

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, December 8, 2021**

1
2 The Hooksett Town Council met on Wednesday, December 8, 2021, at 6:02 in the Hooksett Municipal
3 Building.
4

5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 08 Dec 2021 to order at 6:02 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 (arrived at 7:25), Councilor Roger Duhaime (arrived at 6:10), Councilor David Boutin,
14 Councilor Timothy Tsantoulis, Councilor Clark Karolian, and Councilor Alex Walczyk.
15

16 **PLEDGE OF ALLEGIANCE**

17 Chair Sullivan called those to stand for the pledge of allegiance.
18

19 **AGENDA OVERVIEW**

20 Chair Sullivan gave a brief overview of the proposed agenda.
21

22 **PUBLIC HEARINGS**

23 Chair Sullivan opened the Public Hearing at 6:04pm to accept value over \$5,000.00 from multiple
24 donors now and through the event for items to include but not limited to new clothing and toys to the
25 Town of Hooksett for the Family Services Department to benefit Hooksett children.
26
27

28 Peter Flynn Family Services Director- We are here because of RSA 31:95-e, because the donations
29 are over \$10,000. Because of these donations the Family Services Department was able to serve about
30 132 children with gifts for Christmas.
31

32 J. Sullivan- accepting these donations we will also be accepting the additional donations that are still
33 coming in.
34

35 P. Flynn- yes that is correct. We have cut off the donations as far as receiving. We have tons of gift
36 bags in our office filled with toys and gifts.
37

38 J. Sullivan- from past meetings this has been a traditional motion in anticipation of future donations.
39 And those that donate do receive a thank you note.
40

41 P. Flynn- yes, they have already been written out and sent.
42

43 J. Sullivan- asked that the list of donations be added into the record.
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51	Donations listed below to include but not limited to clothing, toys, with c	
52	Donor Name Christmas Gifts	
53	Carolyn Taylor	\$200.00
54	Ruth Hanlon	\$100.00
55	Mike Kotrlík Cub Scout Pack 292	\$400.00
56	Jane Naleway	\$100.00
57	Joan Lauterborn	\$100.00
58	Pat & Dave Kenney	\$200.00
59	Denise Casico Bolduc	\$100.00
60	David Bowen	\$300.00
61	Pauline J Elliot Girl Scout troop #10026	\$300.00
62	Jennifer Stone	\$300.00
63	Kevin & Robbie Grady	\$300.00
64	Dale Aumann Cawley Builders Club	\$400.00
65	Brook Ridge Ladies Group	\$400.00
66	Mary Go Round	\$400.00
67	Matthew Harding	\$200.00
68	Bob Camire C/o N E Document Systems	\$500.00
69	Melissa Shessier	\$200.00
70	Barbara & Bob Thinnes	\$200.00
71	Lindsey & Chris Marley	\$100.00
72	Donna McCormack	\$100.00
73	Hooksett Auxiliary	\$200.00
74	Laura Zorawowicz	\$100.00
75	Susan & Katey Auger	\$200.00
76	Max Auger	\$100.00
77	Cheri Wolff	\$100.00
78	Lea Maguire c/o Cawley Middle School	\$400.00
79	Lea Maguire c/o Cawley Middle School	\$400.00
80	Crystal Hamel C/O Hooksett Legion	\$400.00
81	Stacey LeBlanc	\$200.00
82	Pam St Germain	\$100.00
83	Above & Beyond Childcare	\$400.00
84	Jennifer Roy	\$300.00
85	Linda Szelog c/o little Apples	\$200.00
86	Melanie Godbout C/O Hooksett Memorial School	\$400.00
87	Heidi Sevigny	\$300.00
88	Elise Harnisch	\$200.00
89	Diane Weideman	\$200.00
90	Diane Santin	\$300.00
91	Michele Sampson	\$400.00
92	Deb Walls	\$100.00
93	Lisa Klaud	\$100.00
94	Heather Dresser	\$200.00
95	Total	\$10,200.00

86 C. Karolian- these donations have already come in and been accepted by the town?

88 P. Flynn – the donations have come in the form of packages for the children. We Have taken them
89 pending the outcome of the meeting, but we have not distributed them, there is no other way to do it.

91 J. Sullivan- closed the Public Hearing at 6:08.

93 ***D. Boutin motioned to accept the donations as presented; seconded by T. Tsantoulis.***

95 ***Vote in favor 7-0-1 C. Karolian abstained does not feel we are following the proper RSA rules.***

97 ***J. Sullivan motioned to Waive Council Rules of Procedure to have public hearing and motion to
98 accept same night; seconded by D. Boutin.***

100 ***Vote in favor 8-0.***

101

102 C. Karolian- this is a great program, but I feel that we are not following RSA 31:95-e. it says prior to
103 accepting any such gifts, there should be a PH prior to acceptance. It seems that we already are in
104 possession of these items.

105

106 Council asked TA Garron to get clarification on the RSA and accepting donations.

107

108 **Roll Call Vote #2**

109 ***R. Duhaime Abstained***

110 ***J Durand Aye***

111 ***C. Jones Aye***

112 ***R. Lapierre NP***

113 ***A. Walczyk Aye***

114 ***D. Boutin Aye***

115 ***C. Karolian Aye***

116 ***T. Tsantoulis Aye***

117 ***J. Sullivan Aye***

118

119 ***Vote in favor 7-0-1 was not present to hear discussion.***

120

121

123 **6.2 Public Hearing In accordance with RSA 49-B:5 for two proposed amendments to the Town's**
124 **Charter Article 8.2 Initiative Petitions (amend language) and Article 8.6 Recall of Officeholders**
125 **(remove entire section).**

126

127 In accordance with RSA 49-B:5, the Hooksett Town Council hereby provides notice that it will hold a
128 Public Hearing in regard to two proposed amendments to the Town's Charter at their next regularly
129 scheduled meeting, which will take place at the Hooksett Municipal Offices (35 Main Street, Hooksett,
130 NH 03106) on December 8, 2021, at 6:00PM. The proposed amendments are as follows: Article 8.2
131 Initiative Petitions Amend paragraph 2 to the following: The initiative petition shall include the personal
132 signature and legible name and address of each petitioner and shall be filed with the Town Clerk as
133 one instrument of endorsement. The Town Clerk Supervisors of the Checklist shall verify the number of
134 registered voters signing the petition and shall attach thereto a certificate showing the result of such
135 examination. Within seven (7) business days, the Town Clerk shall transmit the petition and certificate
136 to the Town Council and shall send a copy of the certificate to the first signer of the petition.

137 Explanation: The Supervisors of the Checklist are the elected board assigned by RSA 39:3 and RSA
138 655:4.

139

140 Stephen Burkhart Supervisor of the checklist- the reason when we looked at this, when we looked at
141 the charter it was outdated, and we needed to update according to the State.

142

143 **Article 8.6 Recall of Officeholders (remove entire section).**

144

145 Todd Rainer Town Clerk- we had received notice several years ago from the attorney general and the
146 secretary of a charter change. They were notifying towns that, that section of recall of office holders has
147 been struck down in court in NH and have been recommending that be removed from their charters. As
148 this was recommended to us for removal, we brought it forward.

149

150 J. Sullivan- so by removing it the citizens have no ability to recall an elected official?

151

152 T. Rainer- the charter has several sections has removal is contemplated for grievance, or unfit for duty.
153 Wholesale removal by petition is not allowable.

154

155 C. Karolian- I believe NH is not a recall State. So having this in our charter is a moot point and we
156 should strike the whole thing.

157

158 David Ross 56 Sherwood Drive- which court was this ruled in? how many cases? Has this happened
159 and what did a town do? Has anyone looked into that? I think that anything that takes away their ability
160 to add in or take away officers should be carefully considered. I am a supporter of the voice of the
161 people.

162
163 J. Sullivan- you asked many questions, Todd do we know what year that court order happened.

164
165 T. Rainer- the documents that were provided were from the superior court, the judgement was made in
166 2005.

167
168 D. Ross- sometimes it's worth standing up. My opinion I don't like to see the voice of the people muted.
169 The people passed that charter.

170
171 Steven Burkhart- I do agree if you look at this charter it was written a long time ago. We've evolved as a
172 State and as a community, and no one is taking anyone's voice away, it is the right thing to do. On the
173 flip side someone can get rid of someone just because the difference of opinion and not due to their
174 ability to do the job. We need to evolve with the rest of the State, and it shouldn't matter if it is one
175 court. We shouldn't wait for 1 thing to happen or 10 things to happen to do the right thing.

176
177 J. Sullivan- this will go on the ballot; it is not on the council to make the changes.

178
179 J. Sullivan- 8.2 and 8.6, the language was approved by Town Attorney Matt Surge November 18, 2021.
180 Tonight, was the PH and duly posted per the requirements. The next step would be to get approval by
181 DRA, Attorney General, and the Secretary of the State. On January 5th the council if they see fit will
182 make a motion to move it to the ballot. Close the Public Hearing at 6:26pm.

183
184
185 SPECIAL RECOGNITION

187 A. Garron- for new hires we have a new Assistant Crew Chief William Porter who will continue to work
188 with DPW and Recycling & Transfer division. We do have a resignation from Christopher Porter Public
189 Works as of this Friday.

190
191
192 PUBLIC INPUT - 15 MINUTES

193
194 Joanne McHugh- I am here regarding item 15.3. the reason I am here is previously I had been on the
195 Planning Board. I believe those decisions should be best left to those who work with regulations daily. I
196 hope you will consider that in your discussions. I know discussions had been said that it takes a long
197 time to make changes in zoning. It is not always in your best interests to make knee jerk decisions. I
198 would ask you in your discussion is to look at all aspects of this and how it affects the whole
199 community.

200
201 J. Sullivan- for clarification we are not discussing it tonight it is just on the agenda to move it forward to
202 a public hearing.

203
204 David Ross 56 Sherwood Drive- I want to again ask that the TA be directed to find out where our
205 meetings are being recorded. We need local storage. The main concept was to have a complete and
206 accurate recording of what happens in these meetings. I have also been approached about where
207 these federal funds will be spent. Some of these people who live in town have a desperate need. On
208 Farmer Road this needs to be addressed right away. There is no need that we have this money that is
209 meant for recovery and relief. This is a public health issue. Anyone here can make a motion to say let's
210 hurry up and spend this money. You wouldn't want to be taking a shower in radioactive water.

211
212 SCHEDULED APPOINTMENTS

214 **James Boffetti, Attorney General Office (via Zoom) - National Opioid Settlement - Why**
215 **beneficial to the Town of Hooksett to add its name to the list of communities supporting**
216 **this settlement claim (see attached).**

217
218 A. Garron- letters were sent out to several communities regarding this opioid settlement. What
219 communities are being asked to do is to sign on to the settlement issue as apposed to litigate,
220 but to add our names onto the settlement of this. The AG's office has taken this on and is
221 taking the active role in solicitating communities to participate in this.

222
223 James Boffetti- we have been fighting the opioid companies since 2015. In NH we see what
224 the opioid manufactures and distributor did in marketing opioids to patients making them think
225 that these drugs were safe and not addicting. So, the AG's office has initiated a number of
226 cases against the distributors and manufacturers of the opioids. The 3 distribution companies
227 (Cardinal Health , McKesson Corp, and Amerisource Bergeron), they have indicated a desire
228 to resolve all these cases nationally. 21 billion dollars nationally allocated and NH would get a
229 share of that money. NH feels that is a deal that we should take. It is in our interest as a State
230 to sign this. All the money will be for opioid abatements. You can petition for the money to go
231 into a trust fund that will be used to fight opioid addiction. The money will come to NH the
232 money will be to help those suffering opioid addiction. Hooksett could make an application for
233 money for this account. 21 billion dollars over 18 years. For instance, your police officers are
234 given Narcan when they go out on calls. These funds would allow them to reclaim some of that
235 money to purchase those.

236
237 J. Sullivan- is there any negative impact if we did agree to join?

238
239 J. Boffetti- Hooksett will have to do nothing, just sign the application there will be no legal
240 costs. I see no cons for the town of Hooksett to do this, even if Hooksett did not file a claim,
241 they will still have access to the funds.

242
243 C. Karolian- can you give other examples besides the Narcan.

244
245 J. Boffetti- the state has a list of 14 approved uses. Primarily it is for opioid resources and
246 services. Any services to folks who are fighting opioid addiction, such as transportation,
247 treatment. My guess is a large amount of this money will go to pay for services for those that
248 are suffering due to the opioid crisis.

249
250 C. Karolian- when it comes to the abatement, would ambulance services be eligible for
251 recovery funds, for those who are in need of an ambulance possibly due to an overdose?

252
253 J. Bonffetti- if you look at the RSA 126-a:83-86, and the 14 uses. It would reimburse any
254 political for emergency response services provided by law enforcement and fire services.

255
256 J. Durand- can individuals put in for money?

257
258 J. Bonffetti- no. It was put in place for political subdivisions, cities, towns, counties, and
259 nonprofits. Not for individuals who are suffering from opioid addiction.

260
261 A. Garron- my understanding of reading the RSA it would not be an individual use, but for a
262 town wide use to administer and to hold in a trust.

263

264 J. Durand- if someone who is taking an ambulance ride due to opioid overdose does the bill go
265 to that person first? Why would we be on the hook for that bill. Why not reimburse individuals.
266

267 J. Sullivan- because this is self-inflicted, and the town sends out a bill for the ambulance
268 service, the patient would not have to pay the bill, the town would seek reimbursement for the
269 bill through these funds.
270

271 J, Bonffetti- again the statute talks about reimbursement of services. If the town is passing
272 along the expense to the individual, then the reimbursement would come from any award of a
273 grant. If we are providing a high level of services as far as medical assistant, and treatment,
274 that is a direct way that we are helping them.
275

276 R. Duhaime- so to be clear the more people who sign up means more money to the state of
277 NH.
278

279 J. Bonffetti- you will register with the national settlement administrator, they will send you
280 papers which is a release of claims against these 3 companies, which is your indication that
281 you will join this settlement, then this money will begin to flow into this trust fund. We already
282 have 2.3 million in the trust fund. Then there will be a process for Hooksett and other towns to
283 apply and pull from the trust funds. Each communities' needs will differ.
284

285 J. Sullivan- are we scheduled to vote on this tonight or in January?
286

287 A. Garron- we do have to make the decision before January 2nd for the initial participation.
288

289 ***D. Boutin motioned that the town of Hooksett add its name to the list of towns in***
290 ***support of the National Opioid settlement; Seconded by T. Tsantoulis.***
291

292 **Roll Call Vote #3**

293 ***D. Boutin Aye***

294 ***C. Jones Aye***

295 ***A. Walczyk Aye***

296 ***J. Durand Nay***

297 ***R. Duhaime Aye***

298 ***T. Tsantoulis Aye***

299 ***R. Lapierre NP***

300 ***C. Karolian Abstained until get more information***

301 ***J. Sullivan Aye***
302

303 ***Vote in favor 6-1-1 Abstained until get more information***
304
305

307 **Kathie Northrup, Heritage Commission -NH RSA 79-E: Community Revitalization Tax Relief**
308 **Incentive (to expand definition)**
309

310 Nick Williams Town Planner- what we are asking is for the Town to adopt an amendment to RSA 79-E
311 which is Community Revitalization Tax Relief Incentive which was previously initially adopted in 2007.
312 The reason for this is to offer a tax incentive for properties of a historical significance for property
313 owners to rehabilitate these structures. Back in 2007 it was adopted within a defined area what we
314 define as the Village district. In 2013 they did amend the definition of historic structures, to include
315 structures and those structures outside of those boundaries they might have adopted to include

316 structures currently listed or eligible for listing on the National or State register of historical places, and
317 that is the amendment that we are requesting for you to adopt this evening.

318

319 J. Sullivan- there is a benefit to having us adopt the new amendments, which will help us to allow
320 buildings outside of the district to apply for assistance, as long as they are eligible and meet the
321 requirements of the National Register of Historic Places.

322

323 **C. Karolian motioned to adopt the amendment to RSA 79-E as presented by SB 80 in 2013:**
324 **“Section I: Definition of Qualifying Structures “Historic Structure” means any building that is**
325 **listed on or is determined eligible for listing on the National Register of Historic Places or the**
326 **state register of historic places; seconded by T. Tsantoulis.**

327

328 Kathie Northrup- the prior one was restricted to the very distinct village district, although the district is
329 the most saturated area of architectural and historic buildings. The older homes are what makes
330 Hooksett distinct and adds to the character. The Heritage Commission would like your support.

331

332 **Vote in favor 8-0.**

333

334 **CONSENT AGENDA**

335 **Eckhart & Johnson Site, #6 East Point Drive, Surety Release of \$9,780.75.**

336

337 **T. Tsantoulis motioned to accept consent agenda 10.01 as presented; seconded by D. Boutin.**

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A. Garron- the covid cases are not looking good. Currently we have 185 cases as of 12/7/21 in Hooksett. I looked back in my report this time last year and we had 121 number of cases in Hooksett. One of the things that we want to emphasize is the stronger use of mask wearing. These numbers are getting to a point where urgency will be heightened. Fully vaccinated in the state has increased by 1%.

Tax Rate- our tax rate was set and is at \$22.22, which is .29 less than less year.

Merrimack County Budget- you have a copy in your read file. That number was 2.64 has not changed from last year.

Opioid- you have already heard the presentation from Mr. Bonfetti, and the vote was taken to participate and move forward with that.

Departments- I know you have been receiving a lot of emails lately. There are things that happen on occasion that occur after the packets come out. The PD had experienced 2 accidents with vehicles, the question was asked if it was something that we can postponed until later, unfortunately it cannot be held off. Safelite wants to donate their services for that windshield repair in the amount \$571.24. we are asking for an after the fact donation, obviously if the council decides not to accept the donation, then we will send a check to Safelite for the repair.

376

377 **D. Boutin motioned to accept a donated windshield repair valued at \$571.24 from Safelite to the**
378 **Town of Hooksett per RSA 31:95- e for the police patrol vehicle #10, seconded by T. Tsantoulis.**

379

380 **All in favor 7-0 J. Durand not in room.**

381

382 Natural Gas Contract- our contract expired at the end of November; bids were put out by Finance. The
383 lowest bidder was a company named UGI, they had pricing of .772 which was the lowest amongst the
384 other two of .847 and .825. this will be a 36-month contract similar to the last contract that we had. The
385 urgency behind this is that the earlier that we sign a contract the earlier that we lock in the rate, as there
386 is no guarantee we will be able to hold the rate.

387

388 T. Tsantoulis- do you have the last date possible that you can sign this. There is a lot of volatility in the
389 natural gas market that is going down. My fear is if we exercise to much haste, we may be able to
390 negotiate something a little less.

391

392 A. Garron- Finance asked that very question and we can wait till the January meeting, but we run the
393 risk of the rate going up.

394

395 **D. Boutin amended the motion to authorize the Town Administrator to sign the agreement at the**
396 **point in which he believes he has secured the lowest rate possible. Seconded by A. Walczyk.**

397

398 **Roll Call Vote #5**

399 **T. Tsantoulis Aye**

400 **C. Jones Aye**

401 **R. Duhaime Nay**

402 **A. Walczyk Aye**

403 **R. Lapierre NP**

404 **C. Karolian Nay**

405 **J. Durand Nay**

406 **D. Boutin Aye**

407 **J. Sullivan Nay**

408

409 **Vote failed 4-4**

410

411 **D. Boutin motioned to authorize the Town Administrator to sign the 36-month Master Natural**
412 **Gas Sale Agreement "contract"; seconded by T. Tsantoulis.**

413

414 **Roll Call Vote #6**

415 **J. Durand Aye**

416 **R. Lapierre NP**

417 **C. Karolian Nay**

418 **D. Boutin Nay**

419 **C. Jones Aye**

420 **T. Tsantoulis Aye**

421 **A. Walczyk Aye**

422 **R. Duhaime Nay**

423 **J. Sullivan Aye**

424

425 **Vote 5-3 in favor**

426

427 C. Karolian- is the TA going to be held liable for signing the contract and then the price goes down?

428

429 J. Sullivan- yes and no to some extent. We are giving him the direction.

430

431 A. Garron- that very question was asked of the Finance Director if we can sign at our January 5th
432 meeting, and yes, we can but we also run the risk of pricing going up not down, so that is the risk we
433 have.

434

435 D. Boutin- I understand what T. Tsantoulis is saying, I feel we can move forward and sign this and still
436 secure the lowest price possible. What is the deadline for us signing?

437
438 A. Garron- on their side the sooner the better. On our side we have until January as that is when we
439 want to initiate a contract.
440
441 A. Garron- We sustained damage to the sidewalk plow and rendered totaled. Our insurance company
442 has determined that value to be \$75,735 minus the \$1,000 deductible comes to \$74,735. With the
443 amount of \$37,965 from the Public Works Vehicle Capital Reserve Fund and also they removed all the
444 salvageable parts, which lessened the delta.
445
446 J. Durand- how quick can you get a sidewalk plow?
447
448 A. Garron- we asked that question and was told that it can be here quickly.
449
450 E. Labonte- within a week and a half we can have the tractor here.
451
452 C. Jones- was the pickup truck at fault? Will we be reimbursed?
453
454 E. Labonte- that is on the insurance company to go after them.
455
456 R. Duhaime- was the attachment damaged?
457
458 E. Labonte- the attachment does not seem to be damaged.
459
460 R. Duhaime- just so everyone is aware this tractor has a lot of lights on it.
461
462 E. Labonte- The driver claims there was a glare, both operators were not hurt.
463
464 C. Karolian- can you clarify where the monies are coming from.
465
466 E. Labonte- we are getting \$75,000 from the insurance company and \$37,965 from Public Works
467 Vehicle Capital Reserve Fund approved by town council.
468
469 R. Duhaime- what year is our tractor? And how many hours?
470
471 E. Labonte- 2018, and I don't have the hours.
472
473 ***T. Tsantoulis motioned to use the insurance settlement in the amount of \$74,735 less \$1,000 and***
474 ***the rest of the funds in the amount of \$37,965 from the Public Works Vehicle Capital Reserve***
475 ***Fund deductible seconded by R. Duhaime.***
476
477 **Roll Call Vote #7**
478 ***C. Jones Aye***
479 ***C. Karolian Aye***
480 ***R. Lapierre Aye***
481 ***R. Duhaime Aye***
482 ***A. Walczyk Aye***
483 ***J. Durand Aye***
484 ***T. Tsantoulis Aye***
485 ***D. Boutin Aye***
486 ***J. Sullivan Aye***
487
488 ***Vote in favor 9-0***
489
490 A. Garron – thank you for supporting these events. I know it was a lot that happened.
491
492 Sign and Post Refurbished- Andre showed a picture of the new refurbished sign redone by the Kiwanis
493 club.
494
495 Tax bills and new newsletters went out. They are also posted on our website as well.
496
497 Master Plan- the Master Plan Workshop meeting on Monday December 13th at 6:00.
498

499 J. Sullivan- can you at your next TA Report make any recommendations on the archival documents of
500 the meetings and minutes. Provide the process and the backup of that.

501
502 C. Karolian- how is it currently being conducted?

503
504 A. Garron- good question, I do not know, I know we have the Granicus system. I know that they are
505 archived. The minutes once you accept them are the official documents that get archived.

506
507 **C. Karolian motioned affective immediately that we archive our own meetings and keep them**
508 **here at Town Hall; seconded by J Durand.**

509
510 **Roll Call Vote #8**

511 **R. Lapierre Nay**

512 **R. Duhaime Nay**

513 **T. Tsantoulis Nay**

514 **A. Walczyk Nay**

515 **J. Durand Aye**

516 **C. Jones Nay**

517 **D. Boutin Nay**

518 **C. Karolian Aye**

519 **J. Sullivan Abstained need more information**

520

521 **Vote failed 2-6-1 J. Sullivan Abstained need more information**

522

523

524 C. Karolian- I think it is a good idea, if they do not get it off the internet, then they can come in here and
525 request it.

526

527 J. Durand- I agree with Mr. Ross.

528

529 T. Tsantoulis- I would want to know what procedures that Granicus has to make sure that protections
530 are in place. We are paying for this service. I do not want to see the town of Hooksett paying for
531 something that we are already paying for.

532

533 R. Lapierre- Granicus is stored on a government secured amazon web service data center.

534

535 A. Walczyk- before we start turning into a disaster recovery town, we should know how much it will
536 cost, how will it be maintained and by who.

537

538 J. Sullivan- I think it is important to find how things are being stored, I need to know the process now.

539

540 C. Karolian- it's a matter of record that this council will do things without knowing the costs. I do think
541 we need to have a backup.

542

543 R. Duhaime- has TA Garron reached out to NHDOT about the exit 11 and Main Street intersections.

544

545 A. Garron- I have reached out to them about reinstating the 10-year project, which is the Hackett Hill
546 Road and Route 3a project adding on to that would be the Route 3a Main Street project. I believe that
547 was supported by DOT at the time, but we did not hear if that project was back on or not. The vote that
548 was taken by the council was sent showing our support.

549

550 C. Karolian- did you ever find out from the municipal association about RSA and going into non-public?

551

552 A. Garron- the question the C. Karolian asked I did reach out and get a response from Steven Buckley.
553 My question- recently the town council motioned to go into non-public under RSA 91a 32c. The council
554 member was upset that the vendor performed road work in un optimal conditions. The member also
555 recommended the vendor be banned form doing work in Hooksett. We went into nonpublic as the
556 discussion could harm the reputation of the vendor. The council member thought this was not a proper
557 use of 91 a. A. Garron read the response given by Steven Buckley's.

558

559 **J. Durand motioned that we have movie night at Peters Brook and Old Home Day on Saturday at**
560 **Donati park and the Car Show at Peters Brook; seconded by C. Karolian.**

561

562 J. Sullivan- amend to replace Peters Brook with "another suitable alternate location outside Donati
563 park".

564
565 C. Karolian- do we need to ask the school board to use the space.

566
567 J. Sullivan- I did not say it had to be the school, I just offered that it could be an option.

568
569 T. Tsantoulis- I would not want to move to far on this without getting input from the PD and other
570 departments.

571
572 C. Karolian- who is going to determine the next suitable location? I think the locations needs to be
573 determined first, then PD will need to sign off.

574
575 J. Sullivan- we granted the 3-day old home day event. We tasked the old home day committee with
576 doing that. The task is on them and who would be doing the leg work.

577
578 **R. Lapierre motioned to table this until January 5th so that we can get more information from PD
579 and staff so that we can make the best decision on alternative venues; seconded by D. Boutin.**

580
581
582 C. Karolian- you said it was the committee that was going to decide.

583
584 J. Sullivan- we have tasked OHDC with planning the events of OHD and I would. Approach the
585 necessary agents with this task.

586
587 C. Karolian- if they come back and say the best spot is to have it at Donati Park then what?

588
589 **Vote in favor 7-2.**

590
591

~~592~~
~~593~~
592 OLD BUSINESS

596 **Tax Increment Finance District (TIF) – Request for Public Hearing to Discuss Amending the Tax
597 Increment Finance Plan and Expanding District Boundaries**

598
599 ***D. Boutin motioned to have the Town Council hold a Public Hearing at its January 5, 2022, Town
600 Council Meeting to present and take public comment on amending the March 23, 2017, adopted
601 TIF district plan in accordance with NH RSA 162-K.; seconded by A. Walczyk.***

602
603 ***7-2 in Vote in favor.***

~~604~~
~~605~~
607 **Tax Increment Finance District (TIF) – Request for Public Hearing to Discuss Funding
608 Agreement between Town and Granite Woods Developer - Town Attorney via Zoom**

609
610 **D. Boutin motioned to have the Town Council hold a Public Hearing at its January 5, 2022 Town
611 Council Meeting to present and take public comment on the proposed agreement between
612 Granite Woods and the Town; seconded by A. Walczyk.**

613
614 **Vote in Favor 7-2.**

~~615~~
618 **Tax Increment Finance District (TIF) – Status Report**

619
620 A. Garron- I invited Town Attorney Mr. Whitley to speak at the last meeting I had requested that we put
621 a status update on the agenda. I just want to make sure it is clear that the TIF district was voted on in
622 2005, and in 2017 a new one put in its place. The purpose of the TIF district is to stimulate
623 development commercial properties within a district with providing infrastructure and public amenities
624 that encourage and create opportunities for business to locate and expand within a district enhance the
625 employment and earning opportunities for area residents, expand the property tax base of the town of
626 Hooksett, encourage other businesses to locate or expand within a community, encourage better land
627 use development, reduce the negative environmental potential of increased sub service based sewer

628 treatment. The existing TIF district contains 71 lots, which represents 3.3 of the total acreage of the
629 town and 8.8% of the total evaluation of the town, the TIF expansion will increase from 3.3 to 6.2 and
630 an increased total evaluation of 8.8 to 10.2. The estimated job within the area of the TIF district yields
631 about 1,500 to 2,000 jobs. So far as the Board remember about 2.5 years ago when we hired
632 Underwood Engineering to undertake the planning of this project. This is following in place of a 2.5-
633 million-dollar warrant article that was approved in March 2019. We signed the contract and identified
634 where we wanted to start.

635
636 Dave Mercier of Underwood Engineering- we came under contract in June of 2019. We spent a lot of
637 time working with the TIF advisory board and the council. In 2020 we issued a final planning stage
638 technical memo and it identified 4 phases of the project at an estimate of 21 million at that time. The
639 recommendation was to focus on exit 10 area first which was phases 1 and 2. The project grew from 4
640 to 5 phases. A little after that by May 2021, the phase 2 documents were 90% complete, and submitted
641 to NHDOT. They have a few issues with some of the crossings and the open cuts and use a non-dig
642 technique. We believe that by the end of the year we will have those documents set and blessed by the
643 State. The next set back is funding. There is about 1.2 million left to you. There was some TIF money
644 that had started to come back in. Recently an assessment was done dropping the values down within
645 the town needing to issue abatements. The other potential piece of funding is utilizing a portion of the
646 ARPA funds. There is a debit commitment of \$300k that was made to the Hooksett Water Village
647 Precinct. On the other hand, we have had 3 active applications for funding on this project, unfortunately
648 all 3 applications have not been funded. Basically, for round numbers, if the \$700k is put towards this
649 you would have 2.15 million less the \$300k already committed to Hooksett Water Village Precinct. If
650 you combine that with the cost that will be shared with Martin's Ferry for the update of the pump station.

651
652 J. Sullivan- with the federal funds out there do you think this project is eligible?
653

654 D. Mercier- they want to fund projects that are going to correct failing projects, and less for growth and
655 expansion. The new funding that is coming out I am hopeful that the scoring will change and as more
656 are awarded the more chances of funding will be available.

657
658 C. Karolian- you mentioned the ARPA funds and failing infrastructure, we do have sewer that is failing
659 can we use those funds for that?
660

661 D. Mercier- the project that was put forth for the same funding that scored higher and is getting money,
662 but your project to build new infrastructure did not get funding.
663

664 C. Karolian- the money that they are receiving from the ARPA funds would reduce the load and the
665 request on the town or the private funding sources. That number should be reduced because hopefully
666 they will get the grant money.
667

668 D. Mercier- in the MOA any grants or principal forgiveness will be split evenly between the two entities.
669

670 A. Garron- as we get into the potential funding sources. Attorney Whitley is here to address the funding
671 source and is it allowable in the State.
672

673 Mr. Whitley- so the proposal that you have in front of you. I do not think that is allowed under your
674 current TIF financing plan and nor do I think it is allowable under the State plan that talks about TIF
675 plan. I have made suggestions to Andre about the TIF payment plan so that they are consistent and
676 compliant with State law.
677

678 J. Sullivan- so what exists now is not legal but if we made some changes to the agreements they would
679 be allowed.
680

681 Mr. Whitley- You would need to make changes to the TIF financing plan to make it legal. And you would
682 need to have Granite Woods to the revision of the plan.

683
684 A. Garron- the other potential funding mechanism is expanding the TIF district. The developer
685 contribution is always an option that we pursue, and new development creates new revenue. We will
686 continue to seek grant avenues. We will go after all funding sources to help with the cost of us
687 implementing our plans. Warrant articles are also an option, but not one that we want to take, we want
688 the TIF district to be able to fund itself. The reason why I wanted to do this status update was to be
689 clear where we are at.

690
691
692
693
694 **NEW BUSINESS**

695
696 Hooksett Drainage Improvements Project Award (Scott Avenue/Leroux Drive) for \$127,150.20

697
698 **D. Boutin motioned to award the Drainage Improvements Project contract to Advanced**
699 **Excavating and Paving, LLC for the bid price of \$127,150.20 and pay for the project from the**
700 **Public Works Drainage Upgrades account; seconded by T. Tsantoulis.**

701
702 C. Karolian- these 2 projects are they on private property?

703
704 B. Thomas- yes, they both are. There are sink holes forming in the drain line and that is why we need to
705 replace it, and it is undersized. The owner is very excited that we are going to get this project fixed.

706
707 C. Karolian- the water is coming from a public street?

708
709 B. Thomas- the owner put it in, and the Town took over the easement.

710
711 C. Karolian- so the town did take it over at some point and we have the right to the easement and we
712 are responsible to repair or replace.

713
714 B. Thomas- Lehoux we do not have an easement but are seeking the approval. It is directly across the
715 street from Macy's.

716
717 C. Karolian- we don't have the easement yet, so we will be doing work on private property without
718 having the easement,

719
720 B. Thomas- yes, the owner is considering giving us the property vs just the easement. But that has not
721 been confirmed. I need

722
723 R. Duhaime- I think we are tracking our assets, is there anything in these projects that deals with
724 treatment before it gets into the river.

725
726 B. Thomas- yes, there is not much to do there, but we did show that we are going to flatten out the
727 grass areas. There are pipe inlets and catch basins.

728
729 **Roll Call Vote #9**

730 ***J. Durand Aye***

731 ***D. Boutin Aye***

732 ***C. Jones Aye***

733 ***R. Duhaime Aye***

734 ***C. Karolian Nay***

735 ***A. Walczyk Aye***

736 ***T. Tsantoulis Nay***

737 ***R. Lapierre Aye***

738 ***J. Sullivan Aye***

739
740 **Vote in favor 7-2**
741
742 **Town Council Participation in 2021 (Tabled at Council 11/17/2021 Meeting)**
743
744 C. Karolian- I think Mr. Jones needs to recuse himself and sit in the public as it pertains to him.
745
746 J. Sullivan- he is a part of the public body.
747
748 J. Sullivan- 14.5 regarding Councilor Jones attendance according to the Charter. A motion was made to
749 declare a vacancy as a result of missing more than 1/4 of regular meetings. At that time a motion was
750 made and tabled. Mr. Lapierre was asked to provide attendance record for Mr. Jones. Additional
751 information was provided in excess of the original request. So as a result of his report he did indicate
752 that Mr. Jones missed 9 meetings. Tonight, would be the 28th meeting so ¼ of that would be 7, Mr.
753 Jones has missed 9. Under the charter the council may after an investigation and a hearing declare a
754 vacancy if the member is found in violation of the Town Charter. We have that information. I believe
755 that the investigation was conducted. Is the meeting tonight enough to declare that as a meeting.
756
757 ***J. Sullivan motioned that the council has done the investigation and it has been completed;***
758 ***seconded by D. Boutin.***
759
760 **Roll Call Vote #10**
761 ***C. Karolian Aye***
762 ***T. Tsantoulis Aye***
763 ***R. Lapierre Aye***
764 ***C. Jones Abstained motion about him***
765 ***D. Boutin Aye***
766 ***J. Durand Aye***
767 ***A. Walczyk Aye***
768 ***R. Duhaime Aye***
769 ***J. Sullivan Aye***
770
771 ***Vote in favor 8-0-1 C. Jones abstained topic about him***
772
773 ***C. Karolian motioned that tonight's discussion will be considered an investigation hearing***
774 ***according to Town Charter; seconded by R. Lapierre.***
775
776 **Roll Call #11**
777 ***T. Tsantoulis Aye***
778 ***R. Lapierre Aye***
779 ***J. Durand Aye***
780 ***C. Jones Abstained motion about him***
781 ***C. Karolian Aye***
782 ***A. Walczyk Aye***
783 ***R. Duhaime Aye***
784 ***D. Boutin Aye***
785 ***J. Sullivan Aye***
786
787 ***Vote in favor 8-0-1 C. Jones abstained topic about him***
788
789 J. Sullivan- as a result let's move that motion from the table.
790

791 **C. Karolian motioned to remove the Town Council Participation in 2021 (Tabled at Council**
792 **11/17/2021 Meeting); seconded by R.Lapierre.**

793 **Vote in favor 9-0**

794
795 R. Lapierre- the original motion was at the November 17, 2021 TC Meeting under New Business
796 Council Durand moved to declare a vacancy held by C. Jones due to excessive absences seconded by
797 C. Karolian.

798
799 R. Lapierre- asked if he could discuss the other information that he supplied.

800
801 J. Sullivan- did not feel that it was appropriate to discuss other councilors attendance record as it did
802 not pertain to the question at large.

803
804 C. Karolian called the question; seconded by J. Durand.

805
806 **Roll Call Vote #12**

807 **D. Boutin Nay**

808 **A. Walczyk Nay**

809 **J. Durand Aye**

810 **C. Karolian Aye**

811 **R. Lapierre Nay**

812 **T. Tsantoulis Aye**

813 **R. Duhaime Nay**

814 **C. Jones Nay**

815 **J. Sullivan Aye**

816
817 **Vote failed 4-5.**

818
819 J. Durand- the charter is the charter it. It is black and white we do not need to put anything more into
820 the discussion.

821
822 C. Jones- in the wording under the charter it does not say shall or must. It says may and allows the
823 board discretion to take medical into consideration. If you have someone who has cancer and
824 They are out of this meeting for 3 meetings in a row, he is not doing anything for his district, and he
825 should be let go.

826
827 J. Durand- yes according to the charter.

828
829 C. Jones- again says may and leaves that open to consideration.

830
831 J. Durand- then maybe we should ask legal.

832
833 J. Sullivan- may says you don't have to you may. If it said shall it means you have to do that.

834
835 C. Karolian- I want to make sure that we don't set a precedent. We may be opening ourselves to more
836 issues. The charter is very specific, that's all it is not about anything else.

837
838 T. Tsantoulis- I did not come here to make any friends or any enemies. I came here in terms of decision
839 making I do what I feel is for the people of hooksett. That being said I don't like being in this situation, I
840 look at the people who come here with regularity and stay here late. I question if it is fair to the
841 residents if there is a councilor that is not here and contributing. If we don't have a quorum then we
842 don't have meetings. I don't like having to do this but I think it is the right thing to do.

843

844 R. Lapierre- it clearly says that the Town Council is solely responsible for determining who is qualified
845 to serve on this committee. The board has had an issue with councilors coming in late or not at all. We
846 have lost quorum 4 times this year and one of those days I was not here. We were all appointed or
847 elected to represent the residents of Hooksett. Councilor Jones seat is up for reelection in March and
848 where it is so close to voting let the people of Hooksett make that decision at the ballot box.
849

850 C. Karolian- we should look at the constituents and their representation. I appreciate the information
851 that councilor Lapierre put into his report. This is about missing meeting entirely and not about who
852 came or left late. The only thing I have heard form C. Jones is that the Charter says may not shall, he
853 has not spoken about as to the reason why and or anything else to defend himself.
854

855 J. Sullivan- you did do more than just reference the charter; you did mention your health. Do you want
856 to expand on the health issues?
857

858 C. Jones- with the exception of the last meeting that we had I notified Andre and Jim where I was going
859 to be at the last meeting, all the other meetings that I have missed have been too medical for either
860 myself, my wife or my father. I'm not looking for sympathy from this board and I have not asked for it
861 from this board. My family comes first, and if you want me to go then I will go.
862

863 J. Durand- in light of the family and illness then maybe he should resign and let someone else come in.
864 I did not make the charter; it is there for a reason.
865

866 J. Sullivan- people serve because they want to serve the town, Healthwise sometimes it is difficult to
867 not be able to attend. Again since 1989 there has been many amendments to the charter, but this
868 situation has not come up before. 3.2 of the charter says as Mr. Lapierre referred to, the council is the
869 sole judge of qualifications for office. The majority of the council may declare a vacancy if they are in
870 violation of the charter.
871

872 C. Karolian- if we were made aware of his reason for not being here then we would not be here tonight
873 discussing this.
874

875 **Roll Call Vote #13**

876 ***C. Karolian Nay***

877 ***D. Boutin Nay***

878 ***T. Tsantoulis Aye***

879 ***R. Lapierre Nay***

880 ***A. Walczyk Nay***

881 ***R. Duhaime Aye***

882 ***J. Durand Aye***

883 ***C. Jones Abstained***

884 ***J. Sullivan Aye***

885

886 ***Vote failed 4-4 C.***

887 ***C. Jones will not be removed there is not a vacancy.***

888

889 **Break for 5 minutes**

890

891
892
893 **Council Discussion on Town Charter Amendment for Proposed New Zoning Article for the**
894 **Hooksett Town Council to have the authority to introduce and amend the Town's Zoning**
895 **Ordinance(s).**

896

897 ***T. Tsantoulis motioned to move the Town Charter Amendment for Proposed New Zoning Article***
898 ***for the Hooksett Town Council to have the authority to introduce and amend the Town's Zoning***
899 ***Ordinance(s) for a public hearing at their meeting of January 5, 2022; seconded by D. Boutin.***

900
901 R. Lapierre- just like any motion if Duhaime wants to keep his comments to having or not having a
902 hearing I think that is in bounds.

903
904 R. Duhaime- we have land use boards, and they are going to have to take their time off for these
905 hearings. We are already talking about attendance. I do not think it is good for the boards and the
906 volunteers.

907
908 D. Boutin- I call the question.

909
910 **Roll Call Vote #14**

911 ***R. Duhaime Nay***

912 ***J Durand Nay***

913 ***C. Jones Nay***

914 ***R. Lapierre Aye***

915 ***A. Walczyk Aye***

916 ***D. Boutin Aye***

917 ***C. Karolian Nay***

918 ***T. Tsantoulis Aye***

919 ***J. Sullivan Aye***

920
921 ***Vote in favor 5-4***

~~922~~
~~923~~
924 **Discussion to amend the Town Charter to Reflect State Law Allowing Five (5) Alternates on the**
925 **Zoning Board of Adjustment - Anne Stelmach ZBA Chair.**

926
927
928 **D. Boutin Motion to move the proposed Town Charter Amendment to allow five (5) alternates on**
929 **the Zoning Board of Adjustment to a public hearing on January 5, 2022, pending Attorney**
930 **review of the proposed amendment; seconded by T. Tsantoulis.**

931
932 **Roll Call Vote #14**

933 ***D. Boutin Aye***

934 ***C. Jones Aye***

935 ***A. Walczyk Aye***

936 ***J. Durand Nay***

937 ***R. Duhaime Aye***

938 ***T. Tsantoulis Aye***

939 ***R. Lapierre Aye***

940 ***C. Karolian Aye***

941 ***J. Sullivan Aye***

942
943 ***Vote in favor 8-1***

944
945 **C. Karolian motioned we extend the meeting past 9:30 pm not to extend past 10:00 pm;**
946 **seconded by J. Sullivan.**

947
948 ***Vote in favor 7-2***

~~949~~
~~950~~
951 **Town of Hooksett and Teamsters Local 633 Mid-Management Contract Effective July 1, 2022**

952
953
954 **J. Sullivan- We will be holding a special meeting on December 15th regarding mid management**
955 **contract approval at 5:30.**

956
957 **A. Garron- In non-public it will be under A not C.**

959 J. Sullivans- RSA 91: a MINUTES: Minutes must be kept of all public meetings and must be made
 960 available to the public upon request within 5 business days after the meeting. Minutes must include: the
 961 names of members present others participating, a summary of subject matter discussed, and any final
 962 decisions or votes. Video recordings of Council meetings are available for additional comments made
 963 on agenda subject matters, b) agenda – RSA 91:A requires only date, time and place of meeting for
 964 public notice; Hooksett’s agenda packet includes several pages (typically 100 pages) of back-up
 965 material for the public to be informed. Also, for *operational efficiency* of taking Council minutes, it is
 966 requested by Administration: Councilors to formally notify the Chair or designee when he is leaving the
 967 meeting vs. taking a brief break. The Chair would then make a statement into the record of this action.
 968 This is important for determining a quorum and vote tallies throughout the meeting. Councilors to
 969 minimize side conversations as it becomes difficult to interpret subject matter “official’ discussion.
 970 Based on the above meetings hours, it typically takes a Recording Clerk 2x the amount of time after the
 971 meeting to complete the minutes in a format to post within 5 business days of the meeting (i.e. 4 hour
 972 meeting = another 8 hours working on formatting the minutes for posting for a total of 12 hours). The
 973 majority of meetings since July 2021 have been very challenging as noted in first part of this e-mail and
 974 have increased the total hours of time spent on formatting these minutes.

975 **APPROVAL OF MINUTES**

976
 977 ***T. Tsantoulis? motioned to approve the public minutes of the November 17, 2021, meeting.***
 978 ***Seconded by D. Boutin.***

979
 980 ***Vote in favor 9-0***

981
 982
 983 ***R. Lapierre motioned to approve the non-public minutes of the November 17, 2021, meeting.***
 984 ***Seconded by D. Boutin.***

985 986 987 988 989 **SUB-COMMITTEE REPORTS**

990
 991 D. Boutin- the TIF is going to be meeting next Thursday. There has been proposed MOU adjustment to
 992 the agreement that we will vote on and bring to the council.

993
 994
 995 C. Karolian- at the transfer station there is a request for information on if the ARPA funds can be spent
 996 towards wages and equipment purchases etc. There is also a request from condominiums complexes
 997 where we currently have a maximum of three condos in one building there is an interest in getting it up
 998 to 4 there are a lot of complexes that 4 all attached and changing the town ordinance to set the fees for
 999 the trash coming in depending on what the market is doing, maybe at 3 or 4 times a year.

1000
 1001 A. Walczyk- Parks and Rec and Conservation Commission meet next week.

1002
 1003 T. Tsantoulis- we do have a nominee for the youth achievers, I will schedule with Lapierre on that and
 1004 get that awarded by the end of the new year.

1005
 1006 J. Sullivan- bicentennial committee first event is January 1st, 2022, for a walk. We have full events
 1007 throughout the whole year. We will have a premier video called “soaring over Hooksett”. Winter
 1008 Carnival is coming up with a Bicentennial flair. We will also unveil a hand drawn commemorative poster
 1009 of Hooksett. I will be calling for councilors to help with those events as well.

1010 1011 **PUBLIC INPUT**

1012
 1013 Joanne McHugh- I was on the school board for a long time. It was not always roses we had difficulties
 1014 at times. It would be helpful to work with someone to help you work as a cohesive group. I think you
 1015 need to take the time to reflect on the issues. I thought we were going to have a discussion on the
 1016 charter amendments, that did not happen that is why I stayed tonight.

1017
 1018

1019

1020

1021 **ADJOURNMENT**

1022

1023 ***D. Boutin motioned to adjourn the meeting at 9:51 pm.; seconded by J. Durand.***

1024

1025 ***Vote in favor 8-1***

1026

1027 Respectfully submitted,

1028 *Alicia Jipson*

1029

1030 Alicia Jipson

1031 Recording Clerk

1032

1033 Please see subsequent meeting minutes for any amendments to these minutes