

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, May 26, 2021**

1
2 The Hooksett Town Council met on Wednesday, May 26, 2021 at 6:00 in the Hooksett Municipal
3 Building.

4
5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 26 May 2021 to order at 6:00 pm.

7
8 **PROOF OF POSTING**

9 Human Resource Coordinator Donna Fitzpatrick provided proof of posting.

10
11 **ROLL CALL**

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

15
16 Councilor Roger Duhaime arrived at 6:08 pm.

17
18 **PLEDGE OF ALLEGIANCE**

19 Chair Sullivan called for the Pledge of Allegiance and a moment of silence in memory of James Gorton,
20 who died last week. Mr. Gorton served for five years on the Town Council and was a member of the
21 Recycling & Transfer Committee.

22
23 **AGENDA OVERVIEW**

24 Chair Sullivan: We have a full agenda tonight.

25
26 **PUBLIC HEARINGS**

27 None

28
29 **SPECIAL RECOGNITION**

30
31 **Richard Marshall - 49 Years Planning Board Service Award**

32
33 Chair Sullivan: Tonight we are honoring Dick Marshal for his 49 years of serve on the Hooksett
34 Planning Board, many of those years as Chair. We thank him for a half century service.

35
36 R. Marshall: A voice in my head was saying that enough is enough. It has been an honor to serve. It
37 should always be an honor to serve. Thank you.

38
39 **Hooksett Fire-Rescue Department - Award Ceremony Part II**

40
41
42 Chief Colburn: We have three promotions tonight. David Nadeau has been promoted from Station
43 Captain to Assistant Chief. He has worked for Hooksett Fire-Rescue for 14 of his 18-year career. He
44 has a Masters in Communications. Robert Wolinski has been promoted from Lieutenant to Station
45 Captain. He has served as a firefighter for 19 years. R. Stephan David has spent his entire 19-year
46 career in Hooksett. He has been promoted from Firefighter EMT to Lieutenant.

47
48 Chair Sullivan: As I always say, congratulations, good luck and stay safe.

49
50
51 **Hooksett Municipal Employee - New Hire**

52 None.
53

54

55

56

PUBLIC INPUT

57

Alyssa Ehl, 27 Barberry Street: Councilor Walczyk should have resigned when he was no longer living in Hooksett. His car is parked in Manchester at all times. Has a parking sticker from the apartment complex where his girlfriend lives.

59

60

61

Gianna Valentino, Chester Turnpike: To put this issue of residency in a historical context, there have been several incidents where people serving on boards and committees resigned because they had moved out of town. Steve Couture resigned from the Conservation Commission when he moved to Chester. When I was running for Town Council, I couldn't run for both the District 1 seat and the At-Large seat. If Councilor Walczyk had resigned because he is not a Hooksett resident, I could have run unopposed for that position. Domicile is part of the eligibility process. When I mailed letters to the Councilors for my grievance, I mailed them on a Friday so that the Councilors would have time to review the information. Councilor Walczyk said he had just received his letter.

69

70

David Ross, 56 Sherwood Drive: Council Walczyk should not be serving. Ms. Valentino was deprived of an opportunity and the right to serve. Mr. Walczyk also officiated at an election, which is not legal if he is not a resident.

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74

SCHEDULED APPOINTMENTS

76

Hooksett Library - Heather Rainier, Library Director and Library Trustees - Annual Update

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78

Chair Sullivan: We have Heather Rainier, Matt Broderick and Mary Farwell here for the Library's annual update. Tammy Hooker, Linda Kleinshmidt and Barbara Davis, all trustees, are in the audience.

79

80

81

H. Rainier: This has been a challenging year because of COVID. We have done our best to provide programs and materials to our patrons, always with COVID safety in mind. Our IT specialist Mark Glisson created the materials for this presentation. We ran 230 children's programs remotely, with 3,534 views. We created and distributed 2,336 take & make kits, each with four or five activities.

85

We continued with our adult programs, offering them remotely, and we continued to provide technical support. We offered 150 take & make kits for adults. One new service is porch pickup, to which we added a text messaging service. We will continue the porch pickup even when COVID is no longer an issue. We are now open for browsing, and we have wireless printing and other printing service.

89

90

M. Broderick: We were disappointed to have been inadvertently excluded from the wage review for town employees.

92

93

A. Garron: The wage study was started in January. It was clear that you could join.

94

95

M. Farwell: We lost a full-time employee due to our wage scale. We want to offer wages which are competitive with those of other libraries and with the non-union employees of the town.

97

98

R. Lapierre: What changes have you experienced because of COVID?

99

100

H. Rainier: Fees and fines have dropped dramatically.

101

102

CONSENT AGENDA

104

Release Two Site Bonds Totaling \$50,764 for the Pizza Man Restaurant Property at 254 West River Road.

105

106

107

R. Lapierre motioned to release two (2) development bonds currently being held for \$20,250.00 (#24860274) and \$30,514.00 totaling \$50,764.00 (#1265310) for the Pizza Man Restaurant, 254 West River Road to the Western Surety Company. C. Jones seconded the motion.

108

109

110

111 **Roll Call Vote #2**
112 ***R. Duhaime Abstained because he eats at the restaurant often and that is his district.***
113 ***J Durand Aye***
114 ***C. Jones Aye***
115 ***R. Lapierre Aye***
116 ***A. Walczyk Aye***
117 ***D. Boutin Aye***
118 ***C. Karolian Aye***
119 ***T. Tsantoulis Aye***
120 ***J. Sullivan Aye***
121 ***Voted unanimously in favor (8-0), with one abstention.***
122

123 **TOWN ADMINISTRATOR'S REPORT**

124 A. Garron: The current number of COVID cases in Hooksett is 15, down from 21 just two weeks ago.
125 The cumulative number of Hooksett cases is 1,249, the total since March 01, 2020. In New Hampshire
126 46.1% are fully vaccinated and 58% have had one dose.
127

128 A. Garron: Regarding the Corriveau Drive Access ROW, former Councilor James Leveque is very
129 pleased that the Council took action to remove the vehicles from the Corriveau Drive access Way.
130 Restoration of the area will be pursued, including tree planting. I have prepared the history of the
131 Trimbur/Marple and Corriveau Drive Access ROW as requested. The original *Intent to Cut* permit was
132 filed by Trimbur Forestry, Tim Trimbur, for Map 27, Lot 7 on May 12, 2017. The owner of the lot was
133 Louise Marple and the permit was issued for tax year April 1, 2017 to March 31, 2018. Mr. Trimbur
134 renewed the intent to cut permit on April 25th for the April 2018 to March 31, 2019 tax year. Intent to cut
135 permit bonding requirements are for timber tax only, not for ROWs. The Town Assessor signs off of
136 permit. On June 12, 2017, Town Code Enforcement Officer Matt Lavoie issued a Cease-and-Desist
137 orders to Mr. Trimbur for the timber operation being conducted off the Access Way. At the June 28,
138 2017, Town Council meeting, a scheduled appointment was held with Mr. Tim Trimbur to present a
139 proposed plan for improvements to Valley View Drive Right of Way as part of access for logging
140 operations. Chairman Sullivan said the Council had a copy of the plan, a \$5,000 bond, and a map of
141 the land needed to access to do a selective cut. He asked Mr. Trimbur if he had gotten approval before
142 beginning to cut. Mr. Trimbur said a month prior to starting operations an *Intent to Cut* permit was
143 signed off on within 48 hours. He said he has been doing this for 35 years. He met with the Town
144 Engineer Donison two weeks prior to beginning work, and then was issued a Cease-and-Desist order.
145 He was looking for the Council to approve his reclamation plan and allow him to go back to work. The
146 town's concern was the cutting of tree within the ROW for access to the Marple property. In conclusion,
147 the Town Administrator Dr. Dean Shankle was directed to further investigate the value of the timber in
148 the ROW and other related drainage and bonding matters and to involve the Police Chief as
149 appropriate. A motion to this effect passed 9-0. On July 19, 2017, Town Code Enforcement Officer Matt
150 Lavoie sent a letter to Mr. Trimbur withdrawing the June 12, 2017, Cease-and-Desist order at the
151 advice of legal counsel, whose opinion then was "Any issue with timber clearing, use of that paper
152 street, or timber value of the trees cut on the paper street is a private issue between Ms. Marple, Mr.
153 Trimbur, the abutters and the underlying fee owner of the paper street." Mr. Trimbur resumed his
154 operation after July 19, 2017. On September 12, 2017, a new Cease-and-Desist order was sent to Mr.
155 Trimbur, for violation of Hooksett Zoning Ordinance, Article 3 (G) (operations creating a nuisance to the
156 abutters), Article 4 (Current industrial use is inconsistent with zoning of area, and the land at issue is
157 part of a dedicated street, which shall be used for access only, not for staging, and or wood processing
158 operations.) On October 26, 2017, the Town filed its Cease-and-Desist order against Timothy Trimbur
159 and 101 Realty, Inc., with the 6th District Court. On November 7, 2017, the Town filed its objection to
160 the Defendant motion to dismiss the Town filing. On January 29, 2018, the Court denied the Defendant
161 motion to dismiss the Cease-and-Desist order, agreeing with the Town that it could issue a Cease-and-
162 Desist order against any violation of this title, any local ordinance, code or regulation adopted under this
163 title (RSA 676). On July 5, 2018, the Court found in the Town's favor on the Cease-and-Desist order

164 and JUDGMENT FOR PLAINTIFF. The court found that Trimbur must cease and desist operations (if
165 still ongoing) within seven (7) days of the date of the notice of this decision. Along with this judgement
166 in favor of the Town, Hooksett was awarded attorney fees in the amount of \$6,000. From July 5, 2018
167 to present, there have been several attempts to overturn the July 5, 2018 court decision, one as
168 recently as a court action filed in the 6th District Court on April 26, 2019. There has been no change to
169 the original decision on July 5, 2018. Going forward, the Intent to Cut process should remain
170 unchanged. We should get all information on proposed projects. If a paper access way is involved in
171 the Intent to Cut permit, the Town is not involved. An agreement will need to be worked out with
172 abutting property owners. All other rules and regulations would need to be followed. Paper access
173 ways should be addressed at the Planning Board level and ultimately, the Council level, prior to
174 roadway acceptance. If a Town ROW is proposed to be used, Council approval should be required. The
175 Council should consider the nature of the operation, time, location and duration. There should also a
176 timeframe established and action that will be taken for non-compliance. Also, the Town should explore
177 available access alternative (s).

178 A. Garron: We are looking at a possible settlement on a temporary rate with Pennichuck Water Works.
179 Counsel is working on objections to the permanent rate increase.

180
181 A. Garron: The Tax Increment Financing (TIF) Advisory Committee met this week as the result of a
182 Sewer Commission meeting held earlier this month regarding the TIF district, which runs from Exit 10 to
183 Exit 11 off of Route 3A. I would like to give a brief overview of the project. We hired a consultant to
184 plan, design and implement the project, which would bring sewer under the Merrimack River. We
185 presented the plan in January of 2020. The design/engineering segment is about 90% complete now,
186 so the project is on schedule. At one point, we decided to have a second river crossing and to relocate
187 the sewer pump station so that, instead of working with Manchester, we would be independent. We
188 decided that this was in the best interest of the project. The TIF funds from this area are 100%
189 dedicated to this project. We have approached some of the businesses in the area for additional
190 funding. ARPA funds totaling \$1.44 million – disbursed over a two-year period – will come directly to the
191 town and can be used for sewer, water and broadband. However, there are a variety of other needs for
192 these funds which must be vetted first. Another possible source is infrastructure funds available through
193 Senator Shaheen’s office. We have submitted a \$3.5 million project under this program. At our last
194 meeting with the Sewer Commission, we learned for the first time that they plan to reallocate the \$1.2
195 million they initially allocated to the TIF project.

196
197 Chair Sullivan: What is the TIF’s take on this, Councilor Boutin?

198
199 D. Boutin: This is a serious problem. The Sewer Commission has been upset with the progress made
200 on this project. The planning was supposed to take one year, which it has. The design/engineering was
201 also supposed to take one year, and it is 90% done. The third part is construction, but the loss of the
202 \$1.2 million from the Sewer Department will put the project on hold.

203
204 Chair Sullivan: Sewer Commissioner Sid Baines, Superintendent Ken Conaty and TIF Advisory Board
205 member David Scarpetti are here for a discussion.

206
207 S. Baines: We had an important conversation with Manchester Sand & Gravel. We have to upgrade
208 from an eight-inch pipe to a 12 inch one, so we are reallocating the \$1.2 million to that project. The TIF
209 District does not extend to the east.

210
211 D. Scarpetti: We want to ask the Council for permission to extend the TIF district into the Manchester
212 Sand & Gravel property in order to accommodate Exit 10 on the east side of the river.

213
214 Chair Sullivan: Can we change the boundaries of the TIF District?

215

216 A. Garron: Yes, the Town Council has that authority. There is a lot to be looked over and many hurdles.
217 The total valuation of the TIF District cannot be more than 10% of the total valuation of the town. Timing
218 is an issue. I understand the need for proper infrastructure, but we have been working on this for two
219 years and this is the first time we have heard about this.
220
221 D. Boutin: Is it your plan to use the \$1.2 million to replace the pipe?
222
223 S. Baines: Yes, it is.
224
225 D. Boutin: I would caution everyone about extending the district before we get this project done.
226
227 C. Karolian: Is this east of the railroad tracks and south? What is the size?
228
229 K. Conaty: Yes, it is east and south. I am not sure about the size. The pipe there is very old. The only
230 expansion is where the forced main will go.
231
232 C. Karolian: Why was this not addressed during the engineering process?
233
234 S. Baines: It was always part of the project.
235
236 D. Boutin: Yes, it has been in the plan since day one.
237
238 S. Baines: If we don't get the TIF extension, there will be no funds to run the pipe.
239
240 A. Garron: If the funds are reallocated, there will be a hole. Also, the TIF funds have been collected
241 from the currently defined district; those funds can't be used for properties outside of the district.
242
243 C. Karolian: Why was this not foreseen?
244
245 D. Scarpetti: The plan is for a gravity system from Exit 10 to Exit 11. That is phase 3.
246
247 A. Garron: We can put this on the next agenda. We were dealing with a fixed area and now that is
248 changing.
249
250 T. Tsantoulis: I would like some clarification on Manchester Sand & Gravel's interest in the pipe.
251
252 S. Baines: They are more able to market their property with water and sewer available.
253
254 T. Tsantoulis: Should we say that Manchester Sand & Gravel is looking out for its own interests? They
255 are putting a wrench in the gears and jumping to the front of the line.
256
257 K. Conaty: It is cheaper and more efficient to put the pipeline through their property.
258
259 R. Duhaime: Manchester Sand & Gravel has been more than generous to Hooksett. The mistake was
260 in not including them. They have no parcels in current use and have had no tax incentives.
261
262 K. Conaty: They didn't ask to be in the TIF district.
263
264 Chair Sullivan: The Town Administrator should meet with the TIF Advisory Committee and come back
265 with suggestions.
266

267 D. Boutin: I'm not sure if we will get the \$1.2 million. It depends upon who on the Sewer Commission
268 you talk to tonight. You can't just expand the TIF district. We should get this project done and then work
269 on the other one. Can I get an answer as to whether or not we will get the funds?

270
271 S. Baines: No. The Sewer Commission is a three-person board, not just me. The size of the bond is the
272 issue for the town. If you don't expand the TIF district, we will use the \$1.2 million to run the line.

273
274 C. Karolian: Did Manchester Sand & Gravel give money to the Sewer Department years ago to reserve
275 space?

276
277 S. Baines: We have a grass recycling program and we had to relocate where we were doing the
278 project. Manchester Sand & Gravel gave us ten acres of land in exchange for some hook-up fees.

279
280 A. Garron: The decision has already been made to reallocate funds, correct?

281
282 S. Baines: Yes. What is important is the size of the bond issue.

283
284 A. Garron: We won't know that until we have the total cost for the design phase of the project. There
285 may not be a bond.

286
287 Chair Sullivan: This will be on the agenda for our next meeting.

288
289 D. Scarpetti: We have a problem with the TIF Advisory Committee. We have only four active members.
290 One has resigned and two others have not shown up.

291
292 D. Boutin: Do the open positions have to be posted?

293
294 N. Germain: It is not in the law, but it is traditional to post when there is an opening.

295
296 Chair Sullivan: If there is no objection, I have been asked to move up item 14.3 under Old Business.

297
298 **OLD BUSINESS**

299 **Status of Councilor Walczyk Residency**

300
301 ***D. Boutin motioned to go into non-public session. C. Jones seconded the motion.***

302
303 C. Karolian: Is this a hearing?

304
305 D. Boutin: Councilor Walczyk is an employee of the town. He deserves a non-public session under RSA
306 91-A:3, II (a).

307
308 Chair Sullivan: That goes against the rules. RSA 91-A:3, II (c) addresses matters which, if discussed in
309 public, would likely affect adversely the reputation of any person, other than a member of the public
310 body itself. Councilor Walczyk is a member of this public body.

311
312
313 T. Tsantoulis: I have serious concerns about a possible violation of rules regarding residency
314 investigation.

315
316 R. Lapierre: Under RSA 91-A:3, II (a), Councilor Walczyk is entitled to a non-public session.

317 J. Durand: At the last meeting we could have gone into non-public but we chose not to. People are here
318 to hear what is going on.

319
320 **Chair Sullivan motioned to table the motion to go into non-public session. D. Boutin seconded**
321 **the motion.**

322
323 J. Durand: He keeps bouncing all over the place. First, he said no to a non-public session. Then he
324 motioned to table that. You are not addressing Councilor Karolian.

325
326 C. Karolian: Are we employees?

327
328 Chair Sullivan: No, we are not.

329
330 C. Karolian: Then we are not under RSA 91-A.

331
332 J. Durand: Councilor Walczyk called people after the last meeting.

333
334 Chair Sullivan called for a recess at 7:50 pm.

335
336 Chair Sullivan called the meeting back to order at 8:03 pm.

337
338 Chair Sullivan: Since we are talking about a Councilor who is here, it should be in public.

339
340 A. Walczyk: I think we should follow the rules.

341
342 **C. Jones withdrew his second to the motion to enter non-public session.**

343
344 **Chair Sullivan withdrew his motion to table this item.**

345
346 Chair Sullivan: On May 13th, I asked Councilor Walczyk three questions. I asked if he was a resident of
347 Hooksett and he said yes. I asked for his address and he said it was 7 Heritage Drive. I asked him if he
348 had been out of town for more than one month in the past year and he responded no. It is up to the
349 Council. I want to read from Section 3.2 of the Town Charter, Qualifications of Councilors:

350
351 Only voters who at all times during their term of office are and remain residents of the Town
352 shall be eligible to hold the office of Councilor. Eligible candidates will be registered voters and
353 will have resided in Hooksett for at least one year immediately before the election. Councilors
354 elected from districts must be legal residents of that district at the time of election. If a Councilor
355 shall move from his/her said district and shall remain a resident of the Town, he/she shall
356 remain the elected district's Councilor until the next election. The Council is the sole judge of
357 qualification for office. A majority of the Council may after investigation and hearing declare a
358 vacancy if a member is ultimately convicted of a violation of the Town Charter. Council may also
359 declare a vacancy if a member has missed three (3) regularly scheduled meetings in sequence,
360 or has missed one quarter (1/4) of all meetings within one (1) calendar year...

361
362 C. Jones: I would like to hear from the Town Clerk.

363
364 T. Rainier: When a candidate fills out an application, we ask if he/she has been a resident in that district
365 for at least one year.

366
367 C. Karolian: For clarification, did you check to see if Councilor Walczyk was a registered voter?

368

369 T. Rainier: For incumbents, we do not check that unless a question is raised.
370
371 C. Karolian: So, you really don't check on incumbents, correct?
372
373 Chair Sullivan: Is there a difference between domicile and residence?
374
375 T. Rainier: According to the State, they are the same thing. When a person makes a town or ward in New
376 Hampshire his or her principal place of physical presence to the exclusion of all other places, that person
377 has established a domicile/residence.
378
379 Chair Sullivan: So, it is that place someone calls his/her residence more than any other?
380
381 D. Boutin: You can live here, vote here, and visit other towns two or three days each week.
382
383 T. Rainier: The Checklist Supervisors remove names from the checklist if they have not voted in the last
384 four years. A resident wishing to be returned to the checklist must, at that point, re-register.
385
386 R. Lapierre: Sec. 3.13 of the Town Charter - Inquiries and Investigations – reads as follows:
387
388 The Council by majority vote may require of any appointed Town official, department head or
389 employee, official appointed or confirmed by the Council, or member of an appointed Town
390 board or commission to appear before it and give such information as it may require in relation
391 to this office, its function, and performance. The Council shall give at least forty-eight (48) hours
392 written notice of the general scope of the inquiry which is to be made to any person it shall
393 require to appear before it under this section. The Council may make investigation into the
394 affairs of the Town and into the conduct of any Town agency or department, and for this
395 purpose may administer oaths and require the production of evidence.
396
397 C. Karolian: Is this a hearing under 3.2?
398
399 R. Lapierre: I refuse to deliberate on information not obtained through normal channels but information
400 one Councilor obtains by following another Councilor with a camera. The Council is the sole judge.
401
402 D. Boutin: That is stalking.
403
404 T. Tsantoulis: It is a violation of legal rights to collect information on the whereabouts of an individual. I
405 have a hard time to say Councilor Walczyk does not live here. He meets the criteria. We have spent too
406 much time on this.
407
408 J. Durand: In April of last year, he told me he was living with his girlfriend to help her homeschool her
409 kids – not to visit. I followed him because I knew he wouldn't come forward. I don't understand that you
410 are upset that he was followed but not upset about what he is doing wrong. Councilor Boutin is a
411 politician through and through.
412
413 ***D. Boutin motioned that Councilor Walczyk is not in violation of the Town Charter and has every***
414 ***right to remain as a Councilor. C. Jones seconded the motion.***
415
416 C. Karolian: This is whitewashing.
417
418 Chair Sullivan: Do not say that. There is no whitewashing. I have been attending meetings since 1989
419 and there has been no whitewashing.
420

421 Chair Sullivan called for a recess at 8:35 pm.
422
423 Chair Sullivan called the meeting back to order at 8:43 pm.
424
425 D. Boutin: Per the Charter, Councilor Walczyk is a resident. We have no reason to believe that he has
426 given that up. He has a home in Hooksett and his address is on his driver's license.
427
428 C. Karolian: I have to verify information before going forward.
429
430 J. Durand: We have to get the proper information.
431
432 D. Boutin: At least I didn't follow him around.
433
434 R. Duhaime: As Councilors, we have to do what is good for the town. I want this done properly.
435 Everyone should be heard. This is not going to help the town. I love this town, but I don't like what we
436 are doing. When I express concern about the roundabout issue, it falls on deaf ears.
437
438 J. Durand: The motion is odd since he doesn't really know where he lives. Could we hear the motion
439 again?
440
441 C. Jones: The Town Clerk gave us the information and the State definition of domicile. It is where
442 someone spends most of his time.
443
444 T. Tsantoulis: If we vote on the motion before us now, we will be subverting the Charter. Councilor
445 Walczyk is entitled to a hearing. Depending upon the outcome, he could be removed from the Council
446 without a hearing. We are putting the cart before the horse. I won't vote; it is out of order. We have no
447 precedent for this. It has the 'smell of a kangaroo court, and I don't want to be party to it.
448
449 R. Lapierre: I think Councilor Walczyk should be removed, but he is entitled to a hearing, per Section
450 13.2 of the Charter.
451
452 C. Karolian: I want to make something perfectly clear: I am not the morality police. This has nothing to
453 do with passing judgement on Councilor Walczyk. Regarding the comment I made earlier about
454 whitewashing, I want to say something without giving away evidence, or so-called evidence. A
455 Councilor contacted me and advised me he had received a call from Councilor Walczyk after our last
456 meeting. He was contacting other Councilors behind the scenes, gaining support. Some people think
457 that happens all the time. I am all for an investigation, and I don't care who does it. I am happy to talk
458 with whichever agency is chosen. This is nothing about morality. I wish Councilor Walczyk well in his
459 personal life. I wish him no harm. I hope he is happy in his relationships. Some people don't like the
460 way information was gathered. I disagree. When I get information, I feel obligated to verify it. Councilor
461 Durand told me that Councilor Walczyk told him two times that he lives in Manchester.
462
463 D. Boutin: I have great respect for Councilor Tsantoulis, but I think he is wrong. We have discussed this
464 for two meetings already. What will a hearing do? We have stalking, which is against the law. Councilor
465 Walczyk is in good standing. He works hard and contributes all of the time. He hasn't violated any laws.
466
467 Chair Sullivan: Councilor Walczyk, would you like to speak?
468
469 A. Walczyk: I will continue to wait.
470
471 C. Karolian: I want to respond to the allegation that I am following – stalking. It is inaccurate. I am not
472 going to be called a stalker by the likes of him.

473
474 Chair Sullivan: I want to follow the correct process and get the facts. There are pictures which I haven't
475 seen.

476
477 A. Garron: There is a procedure to follow. I asked legal about it. A majority of the Council has to vote
478 officially for an investigation to proceed.

479
480 Chair Sullivan: We will have one more round of comments. Councilor Walczyk wants to speak.

481
482 **C. Karolian motioned to call the question. J. Durand seconded the motion.**

483
484 **Roll Call Vote #3**

- 485 **D. Boutin Aye**
- 486 **C. Jones Aye**
- 487 **A. Walczyk Nay**
- 488 **J. Durand Aye**
- 489 **R. Duhaime Aye**
- 490 **T. Tsantoulis Abstained. He said he will not vote.**
- 491 **R. Lapierre Aye**
- 492 **C. Karolian Aye**
- 493 **J. Sullivan Aye**
- 494 **Voted in favor (7-1), with one abstention.**

495
496 Chair Sullivan called for a roll call vote on the motion that Councilor Walczyk is not in violation of the
497 Town Charter and has every right to remain as a Councilor.

498
499 **Roll Call Vote #4**

- 500 **A. Walczyk Aye**
- 501 **R. Lapierre Nay**
- 502 **C. Jones Aye**
- 503 **R. Duhaime Aye**
- 504 **J. Durand Nay**
- 505 **C. Karolian Nay**
- 506 **T. Tsantoulis Abstained because the Council is not following procedure.**
- 507 **D. Boutin Aye**
- 508 **J. Sullivan Abstained because the Council does not have all of the facts.**
- 509 **Voted in favor (4-3), with two abstentions.**

510
511 C. Karolian: Point of order. How is it that Councilor Walczyk gets to vote on something that is about
512 Councilor Walczyk?

513
514 Chair Sullivan: There is nothing to stop him, according to legal advise we have been given, for
515 example, on voting for oneself as Chair.

516
517 **C. Karolian motioned that the Council cause to be conducted an investigation on the residency**
518 **of Councilor Walczyk. J. Durand seconded the motion.**

519
520 **D. Boutin motioned that Councilor Karolian's motion is out of order. C. Jones seconded the**
521 **motion.**

522

523 J. Durand: Are you kidding me, Chair? How many times did you ask for a second? You were looking
524 and looking for a second.
525
526 Chair Sullivan: You can overrule me for waiting too long. If you want to, please do. No problem. I am
527 not playing favorites.
528
529 C. Karolian: Didn't I have a motion on the floor?
530
531 Chair Sullivan: Anyone can make a motion at any time. We can get another opinion if we need to.
532
533 J. Durand: We are going to be here all night on this, aren't we? Because Mr. Boutin continues to play
534 games.
535
536 Chair Sullivan: I am going to adjourn in two seconds.
537
538 D. Boutin: I'm going home. I've had enough of this.
539
540 Chair Sullivan: We have things to get done. We need to follow the Charter.
541
542 Chair Sullivan called for a roll call vote on the motion that Councilor Karolian's motion is out of order.
543
544 J. Durand: Why don't you take the roll call then?
545
546 **Chair Sullivan motioned to adjourn at 9:09 pm. T. Tsantoulis seconded the motion.**
547
548 **Roll Call Vote #5**
549 ***T. Tsantoulis Aye***
550 ***C. Jones Aye***
551 ***R. Duhaime Aye***
552 ***A. Walczyk Nay***
553 ***R. Lapierre Nay***
554 ***C. Karolian Nay***
555 ***J. Durand Nay***
556 ***D. Boutin Aye***
557 ***J. Sullivan Nay***
558 ***Motion failed, (4-5).***
559
560 Chair Sullivan ended the meeting for lack of a quorum.
561
562 Respectfully submitted,
563 *Kathleen Donnelly*
564 Kathleen Donnelly
565 Recording Clerk
566
567 **Please see subsequent meeting minutes for any amendments to these minutes.**
568