agrees to:
 - a) Provide the funding necessary to construct all sewer and water utility improvements as described above.
 - b) Provide for the construction (includes project management and traffic control) of the sewer and water utility improvements as described above.
 - c) **Provide documentation of all payments to costs associated with the improvements.**

- 2) The Town agrees to:
 - a) Obtain all required easements and permits as described above.
 - b) Provide final design documents for the “Improvements” described above.
 - c) Provide construction observation services for the “Improvements” as described above.

- 3) The Parties hereby acknowledge that this MOU represents the terms and conditions that Parties agree to be the basis of an Off-Site Development Agreement between Granite Woods Development JV LLC and the Town of Hooksett. The Parties do not rely upon any statement or representation made by any person, firm, or entity other than those set forth in this MOU.

- 4) Each person signing this MOU hereby represents and warrants that he or she has the full authority and is duly authorized and empowered to execute this MOU on behalf of the party for which he or she signs, and further acknowledges that they have had the opportunity to review this MOU with an attorney of their choosing prior to signing this MOU.

IN WITNESS WHEREOF, the Town of Hooksett and the Granite Woods Development JV LLC have executed this MOU this _____ day of _____, 2021.

Attest:

TOWN OF HOOKSETT

By: _____
 Andre L. Garron
 Town Administrator

Attest:

GRANITE WOODS DEVELOPMENT JV

DRAFT 11-3-21

LLC

By: _____
Peter W. Bartash
Manager

Bruce Thomas

From: Matthew R. Serge <MSerge@dwmlaw.com>
Sent: Monday, October 25, 2021 3:21 PM
To: Bruce Thomas
Cc: Andre Garron
Subject: FW: Hooksett Tax Increment Finance (TIF) District

Hello, Bruce. I am forwarding to you an email from my colleague Steven Whitley, who has provided a thorough analysis of the proposed agreement. I have reviewed the email and his advice appears sound. Steven is happy to discuss this further, if necessary.

Thanks.

-Matt

From: Steven M. Whitley <SWhitley@dwmlaw.com>
Sent: Friday, October 22, 2021 10:04 AM
To: Matthew R. Serge <MSerge@dwmlaw.com>
Subject: RE: Hooksett Tax Increment Finance (TIF) District

Matt,

You asked me to review the infrastructure funding proposal between Granite Woods (same as Port One I assume?) and the Town to evaluate compliance with the TIF statute (RSA 162-K) as well as the Town's TIF Development Program and Financing Plan ("the TIF plan"). As noted by Andre below, the arrangement contemplates:

- Granite Woods privately funding the infrastructure work;
- In exchange, for a 15 year period the town would only require payment of 40% of the taxes due; the remaining 60% that is not collected by the town would be paid by Granite Woods directly to its private investor to pay off the infrastructure improvement debt. In addition, the Town would enforce a fair share contribution to Granite Woods from future developments enjoying the benefit of the infrastructure improvements.

This is a creative idea. I've not seen this sort of arrangement though and I discussed with the other municipal and public finance attorneys who work in NH and they had not seen this either. In sum, our view is that the arrangement is not consistent with the Town's TIF plan, and more concerning, it contemplates an arrangement that is not authorized by RSA 162-K. As described in further detail below, the former can be addressed by amending the TIF plan. The latter (compliance with 162-K) is more difficult to resolve. I understand the goal was to avoid taking this request to town meeting and also to avoid this hitting the tax rate. The precise arrangement above cannot be corrected to be consistent with 162-K, but there is an alternative that might work from the Town's perspective but Granite Woods may not find it satisfactory.

TIF Plan-Noncompliance

The TIF Plan describes the Town issuing a bond and then using TIF increments to pay the debt service payments, with an agreement in place whereby the private developer commits to covering any shortfalls

between the debt service payments and the available TIF increments; all in an effort to fund the infrastructure development with no tax burden on the residents. TIF Plan, Sects. XIV & XV, pg. 10. Any leftover TIF increments are to be used as additional debt service payments or placed in escrow until enough accrues to fund another aspect of the TIF Development Plan. *Id.*, Sect. XIV. The TIF Plan does contemplate funding from private investors too (listed as a potential funding source), but does not provide any detail on what that might look like or specifically describe how TIF increments would reimburse the private investor. *Id.*

The Town's current TIF plan does not authorize the use of TIF increments to accept less than the full amount of taxes due, or to reimburse private parties and/or investors that may privately fund the infrastructure improvements, or to require a fair share contribution from those who benefit from the improvements in the future. The Town does have the power to amend the TIF plan, pursuant to RSA 162-K:9, IV & :4, and Sect. XVII of the Plan. Amending the TIF plan can be done by vote of the Council and requires 7 days advance public notice of a public hearing (posted in 2 public places or published in the paper) and then 15 days after that public hearing the Council may vote to amend. The use of TIF increments to pay private investors and to require fair share contributions could legally be included in the TIF plan; as discussed below, the arrangement regarding acceptance of less than all due property taxes cannot unfortunately.

RSA 162-K Noncompliance

The TIF statute, RSA 162-K, is fairly broad. I don't believe it can fairly be interpreted as authorizing the Town to *prospectively* agree on acceptance of less than the full amount of taxes due. Moreover, the state law that does authorize abatements likewise does not provide this authority. The relevant statutory language is below:

- The municipality shall adopt a tax increment financing plan for any development district established under this chapter. The plan shall allocate use of tax increments for retirement of bonds and notes, operation, maintenance and improvements in the district and for general municipal purposes. RSA 162-K:9.
- The municipality shall expend the tax increments received for any development program only in accordance with the tax increment financing plan. Tax increments shall be used only to pay off costs and administrative expenses incurred in developing the district. RSA 162-K:10, IV.
- Selectmen or assessors, for good cause shown, may abate any tax, including prior years' taxes, assessed by them or by their predecessors, including any portion of interest accrued on such tax. RSA 76:16, I(a).

By statute, use of TIF increments is limited to: retirement of bonds, operation/maintenance/improvements in the district, general municipal purposes, or to pay off costs and admin expenses incurred in developing the district. RSA 162-K does not address the arrangements described above; it speaks in broader terms and I believe it would be a losing argument to say that the above arrangement was intended to fall within that language even though broad. The tax abatement statute (RSA 76:16) does not help either as it speaks only to the current year's tax liability or prior years; not the future.

Alternative Arrangement

I do believe a valid alternative to the above exists, at least from the Town's perspective. It could take the form of:

1. Amending the TIF plan to include use of TIF increments to reimburse private investors for private borrowing or financing and also to require and enforce fair share contributions in certain situations. Amending the TIF plan can be done by vote of the Council and requires 7 days advance public notice of a public hearing (posted in 2 public places or published in the paper) and then 15 days after that public hearing the Council may vote to amend. RSA 162-K:9, IV & :4.
2. Granite Woods privately funds the infrastructure improvements as contemplated;

3. Granite Wood's is appropriately assessed taking into account those improvements as of April 1st of each tax year;
4. Granite Woods duly pays the property taxes based on those assessments, and the appropriate TIF increment would accrue from those payments;
5. For some agreed upon period, the Town makes a payment to Granite Woods, using TIF increments, equal to 60% (or some other agreed upon percentage) of the most recent tax bill during the agreed upon period (either for each tax payment or annually); the Town would thus retain 40% of these tax payments as contemplated above. Granite Woods could then pass that payment on to its private investor to pay down its infrastructure development debt or to reimburse itself for those payments already made. Note that this would require Granite Woods to front the money for the infrastructure improvements, and also likely the debt service payments.

This alternative is preferable because the TIF plan would contemplate this usage of TIF increments and the Town would be assessing, taxing, and receiving payment in full.

If Andre or the Council wish to discuss this further, just let me know. Thanks,

Steven

From: Andre Garron <agarron@hooksett.org>
Sent: Friday, September 24, 2021 10:57 AM
To: Matthew R. Serge <MSerge@dwmlaw.com>
Subject: Hooksett Tax Increment Finance (TIF) District

Good Morning Matt,

The Town of Hooksett's TIF Advisory Committee has been working with a group interested in developing within Hooksett TIF District. As you may be aware, Port One recently receive conditional approval to construct a 500,000 S.F. facility near exit 11 of the TIF district. Hooksett has been working with Port One to develop an agreement for them to construct or participate in the construction of water and sewer infrastructure that would both support their development and a significant portion of the infrastructure development, including a pump station, within northern section of the TIF district.

The developer's proposal (Attached- Titled: Offsite Development MOU), is to construct the infrastructure within this section of the TIF District, seek private bonding/debt to fund the installation of the infrastructure and for Hooksett to use the tax revenue derived from the 500,000 S.F. to pay them for the debt payments.

Also attached to this email is a copy of the March 23, 2017 approved TIF plan. Section XV (Pg 10.) Development Agreement, allows the town to enter into an development agreement with the developer towards the funding and implementation of the TIF plan. Section XIV (Funding Sources) lays out potential funding sources to advance the implementation of the TIF District.

My question is, given the language of section XV and XIV, if Hooksett wanted to proceed with the proposal offered by Port One, private financing of the deb and Hooksett reimbursing them for it, would that be allowable under Hooksett's TIF Plan and RSA 162:K?

If you need more information, please let me know.

Best,

André

André L. Garron, ICMA-CM
Town Administrator
Town of Hooksett
35 Main Street
Hooksett, NH 03106
603-485-1184 office
agarron@hooksett.org

Town Council STAFF REPORT



To: Town Council
Title: Tax Increment Finance District (TIF) – Status Report
Meeting: Town Council - 08 Dec 2021
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

Background Information:

The purpose of this agenda item is bring the Town Council up to date with the TIF District including discussions relating to the status of the project design, funding issues, and overall project schedule. Below is a description of the project. Additional information regarding the status will be provided at the Town Council meeting scheduled for December 8, 2021,

Project Description:

The Tax Increment Finance (TIF) Committee, Town Staff and Consultant Underwood Engineering have been working to develop a plan to provide sewer to the TIF District

The following is a description of the proposed work. Plans are provided that show the proposed locations of the sewer and water utilities. David Mercier of Underwood Engineering, and Bruce Thomas, Town Engineer will be available at the Town Council meeting to present and discuss each of these handouts.

Phase 1 and 2:

- Phases 1 and 2 will take place in the Exit 10 area. They will require a new pump station in the Kimball Drive area on property owned by Arleigh Greene and a second river crossing to connect the proposed sewer to the Martins Ferry Road pump station via force main (the first river crossing has been installed at the Tri-Town arena). The Martins Ferry pump station will have to be modified to accept the flows from the Exit 10 area.
- Phase 1 will require gravity sewer from the new pump station on Kimball Drive to Route 3A at the intersection of Goonan Road.
- Phase 2 will require gravity sewer from the new pump station on Kimball Drive to Route 3A just north of the self-storage facility.
- The sewers on Route 3A would be constructed by private entities (Walmart, Bass Pro Shops Market Basket, etc...). Agreements would be signed between the Town and these entities where the Town would not begin construction unless the entities agreed in advance to do their portion of construction. This resolves the issue of how much Walmart and the other companies should be required to contribute as their contribution would be the construction of the sewer to service their properties.

- Also added to Phase 1 is a water line from Vista Drive (off Pinnacle Hill) to Rt 3A just north of Hackett Hill Road. This is to connect the water tower to the water main on Rt 3A. This water main extension is required to achieve adequate flows and pressures to support the TIF area.
- Phase 3
- Phase 3 takes place in the Tri-Town Arena area and services the Granite Woods development, the Bayview Terrace neighborhood and ultimately Cross Street. It will also serve the Palazzi/Richie Brothers property and other properties in the area of Exit 11.
- Included under Phase 3,
 - The Tri-Town Pump Station (TTPS) would be constructed.
 - A new Gravity Sewer and water main would be installed from TTPS south to Cross Road and Rt 3A westerly on Cross Road and then north through two State owned properties and across their property to a designated point on Hackett Hill Road. Easements will be required from the State to cross their properties.
 - Others would construct sewer from the TTPS northerly to Hackett Hill road.

Phase 4

- Included under Phase 4 is a new Gravity Sewer along Rte 3A from Meadowbrook Lane to 124 West River Road (Rte 3A), and;
- A new water main to connect the Manchester Water Works system near Dunkin Donuts to the Hooksett Village Precinct's water system near Sunrise Boulevard.

FINANCIAL IMPACT:

To Be Determined

RECOMMENDATION:

None. For Information only.

SUGGESTED MOTION:

None. For Information only.

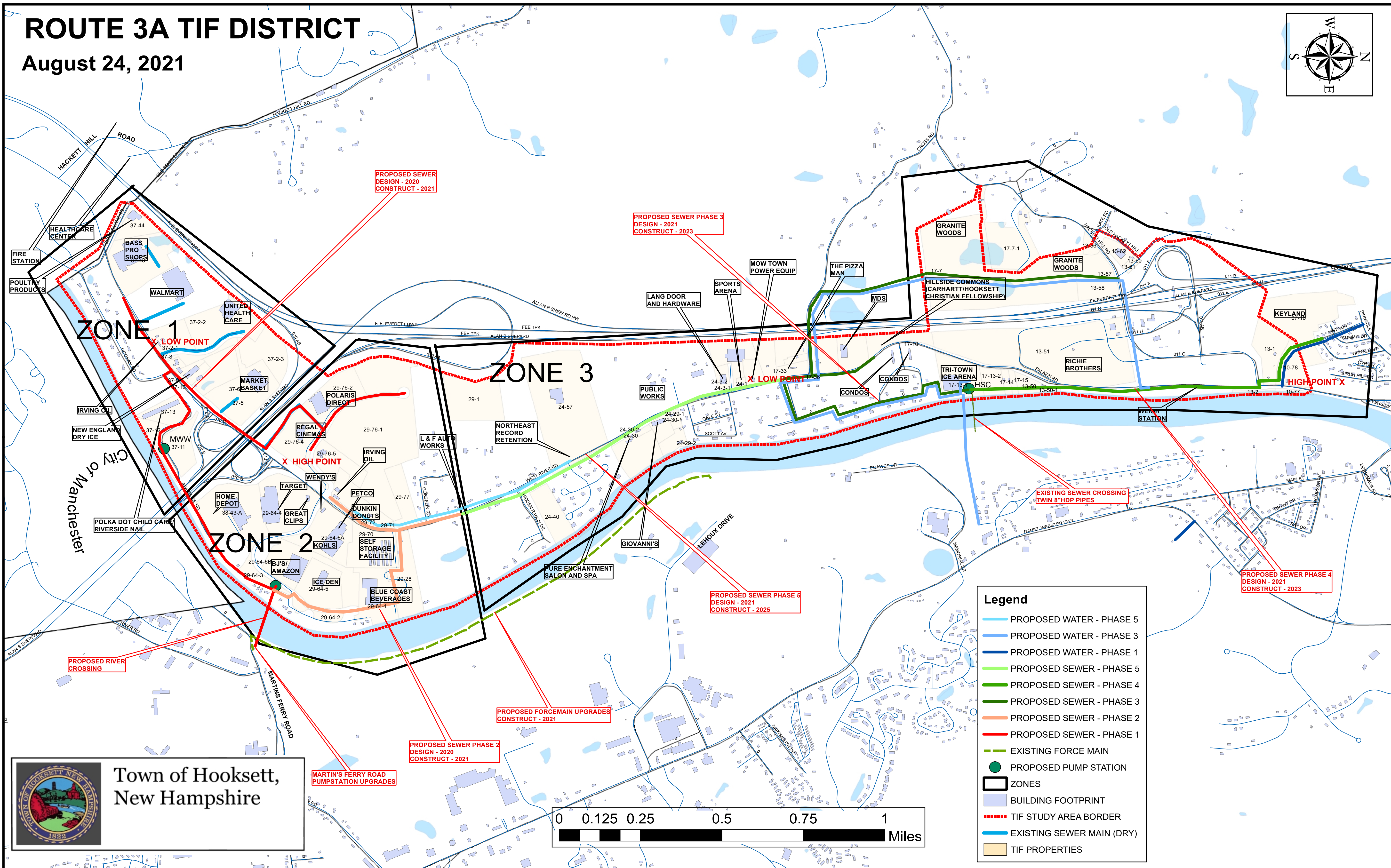
TOWN ADMINISTRATOR'S RECOMMENDATION:

Provide Town Council with a comprehensive update on the status of Hooksett's TIF District

ATTACHMENTS:

[TIF Plan with labels](#)

August 24, 2021



Town Council STAFF REPORT



To: Town Council
Title: Town Council Participation in 2021 (Tabled at Council 11/17/2021 Meeting)
Meeting: Town Council - 08 Dec 2021
Department: Town Council
Staff Contact: Randall Lapierre, Councilor

BACKGROUND INFORMATION:

At the November 17, 2021 regular Town Council meeting under New Business, Councilor J. Durand moved to vacate Councilor-At-Large C. Jones due to excessive absences (Lines 803-804 of the meeting minutes). The motion was seconded by Councilor C. Karolian. The motion was tabled by a vote of 8-0 by a motion made by Councilor R. Lapierre and seconded by Councilor D. Boutin. The motion to table was made to gather attendance records and compile this report for consideration by the Council.

Under Article 3 of the Town Charter, it states:

Sec. 3.2. Qualifications of Councilors. [excerpted]

"The Council is the sole judge of qualification for office. A majority of the Council may after investigation and hearing declare a vacancy if a member is ultimately convicted of a violation of the Town Charter. Council may also declare a vacancy if a member has missed three (3) regularly scheduled meetings in sequence, or has missed one quarter (1/4) of all meetings within one (1) calendar year, or has interfered with Administration, or falsified records, misapplied Town funds or property, or has been ultimately convicted of a Federal or State crime as a felon"

It continues:

"No two councilors elected at-large or appointed to fill a position at large shall be residents of the same district."

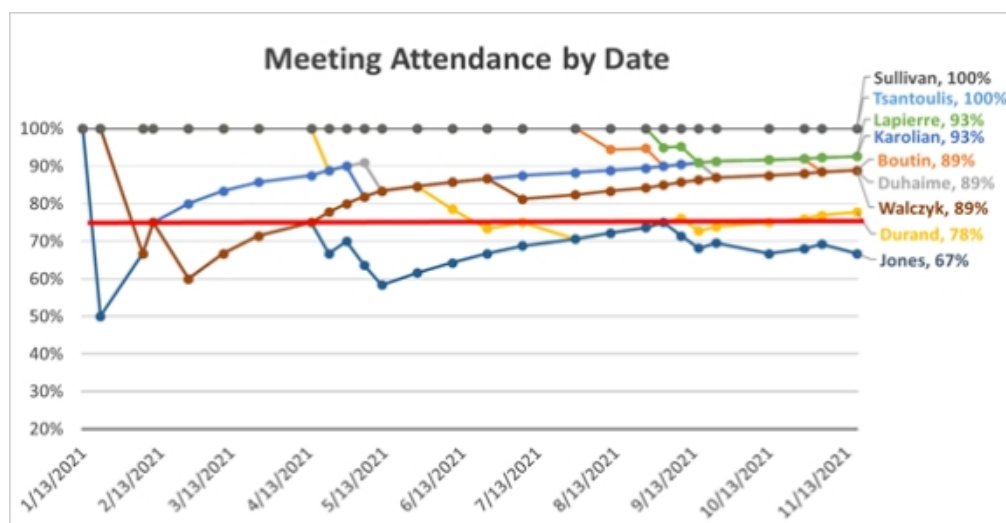
Additionally, on the subject of Vacancies:

Sec. 3.3. Vacancies.

"Vacancies occurring in the office of Councilor at any time shall be filled by a duly qualified member of said District by appointment by affirmative vote of the Council within thirty (30) days of a declared vacancy. If a tie vote is maintained after three (3) calls by the Council Chair, a special election will be held within thirty (30) days to fill such vacancy. Such appointed or elected appointee shall hold office until the next regular election. No appointments for councilor-at-large shall be in contradiction of Section 3.2."

Based on the attendance records at all meetings of the full council, the following chart was compiled. It shows Meeting Attendance by Date giving full credit to any Councilor that was present for any amount

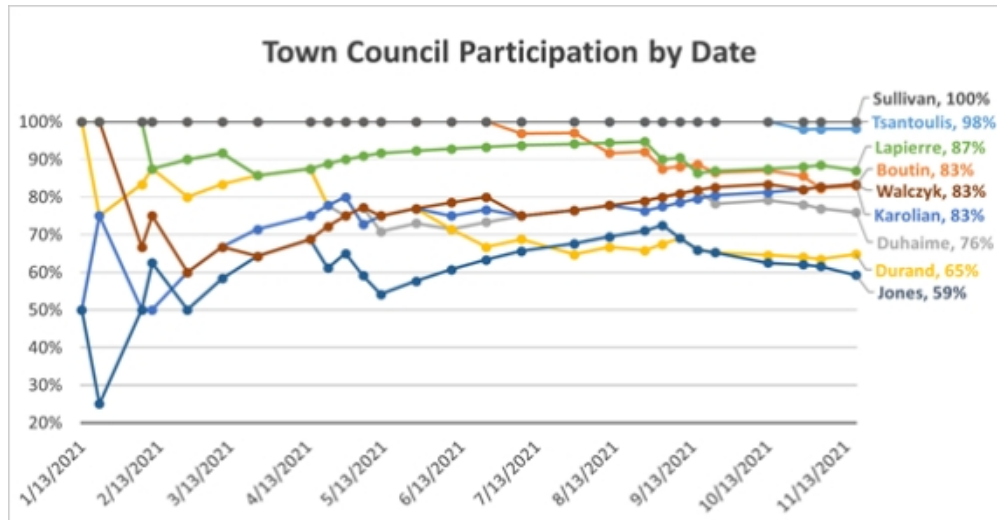
of time at each meeting. The suggested minimum meeting attendance in Section 3.2 of the Town Charter is 75%.



Since the beginning of the calendar year, three Town Council meetings were cut short due to lack of quorum.

Councilor	Fully Attended	Partial Attendance	Absent	% Full Attendance	% Total Attendance
Sullivan	27	0	0	100%	100%
Tsantoulis	26	1	0	96%	100%
Lapierre	22	3	2	81%	93%
Boutin	21	3	3	78%	89%
Walczyk	21	3	3	78%	89%
Karolian	20	5	2	74%	93%
Duhaime	17	7	3	63%	89%
Durand	14	7	6	52%	78%
Jones	14	4	9	52%	67%

In order to get a more complete picture on the participation of each councilor by date, a similar graph was made granting half participation for any councilor who attended a meeting but missed votes due to a late arrival or by leaving the council chambers before the meeting was adjourned. The following chart shows Town Council Participation by Date as measured by this metric.



The At-Large Councilors current seated on the Council are:

Chair J. Sullivan - District 2

Councilor A. Walczyk - District 5

Councilor C. Jones - District 4

FINANCIAL IMPACT:

An appointed Councilor is entitled to the quarterly stipend which is already budgeted. If Council does not successfully appoint a replacement within 30 days, a special election must be held within the next 30 days which would be before the Town elections in March.

RECOMMENDATION:

There is a motion on the table. A motion must be made to remove the item from the table and enter debate.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Town Council review the information prepared by Council Secretary, Randall Lappierre, regarding the attendance record of Councilor Jones.

Town Council STAFF REPORT



To: Town Council
Title: Accept value over \$5,000.00 from multiple donors now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II.
Meeting: Town Council - 08 Dec 2021
Department: Family Services
Staff Contact: Donna Fitzpatrick, Human Resource Coordinator

BACKGROUND INFORMATION:

Donations value over \$5,000.00 from multiple donors (see attached list) now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II.

The Family Services Department "Adopt a Family" has 30+ Hooksett families (80+ children) receiving donations of new clothing, toys and other gifts for the 2021 holiday season. At this time there are 30+ donors who have a wish list from these families for the distribution event date of December 18, 2021.

A special thank you to our Hooksett Food Pantry who also sponsors the Thanksgiving Food Drive to many of our Hooksett Families! Our Family Services Department assists with this program.

FINANCIAL IMPACT:

Donations

RECOMMENDATION:

Close public hearing and same night motion to Accept value over \$5,000.00 from multiple donors now and through the event for items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e, II.

SUGGESTED MOTION:

- 1) Waive Council Rules of Procedure to have public hearing and motion to accept same night
- 2) Motion to accept donations for value over \$5,000.00 from multiple donors (see attached list) for

items to include but not limited to new clothing and toys to the Town of Hooksett for the Family Services Department to benefit Hooksett children and families for the 2021 holiday season per RSA 31:95-e

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[Adopt a Family-Holidays 2021](#)

Donations listed below to include
but not limited to clothing, toys
with donors and donation value
below:

Lillian Marineau	100 Gift Cards	\$100.00
Alice Mullen	300 gift cards	\$300.00
Donor Name Christmas Gifts		
Carolyn Taylor	\$200.00	
Ruth Hanlon	\$100.00	
Mike Kotrlik Cub Scout Pack 292	\$400.00	
Jane Naleway	\$100.00	
Joan Lauterborn	\$100.00	
Pat & Dave Kenney	\$200.00	
Denise Casico Bolduc	\$100.00	
David Bowen	\$300.00	
Pauline J Elliot Girl Scout troop #10026	\$300.00	
Jennifer Stone	\$300.00	
Kevin & Robbie Grady	\$300.00	
Dale Aumann Cawley Builders Club	\$400.00	
Brook Ridge Ladies Group	\$400.00	
Mary Go Round	\$400.00	
Matthew Harding	\$200.00	
Bob Camire C/o N E Document Systems	\$500.00	
Melissa Shessier	\$200.00	
Barbara & Bob Thinnies	\$200.00	
Lindsey & Chris Marley	\$100.00	
Donna McCormack	\$100.00	
Hooksett Auxiliary	\$200.00	
Laura Zorawowicz	\$100.00	
Susan & Katey Auger	\$200.00	
Max Auger	\$100.00	
Cheri Wolff	\$100.00	
Lea Maguire c/o Cawley Middle School	\$400.00	
Lea Maguire c/o Cawley Middle School	\$400.00	
Crystal Hamel C/O Hooksett Legion	\$400.00	
Stacey LeBlanc	\$200.00	
Pam St Germain	\$100.00	
Above & Beyond Childcare	\$400.00	
Jennifer Roy	\$300.00	
Linda Szelog c/o little Apples	\$200.00	
Melanie Godbout C/O Hooksett Mer	\$400.00	
Heidi Sevigny	\$300.00	
Elise Harnisch	\$200.00	
	\$8,900.00	

Town Council

STAFF REPORT



To: Town Council
Title: Hooksett Drainage Improvements Project Award (Scott Avenue/Leroux Drive) for \$127,150.20
Meeting: Town Council - 08 Dec 2021
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The Town received proposals to replace a drainage system on Scott Avenue and repair erosion and construct a drainage system on Lehoux Drive.

The project was advertised in the Manchester Union Leader on October 25, 2021. It was also put on the Town website and sent to several contractors that do drain work. Nine bids were received and opened on November 18th, 2021. The low bidder was Advanced Excavating and Paving, LLC for \$127,150. The three lowest qualified bids were the following:

Contractor	Base Bid:
Advanced Excavating	\$127,150.20
N.E. Earth Mechanics	\$148,867.25
SUR Construction West	\$149,957.00

Note that Sean Bussiere provided a bid where the total (calculated by me) based on the unit price lines of his bid was \$38,683.80, but the bid total listed was \$145,000. I deemed this an unresponsive bid and did not include it in the results above.

The Staff recommends awarding the contract to Advanced Excavating for the Base Bid of \$127,150.20.

FINANCIAL IMPACT:

The award price of \$127,150.20 will be funded from the Drainage Upgrades account. Currently there is \$300,912.17 in the account. After completion of this project, \$173,761.97 will remain in the account.

POLICY IMPLICATIONS:

None

RECOMMENDATION:

To award the Drainage Improvements Project contract to Advanced Excavating and Paving, LLC for the bid price of \$127,150.20 and pay for the project from the Public Works Drainage Upgrades account.

SUGGESTED MOTION:

Motion to award the Drainage Improvements Project contract to Advanced Excavating and Paving, LLC for the bid price of \$127,150.20 and pay for the project from the Public Works Drainage Upgrades account.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[0000 Memo -Drain Project Award Recommendation](#)
[Drain Project Bid Tabulation](#)
[Drainage Upgrades Account](#)
[003 Scott Avenue Design Plan](#)
[002 Lehoux ACAD Plan Rev 11-16-21](#)

**Town of Hooksett
Community Development**

Memo

To: Andre Garron, Town Administrator
From: Bruce A. Thomas, P.E., Town Engineer *BA*
Cc: Earl Labonte, Christine Tewksbury
Date: November 23, 2021
Re: Drainage Project Bid Results

Bids were received to replace a drainage system on Scott Avenue and repair erosion and construct a drainage system on Lehoux Drive.

The project was advertised in the Manchester Union Leader on October 25, 2021. It was also put on the Town website and sent to several contractors that do drain work. Nine bids were received and opened on November 18th, 2021. The low bidder was Advanced Excavating and Paving, LLC for \$127,150. The three lowest qualified bids were the following:

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Note that Sean Bussiere provided a bid where the total (calculated by me) based on the unit price lines of his bid was \$38,683.80, but the bid total listed was \$145,000. I deemed this an unresponsive bid and did not include it in the results above.

I recommend awarding the contract to Advanced Excavating for the Base Bid of \$127,150.20.

The low bid is from Advanced Excavation. All of the required information is included with their bid. They also included an insurance certificate (that is not required at this stage). Advanced Excavation has successfully completed several projects for the Town recently including the Town's annual paving project two years ago, Grant Drive drainage project, the Winter Drive Drain Project, and improvements to the Riverside Drive Fire Station driveway. I recommend that we award the project to Advanced Excavation for their bid amount of \$127,150.20

Please contact me with any questions that you may have.

Town of Hooksett

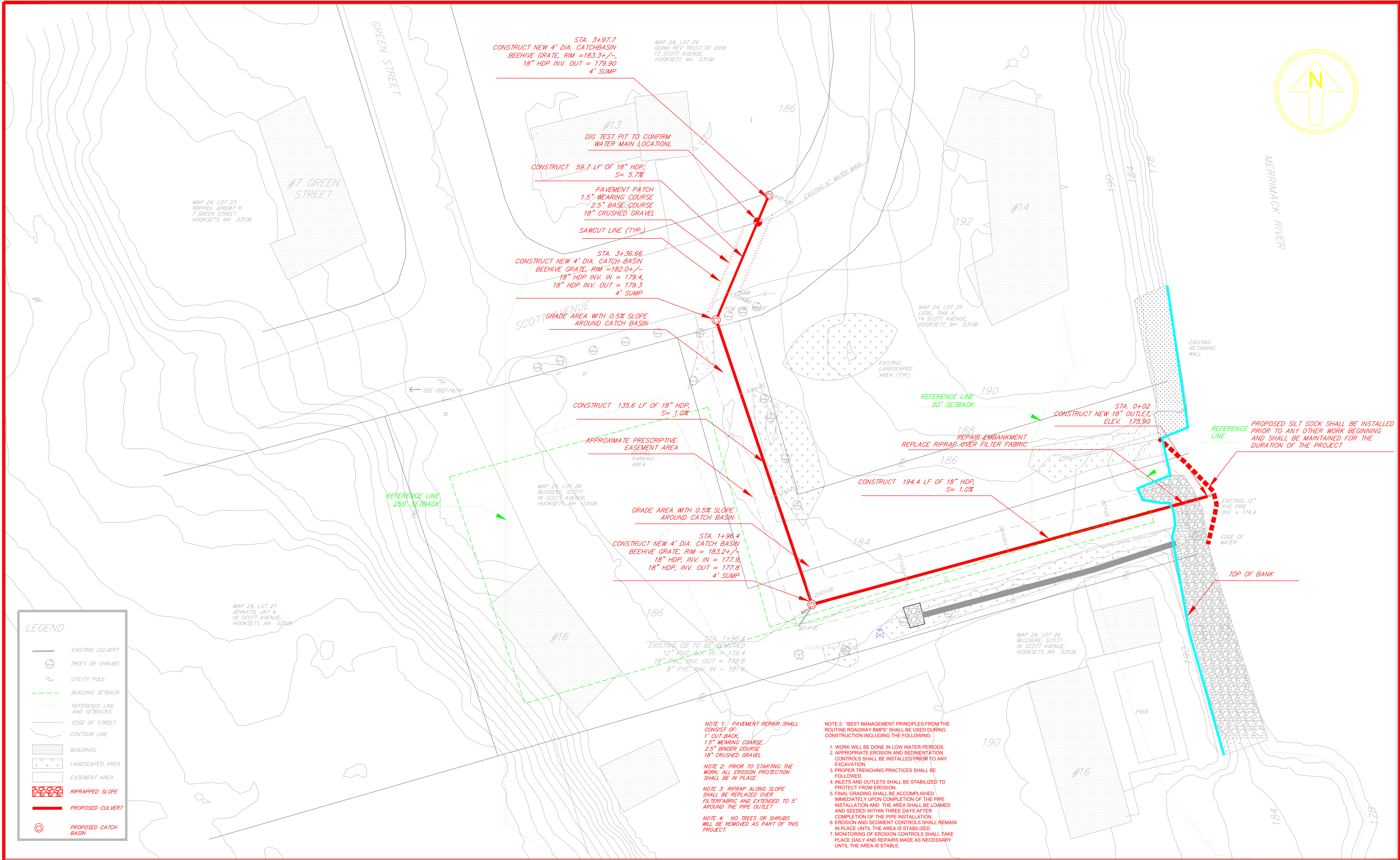
11/9/2021

Capital Reserves & Trust Funds

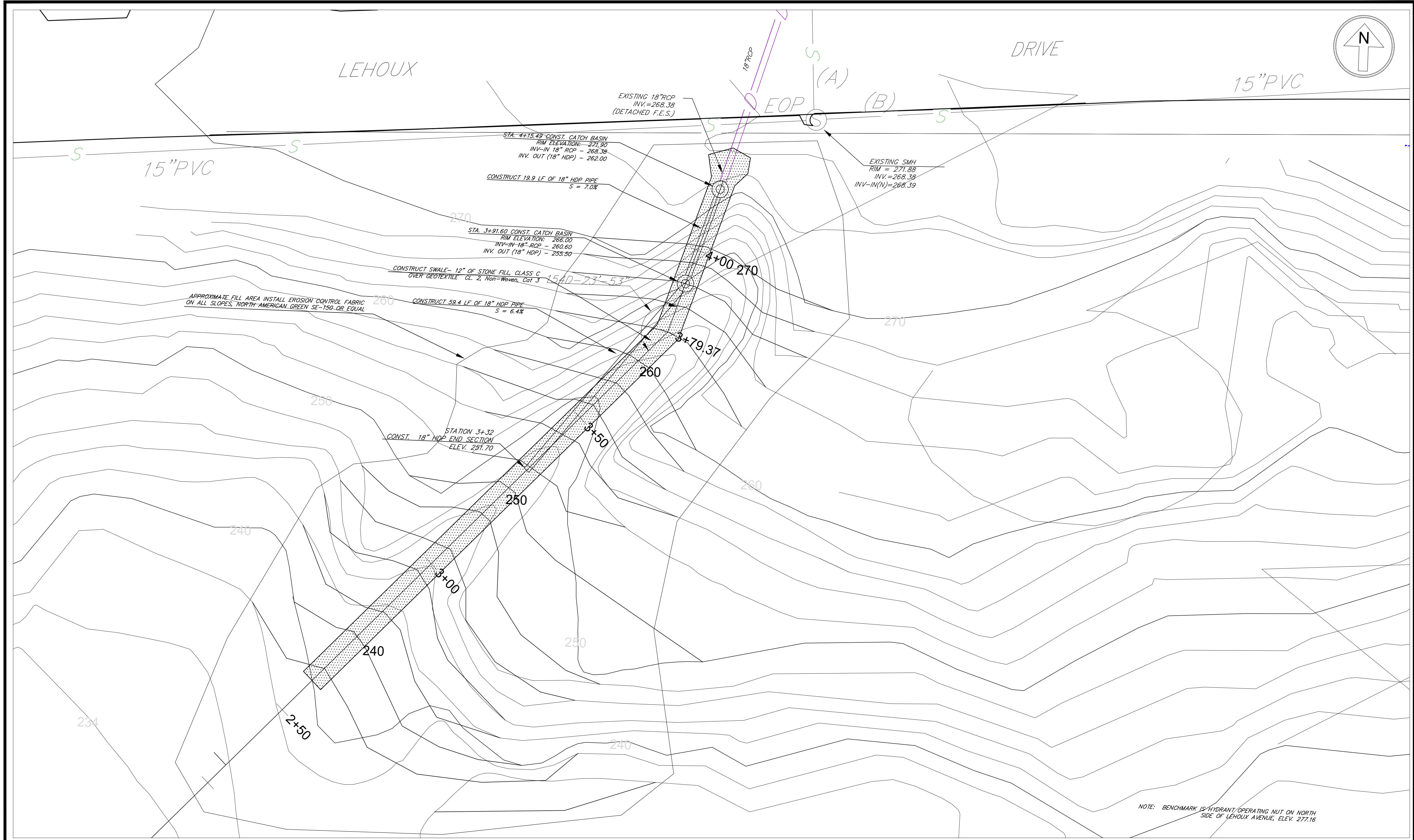
Departments	Project Name/ Description	Balances 7/1/2021	Deposits	Funds withdrawn	Interest	Amount Available 10/30/2021	Paid Invoices not yet withdrawn	Obligated but not spent	Amount Available to spend
Administration	Permanent Records Archiving System	26,203.54	-	-	2,664.31	28,867.85	-	-	28,867.85
Administration	Revaluation	101,968.14	20,000.00	-	12,395.41	134,363.55	-	-	134,363.55
Administration	Town Wide Digitized Mapping System	28,256.38	-	-	2,873.03	31,129.41	-	-	31,129.41
Administration	16 Main Street Town Hall Preservation	6,596.24	-	-	130.35	6,726.59	-	-	6,726.59
Administration	Conservation Land Improvements	41,898.55	10,000.00	-	5,273.92	57,172.47	10,500.00	859.06	45,813.41
Administration	Bicentennial Celebration	-	200.00	-	3.50	203.50	-	-	203.50
Administration	Retirement Expendable Trust	-	150,000.00	-	15,207.00	165,207.00	-	-	165,207.00
Comm Development	Right of Way for West Alice Ave	27,871.50	-	-	2,833.88	30,705.38	-	-	30,705.38
Comm Development	Town of Hooksett's Master Plan	18,430.82	-	640.00	1,873.87	19,664.69	-	-	19,664.69
Fire	Air Pack & Bottles for Fire Department	36,017.62	20,000.00	-	5,689.76	61,707.38	-	-	61,707.38
Fire	Fire Cistern	55,048.14	-	720.00	5,534.21	59,862.35	783.95	-	59,078.40
Fire	Fire Apparatus	481,691.85	250,000.00	-	74,321.97	806,013.82	-	665,456.00	140,557.82
Fire	Fire Rescue Equipment	34,930.82	35,000.00	1,812.00	7,099.61	75,218.23	11,623.55	21,256.45	42,338.23
Fire	Leon C Bosvert Fire Equip. (Interest only)	53,544.37	-	-	1,057.01	54,601.38	-	-	54,601.38
Police	Emergency Radio Communication	138,054.40	50,000.00	-	19,105.95	207,160.35	-	-	207,160.35
Police	K-9 Trust	18,168.12	-	4,732.97	348.22	13,783.37	1,538.20	-	12,245.17
Public Works	Drainage Upgrades	229,053.46	50,000.00	-	28,358.47	307,411.93	-	6,499.76	300,912.17
Public Works	Parks & Rec Facilities Development	152,026.66	25,000.00	-	17,992.10	195,018.76	43,390.00	38,050.50	113,569.26
Public Works	Town Building Maintenance	515,918.29	100,000.00	-	62,595.00	678,513.29	-	-	678,513.29
Public Works	Vehicles	88,494.53	200,000.00	-	29,273.85	317,768.38	-	211,634.00	106,134.38
Recycling & Transfer	Automated Collection Equipment	182,114.90	30,000.00	-	21,558.29	233,673.19	175,000.00	-	58,673.19
Recycling & Transfer	Sanitary Landfill	47,469.87	-	-	4,826.59	52,296.46	-	1,814.22	50,482.24
Sewer Commission	Plant & Composting Improvements	6,860,389.87	154,313.37	176,394.69	704,695.50	7,543,004.05	-	-	7,543,004.05
Sewer Commission	Property Enhancements	67,039.46	3,900.00	-	7,211.74	78,151.20	-	-	78,151.20
Sewer Commission	Vehicles & Equipment	180,930.27	71,452.34	-	19,229.82	271,612.43	-	-	271,612.43

Special Revenue Funds

Heritage Markers	5,706.26	1,225.00	725.00	0.89	6,207.15	-	-	-	6,207.15
Heritage Commission	30,989.75	2,140.00	1,547.54	4.93	31,587.14	-	-	-	31,587.14
Head's School	4,053.40	-	-	0.59	4,053.99	-	-	-	4,053.99
Conservation	374,863.31	85,000.00	11,995.20	62.31	447,930.42	2,292.26	25,086.05	-	420,552.11
Solid Waste Disposal Fund	603,815.36	50,711.30	-	92.31	654,618.97	274,500.00	-	-	380,118.97
Drug Forfeiture	11,957.73	2,528.00	-	1.76	14,487.49	-	-	-	14,487.49
Police Detail	373,593.44	49,283.00	51,136.29	51.19	371,791.34	-	39,419.50	-	332,371.84
Fire Detail	5,122.29	-	553.23	0.33	4,569.39	-	-	-	4,569.39
Recreation Revolving	156,215.95	90.00	71.52	23.30	158,217.73	-	-	-	158,217.73
Ambulance Service	328,846.76	168,611.34	111,742.83	11.01	385,726.28	96,343.04	5,834.94	-	283,548.30
School Impact Fee	221,685.98	148,086.00	316,287.08	32.67	53,517.57	-	-	-	53,517.57
Police Impact Fee	54,212.01	4,815.80	-	8.37	59,036.18	-	-	-	59,036.18
Fire Impact Fee	412,073.32	43,342.20	-	64.36	455,479.88	-	-	-	455,479.88
Public Recreation Facilities Impact Fee	186,055.22	25,203.00	50,061.52	28.98	181,225.68	-	-	-	181,225.68
Traffic/Roadway Impact Fee	998,350.94	46,860.00	-	151.02	1,045,361.96	-	-	-	761,452.96
Rte. 3A Infrastructure TIF	2,706,455.46	-	108,834.72	870.04	2,598,490.78	132,818.20	303,854.10	-	2,161,818.48



<p>TOWN OF HOOKSETT, HOOKSETT, NH</p> <p>PREPARED BY BRUCE A. THOMAS, P.E.</p>	<p>HOOKSETT DRAINAGE IMPROVEMENTS PROJECT</p>	<p>SCOTT AVENUE DRAINAGE PROJECT PROPOSED PLAN</p>	<p>DATE: JUNE, 2021 SCALE: 1" = 20' SHEET 2</p>
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TOWN OF HOOKSETT, HOOKSETT, NH	HOOKSETT DRAINAGE IMPROVEMENTS PROJECT	LEHOUX DRIVE EROSION REPAIR	DATE: 2021 SCALE: 1" = 20' SHEET 1
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Town Council STAFF REPORT



To: Town Council
Title: Council Discussion on Town Charter Amendment for Proposed New Zoning Article for the Hooksett Town Council to have the authority to introduce and amend the Town's Zoning Ordinance(s).
Meeting: Town Council - 08 Dec 2021
Department: Administration
Staff Contact: Donna Fitzpatrick, Human Resource Coordinator

BACKGROUND INFORMATION:

The Town Council, at their meeting of June 9, 2021, discussed creating the "Town Council Zoning Authority Charter Amendment Subcommittee". This subcommittee was then formed and met on 07/22/21, 08/19/21, 10/12/21, 11/4/21 and 11/18/21. The members assessed whether the Hooksett Town Council should have the authority to introduce and amend the Town's Zoning Ordinance(s). Currently, any Zoning Ordinance, Historic District Ordinance or Building Code or amendment to an existing Zoning Ordinance or Building Code proposed by the Hooksett Town Council or the Planning Board shall be submitted to the voters of the Town in accordance with the provisions of RSA 675:3.

The members evaluated Charter language from the seven (7) NH Town Council form of government communities (Bedford, Derry, Durham, Hooksett, Londonderry, Merrimack and Newmarket). Of these communities, the Town Councils in Derry, Durham, Londonderry, Merrimack and Newmarket have the authority to introduce and adopt zoning amendments as defined in their town charters.

The Town Council Zoning Authority Charter Amendment Subcommittee Proposes Town Charter Amendment for Proposed New Zoning Article for the Hooksett Town Council to have the authority to introduce and amend the Town's Zoning Ordinance(s). - see attached

POLICY IMPLICATIONS:

See attached proposed NEW Town Charter Zoning Amendment Article and Recommendation steps below.

RECOMMENDATION:

1) Council to motion to move the proposed Town Charter Amendment for Proposed New Zoning Article for the Hooksett Town Council to have the authority to introduce and amend the Town's Zoning Ordinance(s) for a public hearing at their meeting of January 5, 2022

These are the next steps in the process:

2) Public Hearing - open public hearing, listen to public input, close public hearing. If there are no further language changes of substantial impact, see below steps 2-4. If there are further language changes of substantial impact, then another public hearing is needed. - PH proposed for January 5, 2022

3) Town Clerk submit final language from the closed public hearing to DRA, AG & SOS for approval

4) DRA,AG & SOS approved language to be placed on Council Agenda for Council to make decision on placing on the March ballot - this Council meeting targeted for January 2022

5) If this item is on the March ballot, then up to the voters for the Charter Amendment

SUGGESTED MOTION:

motion to move the Town Charter Amendment for Proposed New Zoning Article for the Hooksett Town Council to have the authority to introduce and amend the Town's Zoning Ordinance(s) for a public hearing at their meeting of January 5, 2022

TOWN ADMINISTRATOR'S RECOMMENDATION:

Review the recommendation of the Town Council Zoning Authority Charter Amendment Subcommittee. the significant change with this proposal is changing the vote of zoning ordinance, building code and historic district changes from Town Meeting to Town Council. The Planning Board involvement with these types of amendments or new ordinances, is still maintained.

Hooksett Town Charter:

Sec. 3.6. Ordinances.

A. An ordinance may be introduced by any member at any regular or special meeting of the Council. Upon introduction of any ordinance, the Town Clerk or designee shall distribute a copy to each Councilor and to the Town Administrator, file a reasonable number of copies in the office of the Town Clerk, post a copy in such other public places as the Council may designate, and provide for publication in a local newspaper or newspapers of their choice seven (7) days prior to the public hearing on said ordinance. The full text of the proposed amendment or ordinance need not be included in the notice if an adequate statement describing the proposal and designating the place where the proposal is on file for public inspection is stated in the notice. Final action on said ordinance shall not be taken by the Town Council until at least seven (7) days after said public hearing.

B. Every proposed ordinance of the Council shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "The Town of Hooksett ordains ...". Any ordinance which repeals or amends an existing ordinance shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate matter to be omitted by enclosing it in brackets or by strikeout type, and shall indicate new matter by underscoring or by italics.

C. Every ordinance, including zoning ordinances and building codes, shall take effect upon passage and publication as ordinances required by law or at a later date as specified by the ordinance. No ordinance shall be introduced and adopted during the same meeting, except emergency ordinances.

D. All ordinances, including any amendments thereto, shall be recorded in full, uniformly and permanently, by the Town Clerk, and each ordinance so recorded shall be authenticated by affixing the signatures of the Council Chair and the Town Clerk and the Town Seal, and kept on file in the office of the Town Clerk. The Town Clerk shall be responsible for the systematic indexing, printing, publication and maintenance of the ordinances of the Town. Copies of any or all ordinances shall be available to the public, and the Town Clerk may charge a reasonable fee to defray the printing costs.

E. Upon passage, the ordinance shall be published in a newspaper of general circulation in the Town and posted on the official Town website.

F. Creation of, or amendments to, Zoning ordinances, historic district ordinances or building codes may be petitioned for by no less than two percent (2%) of the voters of the town and shall be established or amended in accordance with the procedures outlined under RSA 675:4. Any Zoning Ordinance, Historic District Ordinance or Building Code or amendment to an existing Zoning Ordinance or Building Code proposed by the Council or the Planning Board shall be submitted to the voters of the Town in accordance with the provisions of RSA 675.

Replace with the following:

3.6.F *The Council may adopt, amend or repeal zoning ordinances, historic district ordinances, or building codes after the Planning Board holds at least one public hearing in accordance with RSA 675:7. The hearing must occur within [30 days] of the introduction of a proposed change, and conclude with a vote by the Planning Board on a recommendation. In addition, creation or amendment to zoning ordinances historic district ordinances or building codes may be petitioned for by no less than two percent (2%) of the voters of the town and shall be established or amended in accordance with the procedures outlined under RSA 675:4.*

If the charter amendment is passed, changing the vote on zoning amendment, Building codes and district ordinances, from Hooksett Voters to Town council, then the following should also be amended in the zoning ordinance.

HOOKSETT ZONING ORDINANCE AMENDMENTS-Section 35 - Amendments

This Ordinance may be amended by a majority vote of any legal Town Meeting Town Council, following the procedures set forth in the Town Charter, ~~when such amendment is published in the warrant calling for the meeting.~~ A Public Hearing must be held, notice of which shall meet the requirements to RSA 675:7

Town Council

STAFF REPORT



To: Town Council
Title: Discussion to amend the Town Charter to Reflect State Law Allowing Five (5) Alternates on the Zoning Board of Adjustment
Meeting: Town Council - 08 Dec 2021
Department: Community Development
Staff Contact: Leann Fuller, Community Development Clerk

BACKGROUND INFORMATION:

Section 11.2 of the Town Charter reads "Zoning Board of Adjustments. There shall be a Zoning Board of Adjustment appointed by the Council, consisting of five (5) members each serving a three (3) year term and three (3) alternates each serving a three (3) year term. Such terms shall be staggered. The Council shall fill any vacancy for the period of the unexpired term. The Zoning Board of Adjustment shall have all the powers granted to such boards under state law."

RSA 673:6, I. (a) The local legislative body may provide for the appointment of not more than 5 alternate members to any appointed local land use board, who shall be appointed by the appointing authority. The terms of alternate members shall be 3 years.

The recommended amendment would be as follows: "Zoning Board of Adjustments. There shall be a Zoning Board of Adjustment appointed by the Council, consisting of five (5) members each serving a three (3) year term and ~~three (3)~~ five (5) alternates each serving a three (3) year term. Such terms shall be staggered. The Council shall fill any vacancy for the period of the unexpired term. The Zoning Board of Adjustment shall have all the powers granted to such boards under state law."

RECOMMENDATION:

Council to motion to move the proposed Town Charter Amendment to allow five (5) alternates on the Zoning Board of Adjustment to a public hearing at their meeting of January 5, 2022 pending Attorney review of the proposed amendment.

Next Steps:

1. Receive comments from the Town Attorney.
2. Public Hearing- open public hearing, listen to public input, close public hearing. If there are no further language changes of substantial impact, see below steps 2-4. If there are further language changes of substantial impact, then another public hearing will be required.
3. Town Clerk submit final language from the closed public hearing to DRA, AG & SOS for approval.
- 4) DRA, AG & SOS approved language to be placed on Council Agenda for Council to make decision on placing on the March ballot - this Council meeting targeted for January 2022.
- 5) If this item is on the March ballot, then up to the voters for the Charter Amendment

SUGGESTED MOTION:

Motion to move the proposed Town Charter Amendment to allow five (5) alternates on the Zoning Board of Adjustment to a public hearing on January 5, 2022 pending Attorney review of the proposed amendment.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur. The Zoning Board of Adjustment Chair, Annie Stelmach, has stated that this Charter change would help with the attendance and quorum issues that have been a struggle over the last several years.

ATTACHMENTS:

[ZBA Town Charter Section](#)

[Section 673.6 Appointment, Number and Terms of Alternate Members](#)

- C. Budget Committee. The Budget Committee shall consist of nine (9) members, elected at-large for three (3) year terms (terms to be staggered so that three (3) members are elected each year); one (1) member chosen by the school board of each school district; one (1) member chosen by the Town Council; one (1) member chosen by the commissioners of each water precinct. Refer to RSA Chapter 32.
- D. Other Administrative Committees. Other administrative boards and committees may be established as necessary by the Town Council.
- E. At least annually, and more often if Town affairs warrant, the Town Council shall meet with the chairs of all standing town committees to review significant actions taken by the committees, projects currently under discussion, and anticipated activity for the coming year.
- F. Alternates of any committee, board or commission shall be considered first when a vacancy of a regular member occurs.
- G. Board of Assessors. There shall be a Board of Assessors consisting of three (3) members and one (1) alternate who shall be appointed by the Council annually at the Council's first meeting. Each member of the Board shall be a sitting Town Councilor. The Board of Assessors is empowered by the Town Charter and guided by State Statute, Department of Revenue and local legislation.

Sec. 11.2. Judicial Board.

Zoning Board of Adjustments. There shall be a Zoning Board of Adjustment appointed by the Council, consisting of five (5) members each serving a three (3) year term and three (3) alternates each serving a three (3) year term. Such terms shall be staggered. The Council shall fill any vacancy for the period of the unexpired term. The Zoning Board of Adjustment shall have all the powers granted to such boards under state law.

Sec. 11.3. Terms of Office.

The terms of office of all members of appointed boards shall begin on July 1 and end on June 30. If an appointee receives an appointment subsequent to July 1 of the year in which the term of office originally commenced, the term to which the person was appointed will end June 30 in the year that it was scheduled to end.

Sec. 11.4. Vacancies in Elected Office.

Unless otherwise specified in this Charter, in the event of a vacancy in an elected office, board or commission of the Town, the Council shall fill that vacancy by appointment, such appointment to continue until the next Town election.

12/1/21, 9:26 AM

Section 673:6 Appointment, Number and Terms of Alternate Members.

TITLE LXIV PLANNING AND ZONING

CHAPTER 673 LOCAL LAND USE BOARDS

Appointment and Terms of Local Land Use Board Members

Section 673:6

673:6 Appointment, Number and Terms of Alternate Members. –

I. (a) The local legislative body may provide for the appointment of not more than 5 alternate members to any appointed local land use board, who shall be appointed by the appointing authority. The terms of alternate members shall be 3 years.

(b) In a town which votes to elect its planning board members on a staggered basis according to the provisions of RSA 673:2, II(b)(2), alternate members of the planning board shall continue to be appointed according to the provisions of this paragraph until each member of the board is an elected member. Thereafter, the alternate planning board members shall be appointed according to the provisions of paragraph II.

II. An elected planning board may appoint 5 alternate members for a term of 3 years each, which shall be staggered in the same manner as elected members pursuant to RSA 673:5, II.

II-a. An elected zoning board of adjustment may appoint 5 alternate members for a term of 3 years each, which shall be staggered in the same manner as elected members pursuant to RSA 673:5, II.

III. The alternate for a city or town council member, selectman, or village district commission member shall be appointed by the respective council, board, or commission in the same manner and subject to the same qualifications as the city or town council member, selectman, or village district commission member under RSA 673:2. The terms of alternate members shall be the same as those of the respective members and may be in addition to the alternates provided for in paragraph I.

IV. Every alternate member appointed to a planning board under this section shall comply with the multiple membership requirements of RSA 673:7, I.

V. An alternate member of a local land use board may participate in meetings of the board as a nonvoting member pursuant to rules adopted under RSA 676:1.

Source. 1983, 447:1. 1986, 29:1. 1987, 197:1. 1991, 176:1. 1993, 69:2. 1996, 217:1. 2010, 270:1, eff. July 6, 2010. 2017, 143:1, eff. Aug. 15, 2017. 2019, 105:1, eff. Aug. 20, 2019.

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, November 17, 2021**

The Hooksett Town Council met on Wednesday, November 17, 2021, at 6:05 in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the meeting of 17 Nov 2021 to order at (6:05) pm.

PROOF OF POSTING

Human Resource Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL

In Attendance: Councilor James Sullivan, Councilor John Durand, Councilor Randall Lapierre (arrived at 7:21), Councilor Roger Duhaime (arrived at 6:07), Councilor David Boutin, Councilor Timothy Tsantoulis, Councilor Clark Karolian, and Councilor Alex Walczyk.

Absent: Councilor Clifford Jones

PLEDGE OF ALLEGIANCE

Chair Sullivan offered a moment of silence for Henry Roy who was a Town Councilor for 6 years, a member of the Police Commission, Trustee of the Trust Funds and among many other things Treasure of Hooksett School District.

AGENDA OVERVIEW

Chair Sullivan gave an overview of the proposed agenda. Announced that 6.2 and 6.3 have been postponed due to issues with posting.

PUBLIC HEARINGS

6.2 and 6.3 are canceled due to issues with posting.

Public Hearing (per Town Council Rules of Procedure #18) - Expanded 3-day Old Home Day (2022 only)

Chairman Sullivan opened the Public Hearing at 6:10 stating that under the council rules of procedure #18 this a courtesy public hearing and does not require public notice a possible 3-day weekend for the Bicentennial in 2022.

Andy Janos 39 Main Street- I took a survey around the neighborhood, I did not go to everyone in the neighborhood I just did the immediate houses around Town Hall that would be affected the most. In 2018 a 3-day OHD was discussed and rejected, a 3-day dock dog event was discussed and rejected, there was rumors of Friday night movies. In 2017 we asked for a neighborhood notice to notify us in advance of upcoming events so we could give input and voice our concerns before decisions were made. Here we are again and nothing has changed I attended a Bicontinental meeting earlier this year and suggested that they ask the neighborhood for input. It was not even put in the minutes that I attended the meeting. Once again, the neighborhood is here discussing the same thing. Donati park is not a good choice for some of these events. It is a residential neighborhood with narrow streets. My mailbox has been hit 6 times and I cannot turn south out of my driveway without going into the opposite lane. Fun in the sun was finally moved to a better location. I can think of three location in Hooksett better suited to hold these events, not in congested neighborhoods, would have easier access in and out and would have no traffic impacts. When I reached out to those in the neighborhood they all answered yes that this area is too congested and this is not a good area to hold 3-day events.

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Candy Murphy 36 Main Street- I am very excited that we are going to be adding more activities in the Town of Hooksett, but like Andy says I would mind if we spread it around a little bit. We have a new pavilion that could be utilized, we have other fields that would be accessible to a lot of people. We also have Donati Park which is also very viable but is not the only spot to use. I am hoping that we will be informed in advance and that the neighbors should be told ahead of time as a courtesy.

David Ross 56 Sherwood Drive- I find it very troubling to hear that this has been going on every year for four years now to plan these events without notifying people that are most directly affected by it. You can't just willy nilly do thing without thinking a little deeper into it. To hear that every year we have to go through this and they have to go through their own initiative to bring it to your attention that they do not want this and that nobody asked them. I think you need to put a little extra weigh on the fact that you do have a citizen going through all this trouble to bring something to your attention.

Mark Nevo 42 Main Street- I just want to add my voice to those other citizens, I also find it strange that the citizens that are directly impacted by these activities especially this major one the Bicentennial a 3-day event that our voices are not being considered. Sometimes the people who are serving the citizens forget who they are serving. I'm not against the event, I am against the notices and I think serious consideration should be given how can we try to mitigate this to put this in a different place. I think the wall should go to Peters Brook. I remember when we were talking about the pavilion it had to go to Donati, and it ended up in Lambert because the citizens said no we don't want another facility in Donati Park. I ask that you mitigate during discussions how can we make this different to not impact the general area that you are going.

C. Karolian- I'd like to know what the cost factor is. The staff report says TBD, I don't know how we can vote on something that we don't know what the cost is going to be to the taxpayers. Seems those impacted the most do not want it.

T. Tsantoulis- as a responsible adult you need to be aware of what is going on around you. I don't think we need to be a nanny state where we come and tell you directly that we are going to be doing this. We have all sorts of media available including the agenda. If you are not aware of something perhaps you need to go out there and find out what's going on around you. The council is here and has a responsibility to serve the group of people in the Town of Hooksett not just a small group. You live next door to the Town Hall and Town property, most probably bought property after this building was here and it was a school at one point in time.

R. Duhaime- I live on Hackett Hill Road, I went to school here, this is where my heat is, I played on Donati field out there this is where I want events. This is where I feel the heart of Hooksett is. I don't want it somewhere else, I like it here, this is where I believe it should be, I don't know where you want to put the center of Hooksett but this is where I feel it is. I live on Hackett Hill Road and I notice it is getting busier and busier and there is nothing that I can do about it. That is just part of it. Nobody wants a cell tower in their backyard but everyone wants to use their cell phones. There are somethings that you have to realize in town that you are going to have to deal with. I understand that this is something else you don't want to see in this neighborhood. But all neighborhoods deal with similar issues. When you live next to Town Hall I think you would expect to have something like that and I am looking forward to more things at town hall and the town coming together. I know that they are talking about bike paths and more sidewalks, we are looking at having more people out in this town and we are going to have more activities, and that's what I'd like to see in this town.

J. Sullivan- we knew that the bicentennial was coming we started meetings over 1.5 years ago. Meetings and minutes were posted and shared. Notices have been posted, events have been posted, encouraging others to participate. I know 3 years ago Mr. Janos is correct, the first suggestion by the committee to expand the OHD weekend occurred 3 years ago, at that point the council decided no

105 because the timing was too close to the event. In 2020 and 2021 discussion was not had for expanding
 106 the event as OHD was cancelled. If you go to the Hooksett website under electronic alerts you can
 107 check off as many alerts that you want to receive. Anything that is posted under that particular activity
 108 you will be alerted to. The committee did discuss the best location for the memorial wall, and that has
 109 been well posted for May 5th thru the 8th, that is going to be a 4-day event in honor of our 200
 110 Anniversary. We did scrutinize for security reason. For future events we can discuss other locations.
 111 The area around Town Hall has been the location for many events. We have also used the old airport,
 112 and Mount St. Mary's. We are now 10-months out before the event is even going to occur. OHD, and
 113 the July 2nd event and the moving wall. There are events at Lilac crossing. We felt that having the 200
 114 celebrations here near Town Hall. Take the time to reach out and find the information. The newsletter
 115 does also include events that are occurring. We are not going to reconsider the July 2 and the moving
 116 wall will remain as it is already planned and set.

117
 118 C. Karolian- in response to my colleagues I agree we do represent everyone, not just the ones who live
 119 around Town Hall. I also feel we should spread it around instead of having it in one spot. It's only fair
 120 that other citizens get to have the enjoyment of having it in their neighborhood, that we should spread it
 121 around as opposed to having it in one spot. We have a lot of places in the town of Hooksett that we
 122 spend money on. We just spent over \$100,000 for a new Pavilion, there's plenty of places that we can
 123 do this. In response to that, yeah, we do serve everyone, so let's spread it around to everybody.

124
 125 ***D. Boutin- this memo that is in our packet is this for next year? Motioned to set up a Saturday***
 126 ***meeting in the gym so that the neighbors can discuss their concerns seconded by A. Walczyk.***
 127

128 A. Garron- if that were to happen do you want to invite the OHD Committee?
 129

130 D. Boutin- maybe those in the neighborhood want to be involved in the OHD committee. I am thinking
 131 after the new year on a Saturday, and invite all the neighbors to come in.
 132

133 J. Sullivan- if we do vote for that to happen, if this is for concerns for a 3-day weekend, we will still have
 134 the Saturday event. The Friday evening would be just an outdoor movie, and the other one would have
 135 been Sunday.
 136

137 J. Durand- were we to vote on this tonight?
 138

139 J. Sullivan- we don't have to vote on this tonight, I was not planning on asking for a motion to plan a 3-
 140 day event.
 141

142 J. Durand- I am confused as I would think that a public hearing is the same thing that D. Boutin is
 143 asking for tonight.
 144

145 **Roll Call Vote #2**

146 ***R. Duhaime Nay***

147 ***J Durand Nay***

148 ***C. Jones NP***

149 ***R. Lapierre NP***

150 ***A. Walczyk Aye***

151 ***D. Boutin Aye***

152 ***C. Karolian Nay***

153 ***T. Tsantoulis Nay***

154 ***J. Sullivan Nay***

155
 156 ***Vote failed 2-5 not in favor***

157
 158 D. Boutin- this is part of my district. What kind of forum are you going to give these people to speak.
 159
 160 J. Sullivan- your request to have another forum was voted down. The only opportunity we are having is
 161 tonight.
 162
 163 D. Boutin- so we are not going to listen to the neighborhood?
 164
 165 J. Sullivan- we are not going to listen to the neighborhood at another forum, tonight was the opportunity
 166 for the neighbors who have come in to discuss that. We are listening to them tonight, that is why we
 167 have scheduled it. Tonight, is to gain information from them.
 168
 169 A. Walczyk- you mentioned the e-alerts. Bicentennial and OHD is the best way to sign up for alerts?
 170
 171 J. Sullivan- if they signed up for the e-alerts then yes that would be the best way to be notified.
 172
 173 C. Karolian- for point of order and for clarification this Public Hearing was schedule and published for
 174 OHD and the expansion of it. Why are we talking about other things?
 175
 176 J. Sullivan- it was alluded because this was a special 3-day weekend in honor of the bicentennial we
 177 did Segway into the other events.
 178
 179 Marc Miville 42 Main Street- I am aware of the email notifications. I served the town for 13 years. I am
 180 wondering even if I set up an email notification alert for the bicentennial committee, what would change
 181 this vote tonight? If I attended those meeting or signed up for a e-alert, it still would not have changed
 182 the vote or discussion tonight.
 183
 184 Mrs. Chenette 40 Main Street- it was assumed from what I heard that we were ill informed, and that we
 185 don't look at the website and that we have no clue of what is going on, and that is erroneous. We have
 186 quite a bit of knowledge of what's going on, not only that I am a newbie and I moved in when it was a
 187 school here, all my neighbors have been here after me. I love having Town Hall here, and I love this
 188 park, I don't think anyone is oppose to OHD, we are just asking that it gets spread around the town.
 189 Someone mentioned, living on Hackett Hill Road, but how many events are in your area. To have every
 190 event in our background is hard. My mailbox is always getting knocked off and our lawn torn up and we
 191 have to reseed every year because people drive over our lawn. I have to check my mail when there is
 192 no traffic. I am thrilled about OHD we go to it every year. This community has so much land why can't
 193 we put different thing in different place so that it is not affecting the same people over and over, we are
 194 not newbies. This is an older neighborhood, please take that into consideration.
 195
 196 J. Durand- for clarification this area is my district not Mr. Boutin's.
 197
 198 Andy Janosz 39 Main Street- the alerts are just a heads up and doesn't help if you have already made
 199 a decision. Does us no good coming if you have already made up your mind.
 200
 201 Chair Sullivan closed the Public Hearing at 6:50pm. At our next December 8th meeting we will vote on
 202 the 3-day event for OHD.
 203
 204 R. Duhaime- there is no park on the westside of the river, it was voted down. We don't have a park on
 205 the westside, so we have to come over to this side of town.
 206 C. Karolian- why is it not being handled tonight and why is it being moved into December?
 207
 208 J. Sullivan- if you want to make a decision there is nothing stopping it.

TC MINUTES

11-17-2021

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C. Karolian motioned that we celebrate OHD as a 1-day event in September 2022, seconded by J. Durand.

Roll Call Vote #3

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

Vote 3-4 motion failed

R. Duhaime motioned that we celebrate OHD as a 3-day event in September 2022, seconded by A. Walczyk.

Roll Call Vote #4

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

Vote 4-3 motion passed

C. Karolian- so it is going to be a 3-day event?

J. Sullivan- it will be based on the original request it will be a Friday night movie, full day event on Saturday and half day on Sunday.

A. Walczyk- for clarification it does not say where these events are going to be just that it will be over 3-days.

J. Sullivan- based on there request it does not say its hold at any particular location.

SPECIAL RECOGNITION

A. Garron- for new hires we have a new Firefighter Paramedic Jonathan Duford. We have 3 employees leaving. Stephanie Costello leaving fire rescue, Tobey Gamache is retiring from Fire and rescue and Peter Miller will be leaving the recycling Transfer Center, and Brittany Overton was hired at the library.

PUBLIC INPUT - 15 MINUTES

Joanne McHugh 14 Jefferson Drive- I am here about your next item 9.1 for the YMCA. I was originally involved when we had fun in the sun, I am happy that they continued with it, as there is a need for it. Last year was the first year it went over to the memorial school, and I hear that it went well. I brought up last year and I was told that it was impossible to do at that time as the program had already been set in motion, and that was bringing the kids to swim lesson over to the Y or at Livingston pool. I think that allowing the kids to do the swim lessons is a good idea. I would ask that you consider that as it seems that you are in the planning stages. This camp has been going on for a long time, and we should be proud that we take care of the kids. I ask that you consider adding swimming lessons.

Paul Scarpetti 73 Falcone Lane- I agree we should work towards a private and public agreement, but why rush this they are still doing test boring, the engineering is not completed, the easements still need to be acquired. At the state level they have their own permits to take care of, they have improvements to do at the toll house and road improvements that have not been finalized. If you rush to sign it, it is going to go into a folder and sit for 6 months before they get all this stuff in place. The president just signed a trillion-dollar infrastructure bill. What will you do if they come and offer 7 to 9 million dollars and were locked into this agreement, make sure you have an out to get out of this with them. This is a loan any way that you cut it. Do we get a discount if we pay it off early? I'm on the Planning Board and I had made the comment that let's get this thing paid off in 5-years give them all the money right away, put a cap on it. Everyone is going to be affected by this. The terms as written now could have the developer realize a 20-30 million dollar return on a 7-9-million-dollar loan to the town. I appreciate them coming forward with a proposal, but it is a guaranteed loan whether the building fails or succeeds were still giving them that money back, and that money comes out of our pocket. They should not be making a huge profit off loaning us the money; a cap should be established. Even if you gave them the money back and 10% that's still a great deal and if we choose to pay it off sooner, we get a better discount. Port one should be making money off the rent of the building not off the taxpayers. They should be thrilled we are paying them back for the sewer and water improvements brought to their site. The state will not be reimbursing them back for the improvements they do to the roadways. I as a developer have always had to pay for the improvements, I never got any money back from any deal. When they came to the planning board this was not discussed we approved it to help them. The ZBA, Planning Board and this Council have worked very hard and long hours to make this happen and many individuals are helping and still helping at the state level to help these guys to get where they need to be. I find it disappointing that port one keeps threatening to cancel if we don't rush to sign it.

David Ross -I am still waiting to have an answer, or maybe a motion needs to be made. We need to have local storage of these meetings that happen in this room, not cloud storage. We need local storage here so that when the internet does not work if there is a need to recall meeting minutes and what happened in this room that it can be retrieved, that we are not dependent on someone else to give it to us. My concerns with the Underwood Engineering agreement that is going to be considered. Where are the guarantees. Bond securities, and TIF financing generally originates in the town. The town floats the bond, the town negates the rates and terms of the bond such as early payments, interest everything else about the bond, that's out job we don't farm that responsibility off to someone else. Bids for the work should not be handed over to someone else with the town being on the hook for the money I can't believe you'd even be considering that. This is our taxpayer's liability that you are talking about here and its also the towns future what happens with this property, again don't be rushing into this, I think it is an awful idea. Has anyone even passed this by the DRA. I find it hard that the Town is going to guarantee a bond that someone else is going to take out and we are going to be held harmless. There's no getting out of the deal once you are in it. 93 is just finished so leave it alone. That is prime property on the highway. You won't find anything else on 93 like it.

SCHEDULED APPOINTMENTS

Karen Provost, Camp Counselor, YMCA - Summer Camp - Review this past summer's camp and discuss plan for next year's program.

Karen Provost, Camp Counselor, YMCA- we had a successful summer last year. We had 162 campers representing 114 families. About 81 campers per week. We operated for 9 weeks, and we averaged 4.5 weeks per camper. We are coming back from covid. Hooksett was well represented at 78%, attendance with Manchester at 12%, Auburn at 4% other 8%. We held weekly themes. We had a talent week where campers could show off their special talents and support other campers. During cultural week we also celebrated kindness week, participated in a food drive, made letters to Veterans, and participated in different activities centered around different cultures around the world. Kids get to participate in several activities such as archery, gaga ball, dancing and more. Character development is a big component of the YMCA camp. The kids work on character development such as caring, honesty, respect, and responsibility. The Fire Department came and discussed fire safety and showed the kids the trucks and equipment and were able to meet the firefighters. This summer the Kiwanis club and the

TC MINUTES

11-17-2021

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327 food pantry supplied snacks for the kids to have this summer as supplemental to their snacks that they
 328 bring with them. Kiwanis Club also supplied the kids with books. Kids were able to take home 2 to 3
 329 books each. We did have challenges this year as everyone is having, staffing was an issue and we are
 330 working on heading off that issue for next year. The weather was also an issue it was rainy and hot. We
 331 do a survey at the end of the year and 27% of parents did participate in the survey making comments
 332 such as: "my son was so happy and tired when he left", "great place for kids", "loved all of the outdoor
 333 time", "Loved the bracelets for the 4 colors of character building", "everyone was nice, super friendly
 334 and helpful, and made the kids feel welcomed". We are looking to bring back fieldtrips in the future, as
 335 during covid we were unable to have them. We would also like to bring back swimming lessons. This
 336 kids also like water activities, and we try and spray them down with the hoses, but the water pressure is
 337 really low and not strong enough. The issue is finding time to get them in. We are hoping to have camp
 338 on June 20th, 2022, depending on when the schools close and can allow us into the building.

339
 340 J. Sullivan- thank you for the update. It looks like an eclectic group.

341
 342 T. Tsantoulis- thank you for the program, I have grandchildren who have participated in the program. I
 343 will suggest that the TA see if he can have a conversation with facilities can get a way to boost the
 344 water pressure up.

345
 346 K- Provost- that would be great thank you.

347
 348 J. Sullivan- thank you, you will be back so we can sign for year four.

349
 350

351
 352 **Kiwanis, Bob Willey & David Scarpetti - "Welcome to Hooksett" sign proposal update (last on**
 353 **Council Agenda 09/23/2020)**

354

355 Bob Willey- this has been an arduous task getting these signs, because of state regulations and state
 356 Right of Ways. We learned a lot over the last 6-8 months. We have Rep Tom Walsh working with the
 357 state to get these signs in place with the original plan which was to have welcome to Hooksett and any
 358 of the sponsors that are non-profits in town have their logos on the sign. The issue is if it is on state
 359 property then we cannot have anything other than "welcome to Hooksett". Everybody has driven around
 360 the state and seen similar signs, but it is a moot point to them. We are continuing to pursue that, but we
 361 do not know where that will go. One of the things that we did in addition to the new signs was to
 362 refurbish a current one on route 3. It has been there for over 30 years. The original sign proposal was
 363 to have the welcome to Hooksett and several non-profit logos underneath it. If a new sign is going to be
 364 put up on the state ROW, then it only can say "Welcome to Hooksett". An option we have is putting the
 365 sign on private property. The original group that wanted to participate was Lions Club, Kiwanis Club,
 366 Greater Rotary, Chamber of Commerce, Boy Scouts, and the Girl Scouts. Then we tentatively came up
 367 with 2 alternative sites. The state will not allow granite signs. Then as I mentioned we looked at private
 368 land but that is more costly. So, we went back to the original group, and since they are limited in funds
 369 they did not want to go through the extra expense. At this point we have the Kiwanis and the Chamber
 370 of Commerce and possibly the Rotary, but it is all contingent on what the Town wants to do. We want to
 371 put it on state road because it will be less costly. We are proposing that we just have the welcome to
 372 Hooksett sign on the state road without the logos, provided that we can get a nice splash saying that
 373 the Kiwanis and the Chamber of Commerce and possibly the Rotary donated this, out it on your
 374 website, have a press release, a splash in the newspaper, and give a permanent shout out to those that
 375 remained involved up on the website for recognition.

376

377 J. Sullivan – can you show a picture of the original sign. I'll ask the TA to show a picture of that new
 378 sign would be great in the TA report.

379

380 Bob Willey- the green was the original proposal, but we changed it to red. One thing that we want to
381 add in terms of further refurbishing this is Matt Barrett who is a wood crafter, said that he could replace
382 the wooden sign behind the actual sign.

383
384 David Scarpetti- we put a really good coat of paint on it just to keep it there, Matt said he would do that
385 through the winter and put it back up in the Spring, and then straighten the pole out as it looks like it
386 has shifted over the years, we did a lot of grinding and priming and painting. It was a lot more work than
387 anticipated.

388
389 C. Karolian- so there are a few organizations that are willing to pony up some money to get the signs
390 on state property, but they want to get recognition that they have done that through donations, right?
391 So, I am thinking that we can make it part of the permanent record to accept the donation from them for
392 the cost of the sign or whatever they are paying. I think under the RSA we have to do that. If on the
393 record it will be there in perpetuity. As well as if we wanted to put something on the website or do a
394 press release and that will coincide with the organizations. Are these organizations going to cover the
395 total cost?

396
397 David Scarpetti- no we will cover the whole cost.

398
399 C. Karolian- so you are not looking for anything from the town? So that sounds like a no brainer.

400
401 David Scarpetti- it could be on the town's website; we are looking to do 2 this year and 2 next year. A.
402 Garron even suggested sending something out in the newsletters.

403
404
405 ***J. Sullivan motioned that we direct the TA to continue working with the necessary groups***
406 ***regarding the welcome to Hooksett sign seconded by C. Karolian.***

407
408 T. Tsantoulis- the question I have is regarding the posting on the website. The way I understood it was
409 that we would make some notation that the signs were in part sponsored by the organizations that
410 would show up on the website that how long will the recognition take place on the website? I feel that if
411 it is on there for a long period time it will look more like an advertisement. Then more business will want
412 to do the same thing. We want to give recognition that is deserved.

413
414 J. Sullivan- based on the motion, that consideration needs to be discussed and how it is continued to
415 indicate that. Any pictures that we use with the sign would continue to say who the sponsors were.

416
417 A. Garron- I would need the policy makers to give guidance on. If the council is not in favor of having a
418 perpetual advertisement on the website, then I will need guidance on that.

419
420 ***Vote in favor 8-0.***

421
422 David Scarpetti- if you look at the sign there are a few hooks, I am thinking if you want to have a sign
423 up for your bicentennial that will be a good place for it.

424
425 J. Sullivan- can we talk about when the hearing will be rescheduled. We just want to clarify based on
426 the staff report the motion was to adjust the wording of the MOU, Mr. Karolian mentioned that motion to
427 have that hearing did not reflect to have the expansion of the district boundaries. Councilors should we
428 direct the TA to include that as part of the public hearing to? because we really did not officially do that.
429 We just mentioned the MOU change in the wording. I just want to make sure that we are correct as we
430 did not specifically include the initial motion to approve this the boundary expansion.

431 A. Garron- it was advertised that way, not only the amended to the district plan, the wording of the plan
432 which will include the authority of the council to consider funding from private sources. But it does also
433 address the actual physical expansion of the district.

434

435 J. Sullivan- which is what you put in but the original motion we just discussed it we didn't direct that the
436 hearing should be conducted for the expansion of the district plus the wording to allow for private
437 funding. I think if it is possible to make a new motion.

438

439 ***D. Boutin motioned that we schedule a public hearing to increase the boundary of the TIF***
440 ***district as well as amend the TIF plan seconded by J. Sullivan.***

441

442 C. Karolian- this new motion is under what part of our agenda? 9.2 and 9.3 have been taken off so we
443 are not discussing any of that, so why are we making a new motion. My question is how can we be
444 discussing TIF business when the TIF business has been taken off of the agenda and we are going to
445 entertain a motion to include this business of the TIF district so I think the point of order is that we are
446 not allowed to do that at this point, it can be done at the next public hearing and when it is on the
447 agenda we can discuss adding or making a motion but I don't think we can do it right now.

448

449 J. Sullivan – there is nothing in our rules and procedures that restricts any motion to be offered at any
450 time even if it is not directly reflected on the agenda. There was no direct reference that we would be
451 voting on expanding OHD. It was indirectly motioned. There is nothing stopping a councilor from
452 making a motion. All we are doing is scheduling a hearing. If a tree falls down in the morning and I
453 move that the administrator chop down the tree, based on your premonition it was not mentioned in the
454 agenda and therefore I cannot bring it up.

455

456 C. Karolian- when we talked about OHD it was on the agenda there was a Public Hearing, we were
457 discussing it and we were taking input on it, that was completely legitimate to discuss because it was
458 on the agenda. You say that there is nothing that prevents it is there something that allows it?

459

460 J. Sullivan- we do have subcommittee reports, we do have a TIF committee, if the subcommittee report
461 brings back report that the committee met and asked the council to do that, we could do that. So that
462 motion that has been offered and seconded I want to ask the council are we within our rules to entertain
463 that motion tonight. I will ask for a reconfirmation on that tonight. Is that motion allowable at this point
464 and if yes I will ask for a roll call on that tonight. Please vote on whether the chairman's decision is
465 correct. If he is not vote no, and if you vote yes then we will vote on the motion made.

466

467 ***J. Sullivan asked if that motion that he made above is allowable tonight as it was not on the***
468 ***agenda per C. Karolian's suggestion.***

469

470 **Roll Call Vote #5**

471 ***T. Tsantoulis Abstained was not in the room for full conversation***

472

C. Jones NP

473

R. Duhaime NP

474

A. Walczyk Aye

475

R. Lapierre Nay

476

C. Karolian Nay

477

J. Durand Nay

478

D. Boutin Aye

479

J. Sullivan Aye

480

481 ***Vote 3-3-1 motion failed.***

482

483 J. Sullivan- gentleman for now on until we change our rules any motion that is offered that is not directly
484 on the agenda I will not allow to happen.

485
486 R. Lapierre- that's not just what happened.
487

488 J. Sullivan – so no motion can be made at any time?

489
490 A. Garron – then how would you like me to proceed.
491

492 J. Sullivan- well I would suggest this, then you can bring it up in the TA report and ask that of us then.
493 We are going around the barn here. That means that anytime the administrator has something that is
494 not mentioned on the agenda, we don't have the authority to vote on it. Based on the rules and what we
495 just voted on we cannot take up matters that are not on the agenda.
496

497 R. Lapierre- that's not what your ruling was about and that's not what that vote was about. So you keep
498 saying that, correct me if I am wrong, I voted nay and so did Karolian and Durand but in discussion I
499 don't believe that any of us were saying that no motion on the agenda cannot be entertained.
500

501 J. Sullivan- from now on then based on that, if a new motion is brought up that is not on the agenda I will
502 ask the council if that motion is in order. If it is we will vote on it.
503

504 **J. Sullivan called for a break taken at 8:08**

505
506 D. Boutin left at 8:10 then D. Boutin returned at 8:20.

507
508 Council back in session 8:18.
509

510 **CONSENT AGENDA**

511
512 **T. Tsantoulis motioned to move the consent agenda as presented seconded by A. Walczyk.**
513

514 T. Tsantoulis read the names of the contributors of the donations as followed:
515 Michael Taylor c/o Admix, Richard & Alex Murtagh c/o Hooksett Kiwanis, Dave Dickson c/o Hooksett
516 Kiwanis, Judy Barrett c/o Hooksett Kiwanis, Sandra Mack c/o Hooksett Kiwanis, Amy Merrow c/o
517 Hooksett Kiwanis, Susan Stein c/o Hooksett Kiwanis, Above & Beyond Childcare c/o Hooksett Kiwanis.
518

519 **Donation of checks totaling \$600.00 (\$400.00 from Kenneth & Joanne McHugh and two \$100.00**
520 **from George & Daniel Bureau) to the Town of Hooksett for the Family Services Department to**
521 **benefit Hooksett children and families for the 2021 holiday season and for any additional**
522 **monetary donations for this holiday season not to exceed \$10,000 per RSA 31:95-b, III (b).**
523

524 ***Accept donation of checks totaling \$600.00 (\$400.00 from Kenneth & Joanne McHugh and two***
525 ***\$100.00 from George & Daniel Bureau) to the Town of Hooksett for the Family Services***
526 ***Department to benefit Hooksett children and families for the 2021 holiday season and for any***
527 ***additional monetary donations for this holiday season not to exceed \$10,000 per RSA 31:95-b, III***
528 ***(b).***
529

531 **Donation of \$2,300 in outdoor winter clothing items to the Town of Hooksett for the Family**
532 **Services Department 2021 Holiday assistance program per RSA 31:95-e, II.**
533

534
535 ***Accept donation of \$2,300 in outdoor winter clothing items to the Town of Hooksett for the***
536 ***Family Services Department 2021 Holiday assistance program per RSA 31:95-e, II.***
537

538 C. Karolian- who made the donation in 10.1 of \$600 and \$200 dollars?
 539
 540 Family Services Director- as stated in the staff report \$400.00 from Kenneth & Joanne McHugh and two
 541 \$100.00 from George & Daniel Bureau.
 542

543 **Vote in favor 8-0.**
 544

545 **TOWN ADMINISTRATOR'S REPORT**
 546

547 A. Garron- covid update numbers have gone up significantly to 122 and 1767 total. We will continue to
 548 monitor the numbers and stay on top of any changes and increases. Overall, for vaccinated with 1 shot
 549 really has not changed it is only moving .10th of a point.
 550

551 R. Duhaime- do we know the rate of infection in the schools?
 552

553 A. Garron- I do not have that information. From what I hear they are seeing larger clusters in the
 554 schools. I know it is having an impact I just don't know how much of an impact.
 555

556 J. Sullivan- if you go to the school Boards website, they show all that information.
 557

558 A. Garron- Trimbur- the equipment has been removed and the check for the reduced time restricted
 559 time frame, we are satisfied, and it is complete.
 560 I did receive a letter from Central Water Precinct in regard to a chlorination program that Manchester
 561 Water Works will be performing a chlorine conversion starting December 1 to spring. A. Garron read
 562 the letter sent by Central and Manchester Water works if residents want to see a copy of the letter this
 563 will also be on their website.
 564

565 D. Fitzpatrick- the BlueCross and BlueShield there was an antitrust lawsuit going on. Basically, what it
 566 comes down to is a monopoly. The BlueCross BlueShield Antitrust litigation MDL2406 is actually the
 567 lawsuit. We checked with our attorney and our broker said that individuals and employers whose
 568 offering this insurance we can tag onto that lawsuit. There is no harm in attaching to the settlement and
 569 no cost. It is just alleging if the courts approve there will be a settlement fund in the amount of 2.6 billion
 570 dollars. It is a settlement fund to agree to make changes in the way they do business. The plaintiff who
 571 are incurring this suit are saying that they want to have better opportunities for competition in the
 572 marketplace for health insurance. We filed a claim, and we will see what happens. We were
 573 participating in 2016 and this is just now coming out now.
 574

575 C. Karolian- you submitted a claim to who?
 576

577 D. Fitzpatrick- for the BlueCross and BlueShield there was an antitrust lawsuit online website to file the
 578 claim. I went online on behalf of the town and filed the claim.
 579

580 C. Karolian- Do we need town counsel approval to be involved in a lawsuit?
 581

582 D. Fitzpatrick- I am not aware of that, I did reach out to town council. They said as an employer there
 583 would be nothing to cause us harm. He did not indicate that we needed the governing bodies approval.
 584

585 C. Karolian- should we ask if it is ok that we are allowed to be part of this lawsuit.
 586

587 D. Fitzpatrick- I will go get it to read further through his response, to read through.
 588

589 A. Garron- NHDOT 10-year plan reinstatement of Rt. 3A/Hackett Hill Road. I broached that subject
 590 where with regard to attempt to reinstate that program. I indicated that I attended a September 28th
 591 meeting. We do have an existing project on the current 10-year plan for Alice Road to Whitehall Road.
 592 In the 2016-2026 plan the Hackett Hill Road was on there. It is not on this one, and what I attempted to
 593 do was get it reinstated on this plan to get funding through the DOT's program to supplement the
 594 funding we have through impact fees and through a possible improvement fee. There is money in there
 595 and now we want to get that reinstated. What would be helpful if the Board is amendable is a vote of
 596 support for reinstating that project in the current 10-year plan.
 597

598 **R. Duhaime motioned that we support the Town Administrator in getting the Rt. 3A/Hackett Hill**
 599 **Road program reinstated in the State current 10-year plan. Seconded by A. Walczyk.**

TC MINUTES

11-17-2021

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Vote in favor 8-0

C. Karolian- I think you were going to contact Municipal Association to find out about non public sessions under 91:a about harming someone's reputation vs a corporation.

A. Garron- I did not do that, I will follow up.

A. Garron- we received a NHDES approval plan for the restoration of the Lilac Bridge over the Merrimack.

D. Fitzpatrick- he doesn't reference in here weather we need it. He does say it is a class action lawsuit brought against BlueCross BlueShield that alleged that the company engaged in anti-competitive practices. In essence the plaintiff alleges that they will not allow competition that resulted in higher medical costs. BC/BC has denied any wrongdoing but has put in excess of 2 billion in a trust fund to be distributed to those that have been impacted. They don't want to go into further litigation because that will be more costly. Any employer who participated between 2015 and 2016 are eligible to file as claimants and eligible to receive some portion of the settlement amount.

C. Karolian- we would not be engaged in a lawsuit or litigation against them, we would be putting a claim on the trust to receive money back and that would be decided outside of litigation, so we wouldn't be involved in any lawsuits.

D. Fitzpatrick- the litigation has already been completed. BC/BC isn't saying they did anything wrong but they don't want to do any more litigation.

A. Garron- how should I proceed with amending the TIF plan.

J. Sullivan- I would put it on the agenda for December asking the board to redirect you to reestablish a hearing that will deal with the 2 issues in extending the boundaries and changing the MOU agreement. And that at that point of we are so inclined we can direct you to hold a public hearing.

A. Garron- the main hearing is to one amend the plan with the wording suggested by legal. 2nd to expand the district to include the parcels on the east and west side of the river and then for consideration is the MOU, because you can't do one without the other.

J. Sullivan- we will schedule 2 PH on the same day for different changes.

A. Garron- So, Dec 8th will be to ask the question and reformat what we are going to be looking for. In January will be the public hearings like we were going to be having here tonight.

C. Karolian- I think there is a time element involved about how long, I think it is 15 days, how long after a motion is made to expand to have a public hearing under 16:2 k.

J. Sullivan – on December 8th we are just discussing having a new hearing.

A. Garron – from what I understand the December 8th meeting will be to amend the vote as to what we are going to be having the public hearing on. Then in January whatever that vote is we will make sure we get the proper notices. Then you will have a meeting to adopt.

OLD BUSINESS

Juneteenth Holiday (tabled at Council 11/03/2021 Meeting)

R. Lapierre moved that we remove 14.2 that was tabled at the 11/03/2021 meeting from the table seconded by J. Sullivan

All in favor 8-0.

A. Garron- the Finance Director directed me that the cost of adding this extra holiday for fire and police union it will be \$22,418.43 due to contract requirements of paying police and fire for the holiday

TC MINUTES

11-17-2021

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665 because they work it regardless. Non-union employees will be \$11,270.15 and middle management will
666 be \$3,516.01, DPW union cost would be \$4,584.47 combined \$41,789.06.
667

668 T. Tsantoulis- so that would be repeated every year. This is a new created federal holiday, and the cost
669 will be \$41,789.06 for adding an additional holiday.
670

671 C. Karolina- that number does not even include raises.
672

673 J. Durand- I took the liberty and did some research on this. I called the following towns: Auburn, Candia
674 Pembroke, Bow, Bedford, Merrimack, Litchfield, Londonderry, Derry, Raymond, Amherst, Milford,
675 Epping, Exeter, Epsom, Manchester, Concord, Rochester, Goffstown. All of them are not considering it
676 and are not going to give the day off. As a taxpayer I think this is too much money and
677

678 C. Karolian- I want to make a point that we are talking about opening contracts that are existing,
679 correct? To add a holiday without negotiating something in or out. Whos' idea is this? Was this the
680 administrations presentation that we add Juneteenth as a paid holiday?
681

682 A. Garron- Yes it was.
683

684 T. Tsantoulis- this holiday could be a bargaining chip for union negotiations.
685

686 J. Durand- if anything this should be 2 separate votes. They can ask for it when the contract is open for
687 negotiations do not give it to them as a freebie now.
688

689 J. Durand- there is nothing that says we must follow federal holidays.
690

691 J. Sullivan- A. Garron is saying that he is bringing it up as it was named as a federal holiday.
692

693 J. Durand- and I am doing my due diligence and calling 20 other towns and they all said no and they
694 were not even pursuing it.
695

696 J. Sullivan- if other towns are picking and choosing. If it is a federal holiday, then I think we should
697 follow suite.
698

699 J. Durand- that's easy to do, just look on their website, it will tell you how may holiday's they are giving.
700

701 **Roll Call Vote #6**

702 **J. Durand Nay**

703 **R. Lapierre Aye**

704 **C. Karolian Nay**

705 **D. Boutin Nay**

706 **C. Jones NP**

707 **T. Tsantoulis Nay**

708 **A. Walczyk Aye**

709 **R. Duhaime Nay**

710 **J. Sullivan Aye**
711

712 **Vote 3-5 motion failed.**
713
714

716 **Town Administrator Further Discussion with Town Council on Use of Local Fiscal Recovery**
 717 **Funds (ARPA) the Town Accepted on 7/7/2021 in the amount of \$1,522,397.00 (last on Council**
 718 **Agenda 09/22/2021)**

720
 721 A. Garron- this is a list of possible projects, recommendations and already voted on projects.
 722 \$1,522,396.80 is what we were awarded with half this year and half being awarded next year. 2
 723 projects that the board has already approved was the comcast Edgewater broadband expansion and
 724 agreed to move forward with the feasibility study for farmer road. \$400,00 was the estimate for Farmer
 725 Road, we decided to move forward with the study first. A request for \$700,000 for the route 3 TIF
 726 project, and the police vehicle request was taken out and to be paid by ARPA funds. Since that time 2
 727 vehicles have been taken out, but I still show the one. So far, the total projects that have been
 728 approved and recommended total \$774,500.

729
 730 C. Karolian- those discussion not all of them were approved by the council. When it comes to the TIF
 731 that was proposed by one councilor. When we talked about the Farmer Road project, I thought the
 732 discussion was approved by the majority of the council to engage in that discussion to put it on that list.

733
 734 R. Lapierre- it says here \$50,00 for the police vehicle, but in the PD line budget for police vehicle it says
 735 \$51,000.

736
 737 A. Garron- it does, I just rounded it out.

738
 739 T. Tsantoulis- then we only have \$12,500 that has been committed and \$12,000.

740
 741 A. Garron- that's why I didn't want to expend all the moneys because we have until 2024 to obligate
 742 these funds.

743
 744 J. Sullivan- we do have until December. I don't want to rush to spend it. I also don't want to delay it. I
 745 think it is proper for us to have discussions on the funds. There will be unanticipated projects coming
 746 down. If there are projects that we need to fund now, then why don't we do that.

747
 748 **R. Lapierre- move to allocate \$51,000 from the ARPA funds to the police department for the**
 749 **purchase of a new police vehicle seconded by J. Sullivan.**

750
 751 J. Sullivan- can you explain why \$51,000 and not the \$50,000 as recommended.

752
 753 R. Lapierre- because \$51,000 is the number that is in the budget book it's what that they plan to spend
 754 on a new cruiser in 2022, and I think that is the going rate. As a council we cut a car out of their budget
 755 last year due to fear of loss of revenue. To make it right and to get back on track for the vehicle
 756 replacement plan which is an issue of safety and service seemed like a good use of funds from the
 757 American rescue plan.

758
 759 Tsantoulis- we also voted to spend \$12,500 for the expansion of broadband on Edgewater Drive and
 760 since then we found out that consolidated Communications is expanding into the area and will shake up
 761 the competition for Comcast, that being said we may not want to push forward with this to fast without
 762 seeing what their plans are and what they are going to offer.

763
 764 J. Durand- I want to point out at the last meeting that we voted to spend \$75,000 to purchase a Tahoe
 765 for the PD for the K9 unit, other towns are getting by using an explorer so we probably spent more
 766 money than we need to.

767
 768 C. Karolian- we do not need to spend the money till 2024. I think due caution and think about what we
 769 truly want to spend the money on.

770
 771 R. Lapierre- I want to point out that this was a vehicle that was taken out of their budget last year and
 772 adding this vehicle will bridge that gap and make it a year late.

773
 774 A. Garron – I think we could even consider creating a sub committee to discuss the uses for this
 775 money. Since we started talking about this, when I attended the IMCA conference we had 2 separate
 776 discussions on this and how to use the funds still were not discussed. I think a subcommittee will be
 777 appropriate on how to spend these funds. There are other funding sources that are out there and
 778 coming into play. I think the TIF district needs to present on the project and explain where they are at
 779 and discuss what is going well and what is not.

780
 781

782 **Roll Call Vote #7**

783 **C. Jones NP**

784 **C. Karolian Nay**

785 **R. Lapierre Aye**

786 **R. Duhaime Nay**

787 **A. Walczyk Aye**

788 **J. Durand Nay**

789 **T. Tsantoulis Nay**

790 **D. Boutin Nay**

791 **J. Sullivan Aye**

792 **Voted in favor (3-5 motion failed)**

793

794 **J. Sullivan motioned to form a subcommittee to review, research and suggest appropriate**
 795 **projects to be funded from the ARPA funds seconded by C. Karolian.**

796

797 **Vote all in favor 8-0**

798

799 R. Lapierre, D. Boutin and T. Tsantoulis will head that subcommittee.

800

801 **NEW BUSINESS**

802

803 **J. Durand motioned that we vacate councilor C. Jones seat due to excessive absence.**

804 **Seconded by C. Karolian**

805

806 J. Durand- if you look at the charter 3.2 part 3 he's exceeded the number of absences, it does not say
 807 in there why, just that you were absent.

808

809 J. Sullivan- to be clear I'd like to know how many meetings he has missed and if he is over.

810

811 J. Durand- 6 out of 22 regular meetings and 9 out of 28 total meetings.

812

813 C. Karolian- if the numbers are true I don't think it is fair to the constituents that they don't get fair
 814 representation.

815

816 J. Sullivan- we have to go back to January 1st to check to see if he has missed meetings.

817

818 C. Karolian- we can look back at the minutes to check attendance.

819

820 **R. Lapierre motioned to table the discussion to vacate C. Jones seat until we get clarification of**
 821 **the attendance record seconded by D. Boutin.**

822

823 **Vote in Favor 8-0**

824

825 R. Duhaime- should we contact Mr. Jones to check in and see if everything is ok.

826

827 J. Durand- it is not in the charter that the reason why needs to be made.

828

829 **C. Karolian motioned to extend the meeting past 9:30 seconded by R. Lapierre.**

830

831 **Vote 5-3 in favor**

832

833 **APPROVAL OF MINUTES**

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T. Tsantoulis motioned to approve the public minutes of the October 13, 2021, meeting.

Seconded by D. Boutin.

Line 74: delete "late" replace with "later"

Line 95: Delete "choose" replace with "chose to"

Line 140: add "?"

Line 144: add "?"

Line 260: after the word "about" add "?"

Line 261: add "?"

Line 298: add "?"

Line 305: add "?"

Line 362: Delete "all" add "vote"

Line 633: Delete "that drafts" replace with "draft"

Line 647: Delete "Majority all in favor" replace with "vote in favor"

Line 901: Delete "duties that we see now" Add: The department head wanted to strike the word

"authorize" from the definition of the committee's duties. We talked about the possibilities of solar

panels on the closed landfill but there are some serious hurdles with that. It might be better suited to

have the Town Engineer look into it, if that's ok with the Town Administrator. There is some concern at

the water treatment facility about clearing grass and vegetation underneath their solar panels and the

lifespan of the solar panels. They are short staffed. The new equipment came in. They are having a

hard time getting people with CDLs to apply even at entry level to apply due to the low pay.

Line 917: attributed to R. Lapierre but was R. Duhaime.

Line 744 "Vote in favor 8-0" the vote should be 7-1

T. Tsantoulis motioned to approve the public minutes of the October 13, 2021, meeting as

amended Seconded by D. Boutin.

Vote in favor 8-0

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D. Boutin motioned to approve the public minutes of the October 27, 2021, meeting. Seconded

by J. Sullivan.

Vote in favor 8-0

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D. Boutin motioned to approve the public minutes of the November 03, 2021, meeting. Seconded

by J. Sullivan.

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line 463 should read "absolute minimum recommended"

Line 732: After word official, insert/add "you have to do it"

Should read: "I believe the judgment indicated if you wanted to remove an elected official you have to

do it at the ballot box."

Line 839: roll call vote doesn't show who voted in 6 favor, who voted 2 against (RL: this is Roll Call

#9)

Line 840: I requested it be recorded / noted in public minutes that I objected to what was being

discussed in Non-Public session in accordance to NH RSA 91-A:2 II,a. No record request noted in

minutes prior to adjournment.

Line 841: No mention of who seconded the motion to adjourn or list of roll call vote by Councilors. (RL:

this is on the Roll Call sheet as well)

887 ***D. Boutin motioned to approve the public minutes of the November 03, 2021, meeting as***
 888 ***amended. Seconded by J. Sullivan.***
 889

890 ***Vote in favor 8-0***
 891

892 ***J. Sullivan motioned to approve the non-public minutes of the October 13, 2021, meeting***
 893 ***Seconded by D. Boutin.***
 894

895 ***Vote in favor 8-0***
 896

897 ***J. Sullivan motioned to approve the 1st non-public minutes of the October 27, 2021, meeting***
 898 ***from 5:33pm-6:13pm Seconded by D. Boutin.***
 899

900 ***Vote in favor 8-0***
 901

902 ***D. Boutin motioned to approve the 2nd non-public minutes of the October 27, 2021, meeting from***
 903 ***9:39pm-10:06pm Seconded by J. Sullivan.***
 904

905 ***Vote in favor 8-0***
 906

907 ***J. Sullivan motioned to approve the non-public minutes of the November 3, 2021, meeting as***
 908 ***amended Seconded by D. Boutin.***

909 "Karolian objected on the record, citing NH RSA 91-A:2 II-a, about the Town Council discussing GMI in
 910 non-public. Roll call votes were not recorded indicating who voted 2 Aye, 4 Nay and which 2 abstained
 911 and reasons for abstaining.

912 ***Vote in favor 8-0***

913 **PUBLIC INPUT**

914
 915 Joanne McHugh 14 Jefferson Drive- when you put together the subcommittee to take input for the
 916 ARPA funds now you are pouting Farmer Road back into jeopardy. We have already expressed the
 917 need, now we are going to go through this exercise again.

918
 919 David Ross 56 Sherwood Drive- the committee I think is a good idea, there are some things going on
 920 here that are legitimate ideas. TIF funding I feel should be coming from the district, that's the way it was
 921 set up. . There is a lot of drainage issues. Look at what's going on at Silver Ave. The broadband issue I
 922 don't see is our issue the people that are going to make the money from the services providing the
 923 broadband should be the ones responsible for paying. Question again on the grant money, did we
 924 actually receive the funds? Do we actually have possession of the 1.5 million dollars? Or is this
 925 something that is just promised to us? The minutes I understand don't have to be complete sentences
 926 but anything that I said was not a complete sentence, and did not make any sense.
 927

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

929
 930 ***J. Sullivan motioned to enter non-public session of November 17, 2021, at 9:44 pm in***
 931 ***accordance with NH RSA 91-A:3 II a and c The motion was seconded by D. Boutin.***
 932

933 (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such
 934 employee, or the investigation of any charges against him or her, unless the employee affected (1) has
 935 a right to a meeting and (2) requests that the meeting be open, in which case the request shall be
 936 granted.

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

939 exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or
940 other levy, if based on inability to pay or poverty of the applicant.

941

942 ***T. Tsantoulis motioned to leave non- public session of November 17, 2021, at 10:14 pm. J.***
943 ***Sullivan seconded the motion.***

944

945 ***Voted unanimously in favor (8-0)***

946 ***J. Sullivan motioned to seal the non-public minutes of 11/17/2021; seconded by D. Boutin.***

947 ***Vote in favor 8-0***

948

949

950 **ADJOURNMENT**

951

952 ***Chair Sullivan motioned to adjourn at 10:15 pm. R. Lapierre seconded the motion.***

953

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955

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957

958 Respectfully submitted,

959 Alicia Jipson

960

961 Alicia Jipson

962 Recording Clerk

963

964 Please see subsequent meeting minutes for any amendments to these minutes