



AGENDA

Town of Hooksett Town Council

Wednesday, February 9, 2022 at 6:00 PM

A meeting of the Town Council will be held Wednesday, February 9, 2022 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**
7. **SPECIAL RECOGNITION**
 - 7.1. **BICENTENNIAL MOMENT**
 - 7.2. Hooksett Municipal Employee - New Hire
8. **PUBLIC INPUT - 15 MINUTES**
9. **SCHEDULED APPOINTMENTS**
 - 9.1. February 5, 2022 Deliberative Session Recap - Todd Rainier, Town Clerk & Todd Lizotte, Town Moderator
10. **CONSENT AGENDA**
 - 10.1. Motion to accept the stipend in the amount of \$4,995 from the NH Police Standards and Training for allowing Officer Minihan to serve as Cadre for the current full time police academy. 3
[Staff Report - SR-22-001 - Pdf](#)
11. **TOWN ADMINISTRATOR'S REPORT**
12. **NOMINATIONS AND APPOINTMENTS**
 - 12.1. Nominations and Appointments 5 - 7
[Staff Report - SR-22-016 - Pdf](#)
13. **BRIEF RECESS**
14. **OLD BUSINESS**
 - 14.1. Martins Ferry Road Erosion Repair Project Award to the S.U.R. Construction West, Inc. for \$84,470.00. 9 - 26
[Staff Report - SR-22-015 - Pdf](#)
15. **NEW BUSINESS**
16. **APPROVAL OF MINUTES**

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

16.1.	Public: 01/12/2022 Special Meeting TC Special Meeting 01122022	27 - 32
16.2.	Public: 01/19/2022 TC Minutes 01192022	33 - 52
16.3.	Public: 01/26/2022 Special Meeting TC Special Meeting Minutes 01262022	53 - 70

17. SUB-COMMITTEE REPORTS

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: Motion to accept the stipend in the amount of \$4,995 from the NH Police Standards and Training for allowing Officer Minihan to serve as Cadre for the current full time police academy.

Meeting: Town Council - 09 Feb 2022

Department: Police Department

Staff Contact: Janet Bouchard, Police Chief

BACKGROUND INFORMATION:

Officer Minihan was chosen to represent the Hooksett Police Department and serve as "Cadre" at the NH full-time police academy, session #187 that runs for 16 weeks from January 3, 2022 until April 22, 2022. The Police Department will not incur any additional costs. The N.H. Police Standards and Training Council agrees to pay the Police Department a stipend of \$4,995 at the end of the training period. The cadre assignment is a positive training and mentoring experience for Officer Minihan as well as it strengthens the Department's relationship with the Police Academy.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Motion to accept the stipend of \$4,995 from the New Hampshire Police Standards and Training Council, to the Town of Hooksett for the Hooksett Police Department and return the funds to the Police Department's 2021-2022 fiscal budget under the full-time employee wage line.

SUGGESTED MOTION:

Motion to accept the stipend of \$4,995 from the New Hampshire Police Standards and Training Council, to the Town of Hooksett for the Hooksett Police Department and return the funds to the Police Department's 2021-2022 fiscal budget under the full-time employee wage line.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council
STAFF REPORT



To: Town Council
Title: Nominations and Appointments
Meeting: Town Council - 09 Feb 2022
Department: Administration
Staff Contact: Leann McLaughlin, Project Coordinator

BACKGROUND INFORMATION:

The Heritage Commission lost a valuable member. Anthony Lacasse has applied to join the Heritage Commission.

RECOMMENDATION:

It is recommended to waive the Council rules to nominate and appoint at this meeting so Mr. Lacasse can be a part of the February 11th Heritage Commission meeting.

SUGGESTED MOTION:

Motion waive the Council rules and nominate and appoint Anthony Lacasse as a member of the Heritage Commission with a term expiring 6/30/2024.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[T. Lacasse](#)



Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: 2/27/22
 Name: Tony LaCasse Phone: (603) 716-5769
 Address: 12 Foanne Dr Hooksett, NH
 Email Address: themainstreetman@kw.com
 Signature: Tony

Return completed form to: Town of Hooksett, 35 Main Street, Hooksett NH 03106,
 Attn: Administration Department or email to lfuller@hooksett.org.

I am willing to serve on the following Town Boards/Committees/Commissions. I understand if appointed, I am required to attend the regular meetings.

BOARDS, COMMISSIONS & COMMITTEES

Role Preference
 Alternate, Regular, or None?

<input type="checkbox"/> Conservation Commission	_____
<input type="checkbox"/> Economic Development Advisory Committee	_____
<input checked="" type="checkbox"/> Heritage Commission	<u>Regular</u>
<input type="checkbox"/> Parks & Recreation Advisory Board	_____
<input type="checkbox"/> Planning Board	_____
<input type="checkbox"/> Recycling & Transfer Advisory Committee	_____
<input type="checkbox"/> Town Hall Preservation Committee	_____
<input type="checkbox"/> Zoning Board of Adjustment	_____
<input type="checkbox"/> Other (Please specify.)	_____

2

How long have you been a resident of Hooksett?

Since 2004

Why are you seeking this position?

I love the town's history/historic architecture that is left, and want to be able to save & grow our historical character in the village especially. Also, in honor of Katrine

Do you have any specific goals or objectives? Nurture

- Help designate Hooksett village as a historic district & make it the cultural/historical community center for town through beautification projects/preservation/historical markers

Please list special skills, talents or experience pertinent to the position sought:

- fundraising experience w/ Kiwanis, other groups
- volunteer - Rubies Preservation Corp
- marketing experience / social media
- historical architecture / real estate specialist

Please list any potential conflicts of interest you may have if appointed for a board or commission:

N/A

Please list any work, volunteer, and/or educational experience you would like to have considered:

- Created a sustainable business plan for S. Acworth Village Store
- community events organizer - Village Store
- Main Street Academy graduate (historical preservation focus & economic development)

Please list any current/prior Town board membership and the dates of service:

Zoning Board member (alternate)

2021 - 2024

Town Council **STAFF REPORT**



To: Town Council
Title: Martins Ferry Road Erosion Repair Project Award to the S.U.R. Construction West, Inc. for \$84,470.00.
Meeting: Town Council - 09 Feb 2022
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The Town requested proposals to repair erosion along the embankment between Martins Ferry Road in Hooksett, New Hampshire and the stream along the south side of the roadway.

The proposed project was designed by Sanborn:Head Engineering with Normandeau Consulting as a subconsultant. A wetland permit has been approved for this project.

The project was advertised in the Manchester Union Leader on December 23, 2021. It was also put on the Town website. One bid was received and opened on January 20, 2022. The low bidder was S.U.R. Construction West, Inc. of Winchester, New Hampshire for \$84,470.00.

The Staff recommends awarding the contract to S.U.R. Construction West, Inc. for \$84,470.00.

FINANCIAL IMPACT:

The award price of \$84,470.00 will be funded from the Drainage Upgrades account. Currently there is \$173,761.97 of unencumbered funds in the account. After completion of this project, \$89,291.97 will remain in the account.

POLICY IMPLICATIONS:

None.

RECOMMENDATION:

To award the Drainage Improvements Project contract to S.U.R. Construction West, Inc. for the bid price of \$84,470.00 and pay for the project from the Public Works Drainage Upgrades account.

SUGGESTED MOTION:

Motion to award the Drainage Improvements Project contract to S.U.R. Construction West, Inc. for the bid price of \$84,470.00 and pay for the project from the Public Works Drainage Upgrades account.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[0000 Memo -Martins Ferry Project Award Recommendation](#)

[0000 Consultant Award Recommendation](#)

[0000 Martins Ferry BID TAB](#)

[004 20211208 Martins Ferry REV A\(11x17\) \(STAMPED\)](#)

[003 2021-03510 Wetlands PBN](#)

**Town of Hooksett
Community Development**

Memo

To: Andre Garron, Town Administrator
From: Bruce A. Thomas, P.E., Town Engineer
Cc: Earl Labonte, Christine Tewksbury
Date: January 24, 2022
Re: Martins Ferry Road Erosion Project Bid Results

Martins Ferry Road Erosion Repair Project Award to the S.U.R. Construction West, Inc. for \$84,470.00.

The Town requested proposals to repair erosion along Martins Ferry Road in Hooksett, New Hampshire. The project was advertised in the Manchester Union Leader on December 23, 2021. It was also put on the Town website. One bid was received and opened on January 20, 2022. The low bidder was S.U.R. Construction West, Inc. of Winchester, New Hampshire for \$84,470.00.

I checked several references for this contractor as follows:

Paul Hayner of Hayner-Swanson:

"Amazingly great contractor, responsive and easy to work with"

Martha Drukker, Engineer, City of Concord:

"Does a good job, pleasant, nice to work with, comes up with solutions on the fly, fully capable." She did indicate that traffic control should be monitored (I think that she noted that sometimes the flaggers were on their cell phones).

Brett Rusnock, Engineer, City of Keene:

Contractor was "Ok, overall good quality, did reasonably well, got things done, professional office staff." Mr. Rusnock did note that the contractor needs good supervision.

I recommend awarding the contract to S.U.R. Construction West, Inc. for \$84,470.00. Please contact me with any questions that you may have.



20 Foundry Street
Concord, NH 03301

Bruce Thomas, P.E.
Town Engineer
Town of Hooksett
35 Main Street
Hooksett, New Hampshire 03106

January 25, 2022

Re: Request for Proposals
Bid #21-14 Martins Ferry Road Embankment Modifications Project
Hooksett, New Hampshire

Dear Bruce:

Sanborn, Head & Associates, Inc. (Sanborn Head) reviewed the contractor proposal submitted for the Martins Ferry Road Embankment Modifications Project (Project). The Project is located on the southern side of Martins Ferry Road from the intersection of North River Road to approximately 200-feet to the east. One contractor, S.U.R. Construction West, Inc. of Winchester, New Hampshire, submitted a proposal to the Town of Hooksett (Town). The proposal was publicly opened on January 20, 2022 at the Hooksett Town Hall.

Considering that only one proposal was received, which also makes it the apparent lowest amount for the base scope, the Town should consider entering into a contract with S.U.R. Construction West, Inc. for the Project.

Please contact me if you require additional information or if we can be of further assistance.

Very truly yours,
Sanborn, Head & Associates, Inc.

A handwritten signature in blue ink, appearing to read "Kelly M. Anderson".

Kelly M. Anderson
Project Manager

A handwritten signature in blue ink, appearing to read "Eric S. Steinhauser".

Eric S. Steinhauser, PE CPESC, CPSWQ
Senior Vice President

KMA/ESS:kma

\\conserv1\shdata\5000s\5007.00\Source Files\Bid Phase\20220125 Martins Ferry Const Proposal Response.docx

BID TABULATION JANUARY 20, 2022
MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS PROJECT

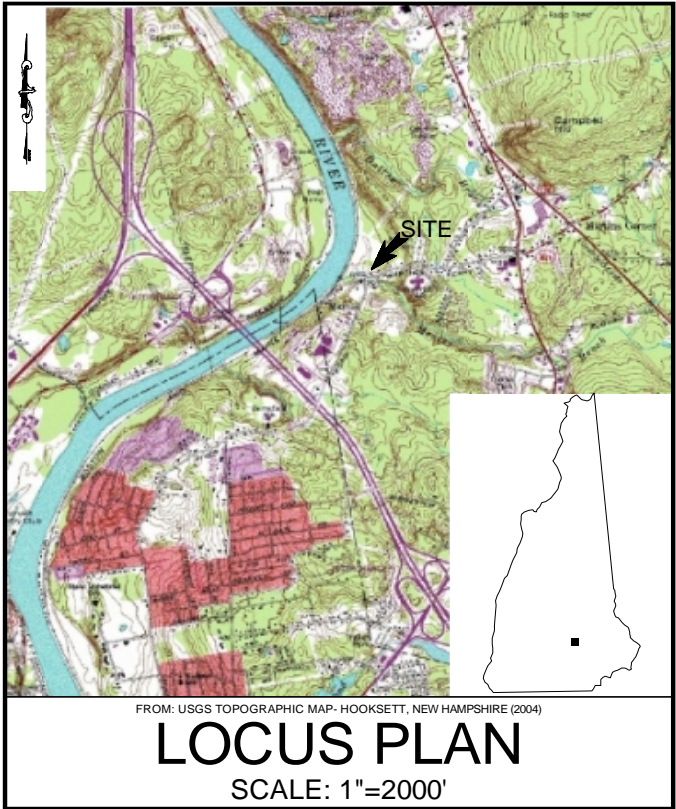
				Engineer		SUR, Construction West, Inc.	
Item Number	Item Description	Units	Quantity	Estimated Unit Price	Amount	Unit Price	Amount
1	Mobilization/Demobilization	LS	1	\$11,878.00	\$11,878	\$16,500.00	\$16,500.00
2	Traffic and Safety Controls	LS	1	\$7,000.00	\$7,000	\$10,000.00	\$10,000.00
3	Erosion and Sediment Controls						
	Sediment Filter Log	LF	50	\$10.00	\$500	\$70.00	\$3,500.00
4	Vegetation Clearing and Removal	SF	1850	\$4.00	\$7,400	\$4.50	\$8,325.00
5	Riprap-Lined Swales						
	a. Eastern Riprap-Lined Swale	SY	4	\$179.00	\$716	\$155.00	\$620.00
	b. Western Riprap-Lined Swale	SY	28	\$179.00	\$5,012	\$155.00	\$4,340.00
6	Guardrail						
	a. Remove and Salvage Existing Guardrail Beam	LF	145	\$10.00	\$1,450	\$11.00	\$1,595.00
	b. Reinstall Salvaged Guardrail Beam	LF	145	\$10.00	\$1,450	\$11.00	\$1,595.00
7	Restore Embankment Face						
	a. Restore Fallen Rock From Embankment Face	SF	78	\$340.00	\$26,520	\$12.50	\$975.00
	b. Shotcrete Wall Embankment Type 2	SF	100	\$150.00	\$15,000	\$12.50	\$1,250.00
	c. Shotcrete Wall Embankment Type 3	SF	210	\$150.00	\$31,500	\$12.50	\$2,625.00
8	Leveling Pad						
	a. Wall Embankment Type 1	CY	4	\$30.00	\$120	\$310.00	\$1,240.00
	b. Wall Embankment Type 2	CY	10	\$30.00	\$300	\$310.00	\$3,100.00
	c. Wall Embankment Type 3	CY	8	\$30.00	\$240	\$310.00	\$2,480.00
9	Reinforced Concrete Cap Stone						
	a. Wall Embankment Type 1	SY	20	\$125.00	\$2,500	\$185.00	\$3,700.00
	b. Wall Embankment Type 2	SY	30	\$125.00	\$3,750	\$185.00	\$5,550.00
	c. Wall Embankment Type 3	SY	35	\$125.00	\$4,375	\$185.00	\$6,475.00
10	Bituminous Concrete Curb	LF	170	\$35.00	\$5,950	\$30.00	\$5,100.00
11	As-Built Survey & Record Documents	LS	1	\$5,000.00	\$5,000	\$2,500.00	\$2,500.00
12	Payment Bond	LS	1	\$5,931.00	\$5,939	\$1,500.00	\$1,500.00
13	Performance Bond	LS	1	\$5,931.00	\$5,939	\$1,500.00	\$1,500.00
	Total:				\$142,539.00		\$84,470.00

CONSTRUCTION DRAWINGS
MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS PROJECT
MARTINS FERRY ROAD
HOOKSETT, NEW HAMPSHIRE
NHDES FILE NO: 2021-03510
NOVEMBER 2021
LAST REVISED DECEMBER 2021

SHEET INDEX

SHEET	TITLE
△ 1	NOTES, LEGEND, AND ABBREVIATIONS
2	OVERALL SITE PLAN
△ 3	EXISTING CONDITIONS PLAN AND PHOTOGRAPHS
△ 4	PROPOSED MODIFICATIONS PLAN AND PROFILE
△ 5	CROSS SECTIONS AND DETAIL
△ 6 - 7	DETAILS
8	EROSION AND SEDIMENTATION CONTROL DETAILS

REVISION TABLE			
△	12/7/21	RESPONSE TO NHDES COMMENTS	KMA
NO.	DATE	DESCRIPTION	BY



PREPARED FOR:



PREPARED BY:



20 FOUNDRY STREET, CONCORD, NEW HAMPSHIRE 03301
(603) 229-1900 FAX (603) 229-1919

[illegible]



- NOTES:**
- 1. REFER TO SHEET 1 FOR ADDITIONAL NOTES AND LEGEND.
 - 2. THE AERIAL PHOTOGRAPH IMAGE WAS CAPTURED FROM GOGGLE MAPS ON SEPTEMBER 21, 2021.
- LEGEND:**
- APPROXIMATE PROJECT AREA
 - PARCEL BOUNDARY
 - 07107-33-68 SOUTHERN NEW HAMPSHIRE UNIVERSITY TAX MAP NUMBER
 - PROPERTY OWNER

NHDES FILE NUMBER:
2021-03510

GRAPHICAL SCALE

30' 15' 0' 30' 60'

NO.	DATE	DESCRIPTION	BY

DRAWN BY: L. ZUCHOWSKI
DESIGNED BY: O. HERNANDEZ PAZ
REVIEWED BY: K. ANDERSON
PROJECT MGR: K. ANDERSON
PIC: E. STEINHAUSER
DATE: NOVEMBER 2021

MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS
TOWN OF HOOKSETT
HOOKSETT, NEW HAMPSHIRE

CONSTRUCTION DRAWINGS
OVERALL SITE PLAN

PROJECT NUMBER:
5007.00

SHEET NUMBER:
2 OF 8



- NOTES:**
1. REFER TO SHEET 1 FOR ADDITIONAL NOTES AND LEGEND.
 2. THE AERIAL PHOTOGRAPH IMAGE WAS CAPTURED FROM GOGGLE MAPS ON SEPTEMBER 21, 2021.
 3. PHOTOGRAPHS OF THE SITE WERE TAKEN BY SANBORN HEAD AND NORMANDEAU FIELD STAFF ON MULTIPLE DATES IN 2021.
 4. TOP OF WALL FACE AND THE LENGTH OF GUARDRAIL AND WALL EMBANKMENT TYPES WERE MEASURED ON DECEMBER 3, 2021 BY SANBORN HEAD FIELD STAFF. SEE TABLE ON SHEET 4 FOR ADDITIONAL INFORMATION.
- LEGEND:**
- CURB
 - OE GUARDRAIL
 - OVERHEAD ELECTRIC
 - TOP OF WALL FACE
 - TOP OF BANK
 - ORDINARY HIGH WATER
 - CATCHBASIN
 - DRAIN MANHOLE
 - UTILITY POLE
 - SIGN
 - PHOTO IDENTIFICATION



PHOTO 6
EMBANKMENT FACE - TYPE 2
LOOKING NORTH WEST



PHOTO 1
TOP OF EMBANKMENT
LOOKING WEST



PHOTO 2
WESTERN END OF EMBANKMENT
LOOKING WEST



PHOTO 3
EDGE OF ROADWAY
LOOKING WEST



PHOTO 4
EMBANKMENT AND STREAM
LOOKING EAST



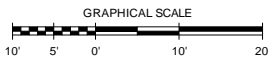
PHOTO 5
EMBANKMENT FACE - TYPE 1
LOOKING NORTH



PHOTO 7
EMBANKMENT FACE - TYPE 3
LOOKING NORTH WEST

NHDES FILE NUMBER:
2021-03510

SANBORN HEAD



NO.	DATE	DESCRIPTION	BY
1	12/7/2021	REVISED BASED ON FIELD MEASUREMENTS	KMA

DRAWN BY: L. ZUCHOWSKI
DESIGNED BY: O. HERNANDEZ PAZ
REVIEWED BY: K. ANDERSON
PROJECT MGR: K. ANDERSON
PIC: E. STEINHAUSER
DATE: NOVEMBER 2021

MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS
TOWN OF HOOKSETT
HOOKSETT, NEW HAMPSHIRE
CONSTRUCTION DRAWINGS
EXISTING CONDITIONS PLAN AND
PHOTOGRAPHS

PROJECT NUMBER:
5007.00
SHEET NUMBER:
3 OF 8



NOTES:

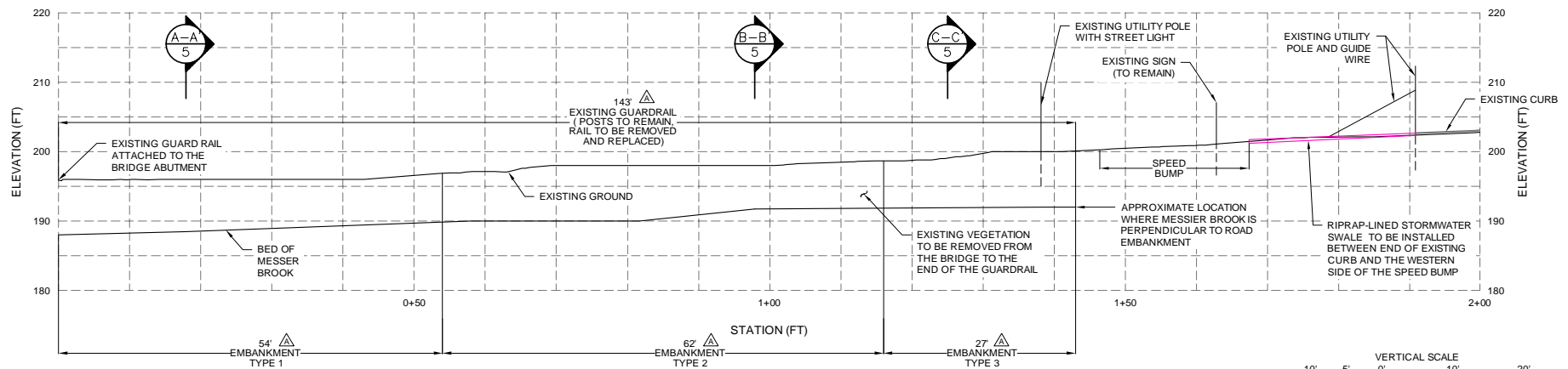
1. REFER TO SHEET 1 FOR ADDITIONAL NOTES AND LEGEND.
2. THE AERIAL PHOTOGRAPH IMAGE WAS CAPTURED FROM GOGGLE MAPS ON SEPTEMBER 21, 2021.
3. TOP OF WALL FACE AND THE LENGTH OF GUARDRAIL AND WALL EMBANKMENT TYPES WERE MEASURED ON DECEMBER 3, 2021 BY SANBORN HEAD FIELD STAFF. SEE TABLE BELOW FOR ADDITIONAL INFORMATION.
4. IMPACT AREA IS APPROXIMATELY 72 SQUARE FEET. IMPACT AREA ASSUMES A 6-INCH THICK IMPACT FOR THE LENGTH OF THE WALL (0.5' X 143' = 71.5 SQUARE FEET).

LEGEND:

- CURB
- GUARDRAIL
- OE — OVERHEAD ELECTRIC
- TOP OF WALL FACE
- TOP OF BANK
- ORDINARY HIGH WATER
- PROPOSED IMPACT AREA
- PROPOSED RIPRAP
- CATCHBASIN
- DRAIN MANHOLE
- UTILITY POLE
- SIGN

DISTANCE FROM GUARDRAIL FACE TO TOP OF FACE OF WALL	
STATION	DISTANCE (FT)
0+00	7'-4"
0+25	8'-6"
0+50	9'-2"
0+75	4'-3"
1+00	6'-6"
1+25	3'-10"
1+43	7'-1"

PROPOSED MODIFICATIONS PLAN



EMBANKMENT PROFILE

SANBORN HEAD

SCALE: AS NOTED



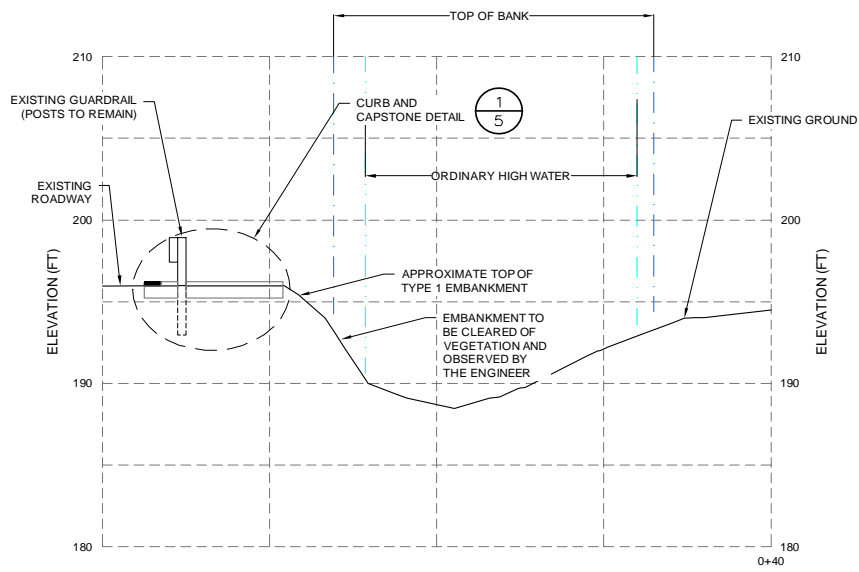
NO.	DATE	DESCRIPTION	BY
1	12/7/2021	REVISED BASED ON FIELD MEASUREMENTS	KMA

DRAWN BY: L. ZUCHOWSKI
DESIGNED BY: O. HERNANDEZ PAZ
REVIEWED BY: K. ANDERSON
PROJECT MGR: K. ANDERSON
PIC: E. STEINHAUSER
DATE: NOVEMBER 2021

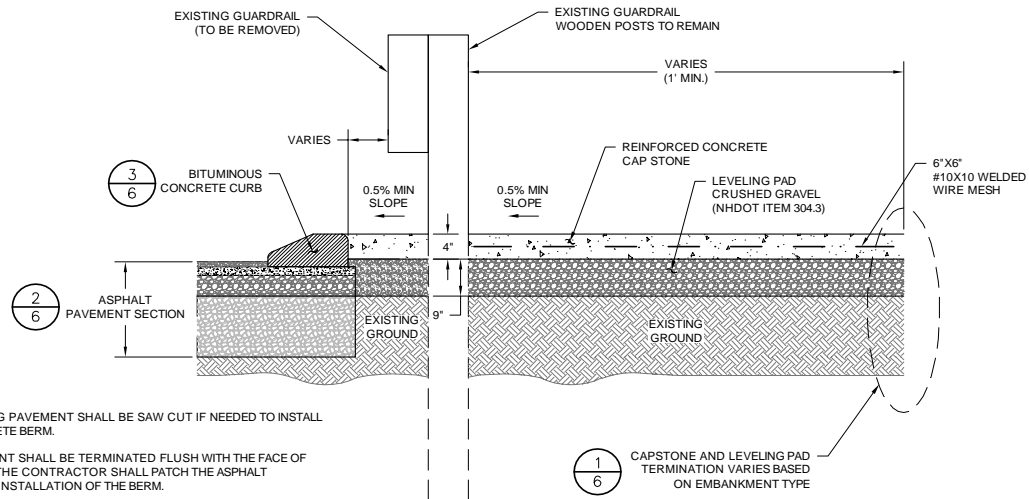
MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS
TOWN OF HOOKSETT
HOOKSETT, NEW HAMPSHIRE

CONSTRUCTION DRAWINGS
PROPOSED MODIFICATIONS PLAN
AND PROFILE

PROJECT NUMBER:
5007.00
SHEET NUMBER:
4 OF 8



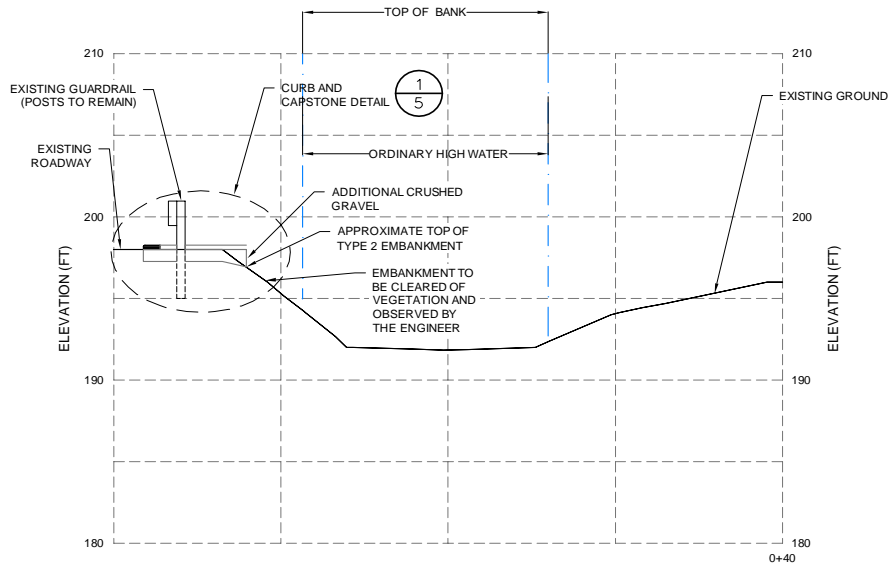
CROSS SECTION A-A'



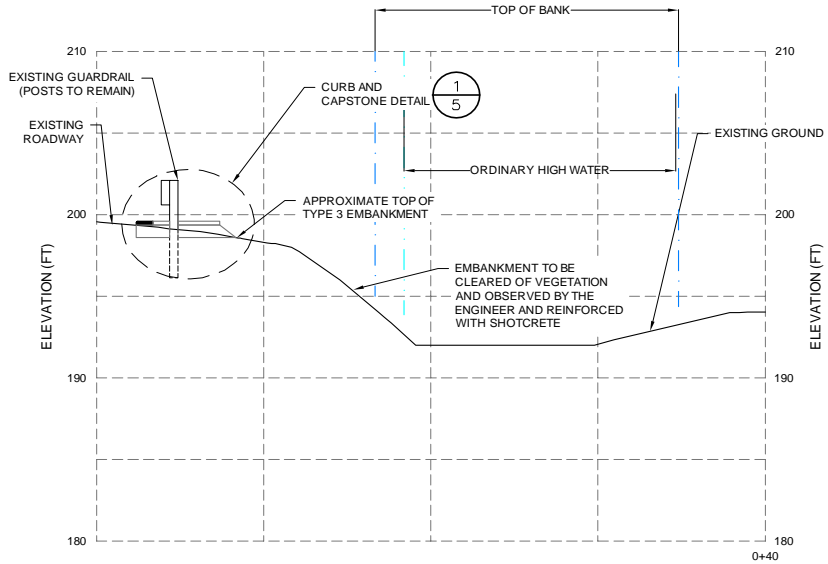
- NOTES:
1. THE EXISTING PAVEMENT SHALL BE SAW CUT IF NEEDED TO INSTALL THE CONCRETE BERM.
 2. THE PAVEMENT SHALL BE TERMINATED FLUSH WITH THE FACE OF THE CURB. THE CONTRACTOR SHALL PATCH THE ASPHALT FOLLOWING INSTALLATION OF THE BERM.
 3. OVERHEAD UTILITIES NOT SHOWN FOR CLARITY.
- SOURCE:
1. 'TOWN OF HOOKSETT, NEW HAMPSHIRE DESIGN SPECIFICATIONS' JULY 2001, TYPICAL BITUMINOUS CONCRETE BERM DETAIL.

CURB AND CAPSTONE DETAIL (TYP.)

NOT TO SCALE



CROSS SECTION B-B'



CROSS SECTION C-C'

THE WALL SECTIONS SHOULD BE CONSIDERED APPROXIMATE AS:

- THE BASE TOPOGRAPHY IS 2-FOOT CONTOUR LIDAR DERIVED ELEVATION CONTOURS DOWNLOADED FROM NEW HAMPSHIRE GRANIT.UNH.EDU ON JUNE 21, 2021; AND
- THE AREA OF THE WALL AND STREAM ARE HEAVILY VEGETATED.

REFER TO THE PHOTOGRAPHS ON SHEET 3.

NHDES FILE NUMBER:
2021-03510

SANBORN HEAD

SCALE: AS NOTED

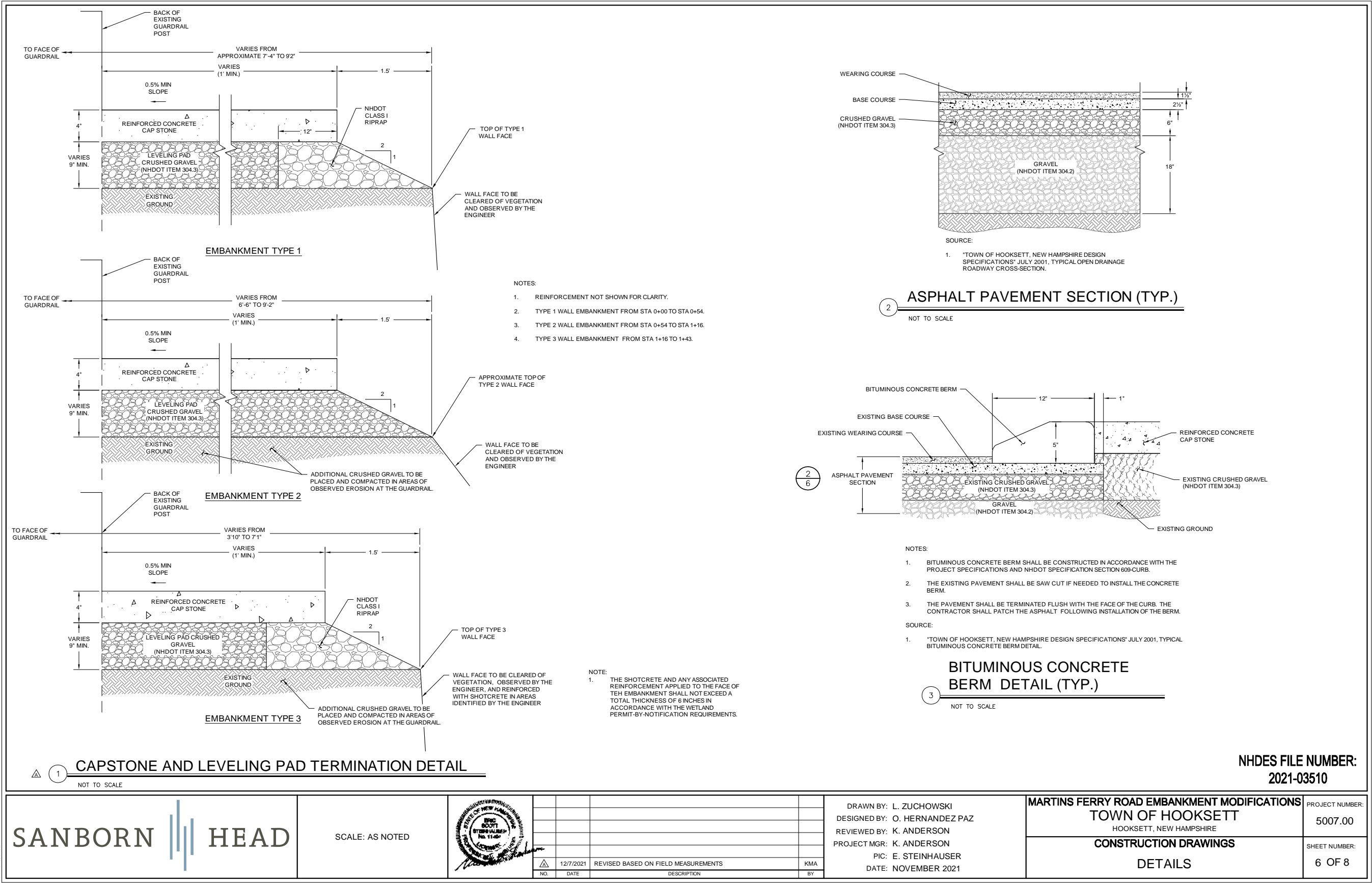


NO.	DATE	DESCRIPTION	BY
1	12/7/2021	REVISED BASED ON FIELD MEASUREMENTS	KMA

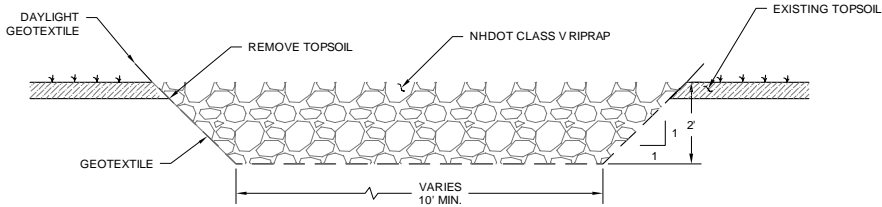
DRAWN BY: L. ZUCHOWSKI
DESIGNED BY: O. HERNANDEZ PAZ
REVIEWED BY: K. ANDERSON
PROJECT MGR: K. ANDERSON
PIC: E. STEINHAUSER
DATE: NOVEMBER 2021

MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS
TOWN OF HOOKSETT
HOOKSETT, NEW HAMPSHIRE
CONSTRUCTION DRAWINGS
CROSS SECTIONS AND DETAIL

PROJECT NUMBER:
5007.00
SHEET NUMBER:
5 OF 8



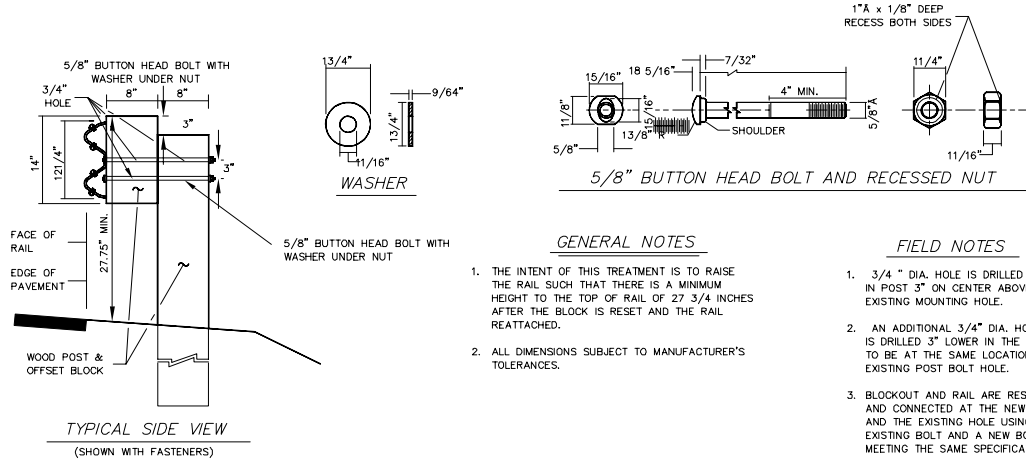
<div><div><div>SANBORN</div><div>HEAD</div></div><div>SCALE: AS NOTED</div></div>		<div><div><div><div>STATE OF NEW HAMPSHIRE</div><div>SEAL</div><div>SCOTT STEINHAUSER</div><div>NO. 11-46</div></div><div><div>12/7/2021</div><div>REVIS</div><div>REVISED BASED ON FIELD MEASUREMENTS</div><div>KMA</div></div></div><div><div>NO.</div><div>DATE</div><div>DESCRIPTION</div><div>BY</div></div></div>		<div><div><div>DRAWN BY: L. ZUCHOWSKI</div><div>DESIGNED BY: O. HERNANDEZ PAZ</div><div>REVIEWED BY: K. ANDERSON</div><div>PROJECT MGR: K. ANDERSON</div><div>PIC: E. STEINHAUSER</div><div>DATE: NOVEMBER 2021</div></div><div><div>MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS</div><div>TOWN OF HOOKSETT</div><div>HOOKSETT, NEW HAMPSHIRE</div><div>CONSTRUCTION DRAWINGS</div><div>DETAILS</div></div></div>		<div><div>PROJECT NUMBER:</div><div>5007.00</div></div> <div><div>SHEET NUMBER:</div><div>6 OF 8</div></div>
---	--	---	--	---	--	--



NOTE:
1. GEOTEXTILE SHALL BE 10 OZ/YD² NONWOVEN

1 RIPRAP-LINED STORMWATER SWALE

NOT TO SCALE



RESET BLOCK AND RAIL ON FIELD DRILLED HOLES

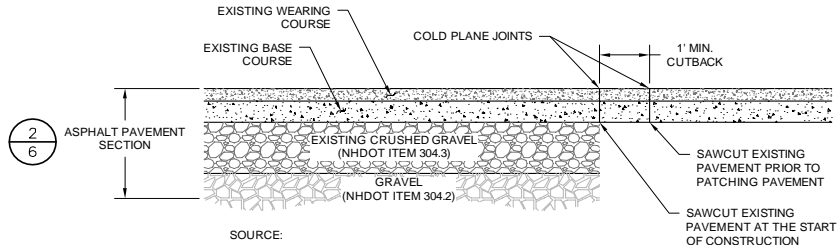
NOTE:
1. GUARD RAIL TO BE REINSTALLED IN ACCORDANCE WITH TOWN OF HOOKSETT TECHNICAL SPECIFICATION SECTION 02850 STEEL BEAM GUARD RAIL AND THE LATEST EDITION OF THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION SECTION 606.

SOURCE:

1. "NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION SPECIAL DETAILS" JUNE 4, 2012, REST BLOCK & RAIL (WOOD POST & WOOD BLOCKOUT).

GUARDRAIL DETAIL (TYP.)

NOT TO SCALE




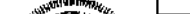
SOURCE:

1. "TOWN OF HOOKSETT, NEW HAMPSHIRE DESIGN SPECIFICATIONS" JULY 2001, TYPICAL SAWCUT DETAIL

3 PAVEMENT SAWCUT DETAIL

NOT TO SCALE

NHDES FILE NUMBER:
2021-03510

	SCALE: AS NOTED				DRAWN BY: L. ZUCHOWSKI DESIGNED BY: O. HERNANDEZ PAZ REVIEWED BY: K. ANDERSON PROJECT MGR: K. ANDERSON PIC: E. STEINHAUSER DATE: NOVEMBER 2021	MARTINS FERRY ROAD EMBANKMENT MODIFICATIONS TOWN OF HOOKSETT HOOKSETT, NEW HAMPSHIRE	PROJECT NUMBER: 5007.00
						CONSTRUCTION DRAWINGS DETAILS	SHEET NUMBER: 7 OF 8



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



WETLANDS PERMIT-BY-NOTIFICATION AND NON-SITE SPECIFIC PERMIT 2021-03510

NOTE CONDITIONS

PERMITTEE: TOWN OF HOOKSETT
 35 MAIN ST
 HOOKSETT NH 03106

PROJECT LOCATION MARTINS FERRY RD, HOOKSETT
 TAX MAP #33, LOT #ROW

WATERBODY: MESSER BROOK

APPROVAL DATE: DECEMBER 10, 2021

EXPIRATION DATE: DECEMBER 10, 2026

Based upon review of permit application 2021-03510 in accordance with RSA 482-A and RSA 485-A:17, the New Hampshire Department of Environmental Services (NHDES) hereby issues this Wetlands Permit-by-Notification and Non-Site Specific Permit (Wetlands PBN).

PBN DESCRIPTION:

Temporarily impact 70 square feet along 143 linear feet of bank in order to repair an existing retaining wall on frontage along Messer Brook in Hooksett.

THIS PERMIT IS SUBJECT TO THE FOLLOWING PROJECT-SPECIFIC CONDITIONS:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the revised plans dated December 7th, 2021 by Sanborn Head, as received by the NH Department of Environmental Services (NHDES) on December 9th, 2021.
2. Repair of the existing retaining wall shall be conducted in the dry and shall result in no change in height, length, location, or configuration in accordance with 514.07(a).
3. In accordance with Env-Wt 514.05(h) and 307.18(c) within 60 days of completion of construction, the applicant shall submit a post-construction report that has been prepared by a professional engineer, certified wetland scientist, or qualified professional, as applicable and contains narrative, exhibits, and photographs, as necessary to report the status of the project area and restored jurisdictional area.
4. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
5. Pursuant to RSA 483-B:9, V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. Work shall be carried out in a time and manner such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
8. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

File # 2021-03510
December 10, 2021
Page 2 of 3

nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).

9. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
10. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. All dredged and excavated material and construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA 483-B unless a permit for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
12. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
13. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

THIS PERMIT IS SUBJECT TO THE FOLLOWING GENERAL CONDITIONS:

1. Pursuant to RSA 482-A:12, a copy of this permit shall be posted in a secure manner in a prominent place at the site of the approved project.
2. In accordance with Env-Wt 314.03(a), the permittee shall notify the department in writing at least one week prior to commencing any work under this permit.
3. In accordance with Env-Wt 314.03(b), the project must be constructed in accordance with the approved plans and specifications.
4. The permit holder shall ensure that work is done in a way that protects water quality per Env-Wt 307.03; protects fisheries and breeding areas per Env-Wt 307.04; protects against invasive species per Env-Wt 307.05; meets dredging activity conditions in Env-Wt 307.10; and meets filling activity conditions in Env-Wt 307.11.
5. In accordance with Env-Wt 307.13(d), work in jurisdiction must be located at least 10 feet from abutting property boundaries unless written permission is submitted.
6. In accordance with Env-Wt 309.09(a), all work authorized by this Wetlands PBN must comply with all applicable conditions specified in Rule Env-Wt 307 and the applicable provisions of Env-Wt 500, Env-Wt 600, or Env-Wt 900.
7. In accordance with Env-Wt 309.09(b) and subject to Env-Wt 309.10, after the completion of work authorized by this PBN no other work that would require any permit or other authorization under RSA 482-A or subtitle Env-Wt shall be undertaken on the subject property pursuant to another PBN or Expedited Minimum Impact Permit (EXP), or pursuant to a Statutory Permit-by-Notification (SPN), for a period of 12 months from the date the PBN was issued.
8. In accordance with Env-Wt 309.09(c) and Env-Wt 314.08, within 10 days following completion of the work covered by a Wetlands PBN, the person responsible for the project must submit to NHDES confirmation of completion of the project, either on paper or electronically, including photographs depicting the areas where the impact occurred and other information required under Env-Wt 314.08.
9. This Wetlands PBN does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.

File # 2021-03510
December 10, 2021
Page 3 of 3

10. This Wetland PBN does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers (USACE), NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.).
11. In accordance with Env-Wt 314.06, transfer of this permit to a new owner will require notification to and approval by NHDES.
12. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.
13. In accordance with Env-Wt 307.06(a) through (c), no activity shall jeopardize the continued existence of a threatened or endangered species, a species proposed for listing as threatened or endangered, or a designated or proposed critical habitat under the Federal Endangered Species Act, 16 U.S.C. §1531 et seq.; State Endangered Species Conservation Act, RSA 212-A; or New Hampshire Native Plant Protection Act, RSA 217-A.
14. Review attached sheet for status of the USACE's New Hampshire Programmatic General Permit.

APPROVED:



Peter J. Conti
Shoreland/Shoreline Specialist, Wetlands Bureau
Land Resources Management, Water Division

THE SIGNATURES BELOW ARE REQUIRED TO VALIDATE THIS PERMIT.

PERMITTEE SIGNATURE (required)

PRINCIPAL CONTRACTOR SIGNATURE (required)



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



**NOTICE TO RECIPIENTS OF
WETLANDS PERMIT-BY-NOTIFICATION**

Wetlands Permit-by-Notification (PBN) application 2021-03510 was approved by the New Hampshire Department of Environmental Services (NHDES). As it is a minimum impact project approved by the NHDES, it is automatically approved under the Army Corp's New Hampshire Programmatic General Permit (NH PGP).

For the purpose of the NH PGP, minimum impact projects do not include new construction of:

- Dams,
- Dikes,
- Water withdrawal or diversion projects which require fill in wetlands or surface waters,
- Wetlands restoration projects, or any projects which involve work in other than low flow conditions (July 1 – September 30), and
- Any projects involving more than 3,000 square feet of a water body or wetland fill and secondary impacts.

Additionally, projects that include the reconstruction or replacement of currently unserviceable structures/fills do not qualify as minimum impact projects. These projects must be reviewed through the screening procedures of minor or major impact projects, as applicable. The activities in section 10 waters not regulated by the Wetlands Bureau formerly authorized under the Nationwide Permit Program and listed in Appendix A of the NH PGP are designated non-reporting activities.

These approvals do not relieve permittees from obtaining any required local or other state permits.

If you have any questions, please contact the Wetlands Bureau at (603) 271-2147.

This notice was sent with a Wetlands Permit-by-Notification, permitting a minimum impact project.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

**Town of Hooksett Town Council
SPECIAL MEETING
Wednesday, January 12, 2022 at 6:00 PM**

A meeting of the Town Council will be held Wednesday, January 12, 2022 in the Hooksett Municipal Building commencing at **6:15 PM**.

CALL TO ORDER

Chair Sullivan called the meeting of 12 Jan 2022 to order at (6:15) pm.

PROOF OF POSTING

Human Resource Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL

In Attendance: Councilor James Sullivan, Councilor Randall Lapierre (6:51), Councilor Roger Duhaime, Councilor David Boutin, and Councilor Alex Walczyk, Councilor John Durand, and Councilor Clark Karolian.

ABSENT Councilor Clifford Jones and Councilor Timothy Tsantoulis.

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

J. Sullivan read the following posted Public Hearing Notice: Town of Hooksett Town Council will be holding public hearings in accordance with RSA 33:8-a on Wednesday, January 12, 2022 at 6:00 pm at the Town Hall, 35 Main Street, Hooksett, NH. The first public hearing is to discuss a bond issued to finance the Wastewater's Martins Ferry Pump Station and Force Main Upgrades in the amount of \$4,300,000.00. The second public hearing is to discuss a bond issued to finance the Sludge Handling Upgrades at the Wastewater Treatment Facility in the amount of \$1,500,000.00. The third public hearing is to discuss a bond issued to finance the Wastewater's Merrimack Street and Golden Gate Pump Station Upgrades in the amount of \$1,100,000.00.

Public hearing in accordance with RSA 33:8-a to discuss a bond issued to finance the Wastewater's Martins Ferry Pump Station and Force Main Upgrades in the amount of \$4,300,000.00.

Ken Conaty Superintendent of the Hooksett wastewater Treatment Facility- We weren't planning on putting any warrants together this year. The reason we have is that the ARPA funding that has come forward is 30% forgiveness on the principal that we borrow. The 2nd grant has already been promised to us in the amount of \$450,000 if we pass the warrant article at Town meeting. The other 2 are on their list for this coming season. The first one is a bond to perform Martins Ferry Pump Station and Force Main upgrades. Right now, the main is 52 years old and is overdue for replacement. As I have been before you guys before on this issue, we were going to take on these responsibilities ourselves using the 1.2 million that we have granted towards the TIF. We have talked to the TIF committee and decided that this is the best use of these funds to prep for that program. It also includes \$840,000 in grants, and \$300,000 in TIF district funds towards that project. The \$4,300,000.00 will actually only need to be funded with \$1,960,000, which is a big difference than what we thought last year. It will be replacing all the electrical components and the generator. The force main would come away from the railroad tracks and come up into the Manchester sand property and away from the river which is more

47 ecological safety. 4,000 ft of gravity and 4,000 ft force main in the ground which is easier to take care
48 of.

49

50 J. Sullivan- I assume the size has increased?

51

52 K. Contay- yes from 8-inch cast iron to 12-inch HDPE, more volume and uses less energy to pump, so
53 we can use smaller pumps at the pump station to pump the same volume.

54

55 C. Karolian- the Martins Ferry Pump Station is on the East side of the River and about a mile and a half
56 that runs up to the sewage facility. I see that the request date on the warrant article is November of
57 last year. I don't believe that the town council even started discussing this until after. On all three of
58 these warrant articles they all say 11/23/2021. In the warrant article it says that the Town will receive
59 up to \$840,000 in grants, \$1,200,000 from Wastewater Reserves, and \$300,000 from TIF funds. How do
60 you include the TIF district funds when the TIF district has not been expanded to the east side as of
61 yet?

62

63 K. Contay- the Martins Ferry pump station has to accept all the flow from the TIF district and that's
64 how we talked about how that would be acceptable uses of the TIF funds.

65

66 C. Karolian- correct me if I am wrong I thought we talked to the attorney because I brought up the
67 question of the TIF district and Cross Road putting the sewer system up Cross and across state property
68 and it was outside of the TIF. The attorney gave 2 options, 1 being we can relocate the sewage to be
69 within. Martins Ferry is outside of the TIF, I don't understand how we can go forward with a vote on
70 something that has not even been done yet. We have not even expanded the TIF district. This has been
71 anticipated in the warrant article that the TIF district is going to be expanded to the East side. So, I am
72 confused as to the date on the warrant of 11/23/2021, this being outside of the TIF regardless if it
73 receives stuff from the TIF district.

74

75 K. Contay- the connection of the pipe between the TIF and that location makes it part of the TIF district
76 use.

77

78 C. Karolian- I think the attorney would disagree with that. Why can't the 8-inch pump be relined like it
79 is done all across the country.

80

81 K. Contay- You can't reline a cast iron 8-inch pipe you are going to shrink it down to about 6.5 inches
82 and restrict the flow even more. If we reline I would need to increase the pumps to 180 HP to
83 accommodate.

84

85 C. Karolian- I don't know how we can go forward on a warrant when we are assuming that the district
86 is going to be expanded. It would appear that the real reason for the upgrade is that it is being added
87 to the TIF district. I feel this warrant article is defective.

88

89 R. Duhaime- the current pipe is in the railroad property and the time to move on it is now. Moving it
90 over to the Manchester property is the best option for it, it's going to save us money. I understand the
91 issues with the TIF. We are not voting on this until March and I understand that it can be removed

TC MINUTES

1-12-2022

2

92 before then if it is found to be incorrect. I'd hate to lose out on these funds and understand the need
93 to move on it.

94

95 C. Karolian- this piping is 52 years old, did the sewer commission put capital away for this
96 improvement? Do you know how much money is in the capital improvement fund for this?

97

98 J. Sullivan- you did say that through legal opinion that even though this is outside the TIF district can
99 this be allowed? Ken indicated yes. Can you explain.

100

101 A. Garron- I know we signed an MOU with the sewer commission pledging to this project the \$300,000
102 of TIF funds realizing that once we do the pump from the pump station from the exit 10 side of the TIF
103 plan it is going to come out of the district underneath the river to the other side. Without this pump
104 station then there is no way that their plant can accept the flow. Even if we are very successful in the
105 exit 10 area this project needs to take place or it doesn't go anywhere. The difference between where
106 you are talking about at the Cross Road, where it was clearly coming out of the district and then going
107 back into the district at another point. Where this project, we have moved the pump station. The
108 project included going under the river and then attaching to the pump station.

109

110 C. Karolian- perhaps the MOU was signed prematurely. The TIF expansion has not occurred yet, and I
111 think we are not allowed to spend TIF funds if it is not included in the district.

112

113 A. Garron- it was definitive that we could not do that for the Cross Roads area. We had asked legal
114 about this particular project. For example, if they weren't going for a bond for the work that they were
115 going to be doing over there and we had the money to move forward our project, the pump station
116 and the drilling under the river we would have proceed with that and that would have been technically
117 out of the district but it was a part of the plan that we are currently engineering to do.

118

119 C. Karolian- I understand that, the money to do that can come from elsewhere, and that's why I asked
120 how much was in the capital improvement fund. If the TIF district does not go forward and the TIF
121 district does not put money in then the commission will have to fix and replace this.

122

123 K. Contay- the original design of the Martins Ferry Pump Station was the TIF districts issue to upgrade.
124 We are taking on the responsibility to upgrade with only \$300,000 responsible by the TIF district.

125

126 J. Sullivan- how are you going to address this if the \$300,000 is not given?

127

128 K. Contay- we will have to figure it out and move forward.

129

130 R. Duhaime- it's a 4.3 million upgrade. It says 1.2 million of waste water reserves. That answers your
131 questions on capital improvements.

132

133 D. Boutin- I want to point out that the TIF advisory board is in full support of this. This is critical to the
134 expansion of the east side of the river.

135

136 **Brief Recess 6:45 pm-6:50 pm**

137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184

A. Garron- C. Karolian is correct, when we did ask about a portion of the project between exit 10 and 11 on Cross Street and if TIF funds could be used for a project outside and the answer was no. Although you could make the argument you would recommend expanding the district to include those. Now for the pump under the Merrimack tying on that was part of our engineering study to do at a cost of 1.5 million dollars, which was the Martins Ferry Pump upgrades as well as the sewer force main which was part of the project. I could not locate the comments from that, and that this was always part of the project that we have been planning on.

D. Boutin motioned to table this proposed warrant article discussion until our next meeting so we can receive more information from legal and finance. We can table it to our next meeting and vote on this after we have or have not formally accepted expanding the TIF district. I think it would be beneficial to have a letter from counsel acknowledging if this is in the TIF district and if TIF funds can be used towards this project, seconded by A. Walczyk.

C. Karolian- can we use the money from the TIF district if it is not in the TIF district? Is this legal?

A. Garron- if the money is not eligible the \$300,000 what is the appropriate change.

K. Contay- if the sewer commission picks up that \$300,000 will that be acceptable?

J. Sullivan- I know at the deliberative session the amounts can be changed as long as we don't change the intent.

Vote 5-2 to table the motion.

Public hearing in accordance with RSA 33:8-a to discuss a bond issued to finance the Sludge Handling Upgrades at the Wastewater Treatment Facility in the amount of \$1,500,000.00.

K. Contay- we have a 12-year-old belt press that is due for repairs. We are only getting about 16% cake off the press. The fix will give us about 20% cake off the press. Right now, disposing of sludge is getting very expensive. We have a good deal with the Town of Merrimack, they give us a good rate and dumping it at other places is getting excessive. We are at \$150 per ton. This has already been approved by DES for funding in \$450,000 grants. The total funding would be \$1,050,000 total.

Public hearing in accordance with RSA 33:8-a to discuss a bond issued to finance the Wastewater's Merrimack Street and Golden Gate Pump Station Upgrades in the amount of \$1,100,000.00.

K. Contay- the Merrimack Street pump station is 52 years old. It has a delta electrical system and it is necessary to be upgraded by Eversource. They have to upgrade all the transformers outside as well as the electrical inside, and they no longer make pumps that run off of delta electricity. This will allow more pumping capacity should we expand more into that area. This will be less electricity usage, and include a new generator outside for Merrimack Street. The Golden Gate pump station is 31 years old and has never been upgraded. It has older style pumps that are not handling the flushable wipes. It has never had a generator, so if we loose power for more than 24 hours I have to call in trucks to pump out the sewerage, it will save money in the future and provide a better service to those in the area.

J. Sullivan- is there a breakdown of what % will be going to Golden Gate vs Merrimack Street Project?

185

186 K. Contay- \$350,000 to Golden Gate and the rest to Merrimack Street.

187

188 J. Sullivan closed the Public Hearings on articles B & C.

189

190 ***C. Karolian motioned to move article B to go to the warrant article for vote, seconded by D. Boutin.***

191

192 **Roll Call Vote #2**

193 ***R. Duhaime Aye***

194 ***J Durand Aye***

195 ***C. Jones NP***

196 ***R. Lapierre Aye***

197 ***A. Walczyk Aye***

198 ***D. Boutin Aye***

199 ***C. Karolian Aye***

200 ***T. Tsantoulis NP***

201 ***J. Sullivan Aye***

202

203 ***Vote in favor 7-0.***

204

205 ***C. Karolian motioned to move article C to go to the warrant article for vote, seconded by D. Boutin.***

206

207 **Roll Call Vote #3**

208 ***D. Boutin Aye***

209 ***C. Jones NP***

210 ***A. Walczyk Aye***

211 ***J. Durand Aye***

212 ***R. Duhaime Aye***

213 ***T. Tsantoulis NP***

214 ***R. Lapierre Aye***

215 ***C. Karolian Aye***

216 ***J. Sullivan Aye***

217

218 ***Vote in favor 7-0.***

219

220 R. Duhaime- were you looking to get this done soon? If we get this voted on by the 26th can it still go
221 onto the warrant article. We want to move forward with this so we can get those funds before they are
222 given away.

223

224 A. Garron- we need a 1st and 2nd at the deliberative who would like to volunteer do make those
225 motions? J. Sullivan and R. Duhaime will tend to article B and D. Boutin and R. Lapierre will tend to
226 article C.

227

228 **ADJOURNMENT**

229

230 ***Chair Sullivan motioned to adjourn the meeting at 7:15 pm. seconded by D. Boutin.***

231

232

233 **Vote in favor 7-0.**

234

235

236 Respectfully submitted,

237 *Alicia Jipson*

238

239 Alicia Jipson

240 Recording Clerk

241

242

243

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

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, January 19, 2022**

1
2 The Hooksett Town Council met on Wednesday, January 19, 2022, at 6:01 in the Hooksett Municipal
3 Building.
4
5 **CALL TO ORDER**
6 Chair Sullivan called the meeting of 19 Jan 2022 to order at (6:01) 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 John Durand, Councilor Randall Lapierre (6:55)
13 Councilor David Boutin, Councilor Timothy Tsantoulis, Councilor Clark Karolian, and Councilor Alex
14 Walczyk.
15
16 **Absent:** Councilor Clifford Jones, Councilor Roger Duhaime.
17
18 **PLEDGE OF ALLEGIANCE**
19
20 **AGENDA OVERVIEW**
21
22 **BICENTENNIAL MOMENT**
23
24 J. Sullivan- for this Bicentennial moment we would like to do the unveiling of a commemorative poster
25 of Hooksett. This painting was done by Linda Harvey a self-taught artist from Iceland. Councilor C.
26 Karolian was asked to help with the unveiling of the poster. The poster consists of a collage of historic
27 buildings located in Hooksett hand drawn by Linda Harvey.
28
29 L. Harvey- thank you to the Town Council for having me here. This was a special moment in my life to
30 play a part in this special moment for Hooksett.
31
32 J. Sullivan- copies will be available for sale to the public shortly.
33
34 **Hooksett Municipal Employee - New Hires**
35
36 A. Garron- Scott Hebert FF EMT and Brian Rondeau FF EMT. Earl Labonte DPW Director will be
37 leaving us at the end of February, and we have posted his position to be filled.
38
39 **PUBLIC INPUT - 15 MINUTES**
40
41 David Ross 56 Sherwood Drive- kill the charter amendment in section 3.6 now, don't waste the time. I
42 also advise you not to change the number of alternates on the ZBA. I think it is unwise. Community
43 development reorganization what is that? If you are going to be adding to this classification pay plan, I
44 assume this will land on the ballot, isn't this making the taxpayers pay more money. I have been very
45 unhappy with what I have seen as you all know. This body has not been operating the way it should. I
46 did sign up to become a councilor at large to fill a seat that is never occupied these days. I want to put
47 you all on notice. I don't need to be a chair to run these meetings, because these meetings have been
48 run horribly. You have staff members who have been here more than a couple of times and we have

TC MINUTES

1-19-2022

1

them here again today because you couldn't get to them the last time. There are some that do not belong here, and I will make it my campaign promise to get them to resign.

SCHEDULED APPOINTMENTS

Cam Prolman, Southern New Hampshire Planning Commission Hooksett Hazard Mitigation Plan Update

A. Garron- the community development department and planning has been working on updating the Hazard Mitigation plan. It hasn't been updated since 2015. Here tonight is Cam Prolman from Southern New Hampshire Planning Commission to talk about the update to the latest plan.

Cam Prolman- I am here to talk about the Hazard Mitigation Plan and hope that the TC adopts it as presented. The NH Division of Homeland Security and Emergency Management provided grant funding to update the plan. The Southern New Hampshire Planning Commission administered that grant facilitated meetings and worked with town staff to get this done. The HMP is a document designed to reduce or eliminate risk to people and their property from a range of hazards like flooding or winter storms. Federal regulations require a formal plan to be maintained and updated every 5 years. It is important to be able to be eligible for certain FEMA grants. The Towns current plan was adopted in 2015. Beginning in February of 2020, the Southern New Hampshire Planning Commission coordinated a series of interdepartmental meetings and public meetings to begin the process of updating the existing hazard mitigation plan. The process of the plan update has largely consisted of independent review of the draft by Fire, Police, and EMS personnel, as well as review and comment by a representative of all other Town departments. Elements of this plan include a community goals and objectives past hazards and potential future hazards. Community facilities local state federal hazard mitigation policies to mitigate possible hazards in the area. It includes actions to help reduce or avoid long term vulnerability. It describes how the town will integrate the plan into other planning mechanisms such as the capital improvement plan. After an extensive review Homeland Security and Emergency Management found that the Hooksett Hazard Mitigation Plan that we updated was approvable pending adoption by the Town Council. If approved tonight we will coordinate with Homeland Security and Emergency Management who will send the plan to FEMA, FEMA will approve and then send the final approval and the town will be good to go for 5 years.

A. Walczyk- on page 56 had under hospitals and ambulance had 35 Main Street listed there and that would be my understanding that is the building that we are in. On page 57 the shelters it says the emergency communications tower in Bow, is that because the tower is owned by Hooksett? The unique or historic resources I am assuming that since it is federal funding, I am assuming that it has to be listed on the national register.

C. Prolman-not necessary. This is just a list compiled by employees. This is not necessarily nationally recognized; this is just critical local facilities that emergency personnel would like to protect in the instance of a hazard emergency.

A. Walczyk- page 60 lists Cinemagic which is now Apple Cinemas. There is 1 place where the National Guard is listed, and I think it should be 2 because of the hazardous materials. I tried looking for an address and I could not find one. I tried to figure out if these changes were necessary.

C. Prolman- these are minor edits, and I can make those minor revisions if the TC is inclined.

C. Karolian- don't we have to have a public meeting before we can accept this?

100 N. Williams- it was my understanding that our meetings as we were developing the plan were posted as
101 public meetings there was no need to hold a public hearing for the adoption of the plan once it was in
102 front of you.

103

104 C. Prolman- that is correct. We have done this in numerous towns and a Public Meeting has satisfied
105 FEMAS requirements for holding an adoption if the council would like to post notice and hold a PH they
106 may.

107

108 C. Karolian- on Page 11 it says under the authority, it says that Hooksett TC formally adopted this plan
109 after a PH was held on certain date.

110

111 C. Prolman- that's correct, that is just some boiler plate language in this section that I end up changing
112 after the fact. For example, there are a few times in here where there are dates that are mentioned and
113 there is no date, again if the council were to prefer to post notice that is ok.

114

115 ***C. Karolian motioned to hold a Public Hearing prior to any vote by the Town Council; seconded***
116 ***by J. Durand.***

117

118 T. Tsantoulis- I don't see it as being necessary so I wont support it.

119

120 C. Karolian- I do see a reason for it. I do see that the public should have input. We are here to
121 accommodate the public. We need to afford them the opportunity to come in.

122

123 D. Boutin- I would be sympathetic to C. Karolina's motion if we were starting a new document. This is
124 just an amendment of a plan already in place.

125

126 **Roll Call Vote #2**

127 ***R. Duhaime NP***

128 ***J Durand Aye***

129 ***C. Jones NP***

130 ***R. Lapierre NP***

131 ***A. Walczyk Nay***

132 ***D. Boutin Nay***

133 ***C. Karolian Aye***

134 ***T. Tsantoulis Nay***

135 ***J. Sullivan Aye***

136

137 ***Vote 3-3 motion failed***

138

139 ***D. Boutin motioned to adopt the 2021 update Hazard Mitigation Plan as presented by the***
140 ***Southern NH Planning Commission including edits presented by A. Walczyk; seconded by T.***
141 ***Tsantoulis.***

142

143 **Roll Call Vote #3**

144 ***D. Boutin Aye***

145 ***C. Jones NP***

146 ***A. Walczyk Aye***

147 ***J. Durand Nay***

148 ***R. Duhaime NP***

149 **T. Tsantoulis Aye**
 150 **R. Lapierre NP**
 151 **C. Karolian Nay**
 152 **J. Sullivan Aye**

153
 154 **Vote in favor 4-2**

155
 156
 157

158
 159 **Tim Beauregard, Platinum Trucking and Equipment, LLC**
 160 **Application for New Commercial Construction Tax Exemption (RSA 72:81)**
 161 **1380 Hooksett Road, Tax Map 18 Lot 47**
 162

163 N. Williams- I am joined by Tim Beauregard the applicant. The council originally adopted the provisions
 164 in the RSA in March of 2021. There were several lots subject to this exemption and this is the first lot to
 165 apply for the exemption.
 166

167 T. Beauregard- we first started off in Pelham NH for over 10 years. We overgrew. We were close to
 168 buying in Candia, then I was told about the tax exemptions that Hooksett was offering, and it tipped the
 169 scale in my favor to purchase the lot.
 170

171 J. Sullivan- it says if approved it would allow a 25% discount of the assessed value for a 5-year period.
 172

173 N. Williams- that is the new assessed value attributable to the improvements. At the time of application,
 174 the assessed value was \$267,900. That will continue to be taxed at whatever the rate is annually and
 175 the value above that will be taxed at 75%.
 176

177 D. Boutin- in the suggested motion it refers to site improvements. Is that just the site improvements to
 178 the land or the building?
 179

180 N. Williams- the site improvements would be any improvements to the site subsequently to the
 181 building permits being issued. So, it's not just the building, when the reassessment is done that would
 182 include anything that would affect the assessment.
 183

184 D. Boutin- I would recommend that we amend that to include site and building improvements.
 185

186 ***D. Boutin motion to grant tax exemption as prescribed under RSA 72:81 and adopted by the***
 187 ***Hooksett Town Council on 03/24/2021 for Platinum Trucking and Equipment, LLC, 1380***
 188 ***Hooksett Road, Tax Map 18 Lot 47. The exemption shall include a 25% reduction in local***
 189 ***property taxes for site and building improvements from the date of application for a period of 5***
 190 ***years, terminating on 12/31/2026. No part of this motion shall supersede the statutory***
 191 ***requirements or administrative rules governing this exemption under RSA 72:81. Seconded by***
 192 ***T. Tsantoulis.***
 193

194 D. Boutin- This is what the RSA was intended for it empowers the town to create economic incentives.
 195

196 T. Tsantoulis- this meets the design parameters. We can sit and look at an ugly lot or this.
 197
 198

199 **Roll Call Vote #4**

200 **A. Walczyk Aye**

201 **R. Lapierre NP**

202 **C. Jones NP**

203 **R. Duhaime NP**

204 **J. Durand Aye**

205 **C. Karolian Aye**

206 **T. Tsantoulis Aye**

207 **D. Boutin Aye**

208 **J. Sullivan Aye**

209

210 **Vote in favor 6-0.**

211

212 **C. Karolian motioned to amend the motion by changing the word “trucking” to “truck”,**
213 **seconded by D. Boutin.**

214

215 **Vote in favor 6-0.**

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

A. Garron- Covid cases are up to 513. During discussion on the Deliberative Session one of the questions that came up is that we are in talks with hiring a consultant to do the live stream and AV. I believe we will reach out to the same company that we used last year and collaborate with them. The council wanted to pay extra to live stream it as we did last year.

J. Durand- was there grant money that we got last year?

A. Garron- no it came out of our budget. We shared the expense with the school. The total was about \$5,080. The price is pretty much the same as last year. I believe the extra for the live stream was about \$200 and that came out of our budget. I have John Duhamel our Town Assessor here to explain what the equalization ratio means. Our ratio keeps dropping.

J. Duhamel- as you know the equalization ratio is the relationship between assessed value and sales prices. I passed out these 2 pages before the meeting. It gives history of the tax rates and the ratios. The ratio means when we have a sale let's say in the \$100,000 range that means the assessed value should be in the \$73,800 range. Where it gets tricky for us when it is assessed when you appeal your assessment at \$100,000. They take the \$100,000 assessment divide it by the ratio and you get the Indicated Market Value, so when I go to the BTLA or Superior Court on a \$100,000 appeal I have to defend the \$135,501. Now as you can see for residential properties that's not a problem right now because the market is so hot, but with the commercial properties you get up in value, you take a \$10,000,000 assessment, I am looking at defending \$13,500,000, and the commercial market right now is not supporting that. We are going to get crushed on commercial appeals if we have a lot. The only way to fix the ratio is to do an update, which we are scheduled to do in 2023. Next year we will probably get down to lower 70's high 60's and again that's just because the market is hot right now. The biggest problem the ratio is mostly driven by residential sales we don't have a lot of commercial sales. We use the same ration for commercial and residential and if we could separate those out it would be beneficial for all communities in the state because we all have the same problem.

250 T. Tsantoulis- this is not unique to the town of Hooksett. Everyone is looking at the same issue this is
 251 primarily due to residential sales being so out of whack and that could change tomorrow.
 252
 253 C. Karolian- can you re-explain to me the commercial property and how that has brought the rate down.
 254
 255 D. Duhamel- because we haven't had much commercial sales to up the ratio.
 256
 257 J. Durand- you're basically saying it is difficult to win those appeals.
 258
 259 J. Duhamel- my biggest appeal right now is the movie theater at the 2018 update they were assessed
 260 at \$8,600,000 and they came out with an appraisal of \$3,100,000, that will be hard to defend.
 261
 262 A Garron – the Farmer Road surveys did go out I have 11 of the 19 completed. We will review with the
 263 Central Water Precinct and with the subcommittee, I will share after I review all of the surveys.
 264
 265 **NOMINATIONS AND APPOINTMENTS**
 266
 267 *D. Boutin motioned to waive the rules of procedure and nominate and appoint in the same day,*
 268 *seconded by A. Walczyk.*
 269
 270 *Vote in favor 4-2.*
 271
 272 *D. Boutin motioned to nominate and appoint Timothy Stewart from alternate to full member*
 273 *status to the Zoning Board of Adjustment with a term expiring 06/30/2023; seconded by C.*
 274 *Karolian.*
 275
 276 *Vote in Favor 6-0*
 277
 278 **OLD BUSINESS**
 279
 280 **FY 2022-23 Budget and Warrant Articles**
 281
 282
 283 C. Tewksbury- last Thursday the Budget Committee held their public hearing and they voted to
 284 recommend an operating budget in the amount \$21,657,131.
 285
 286 J. Sullivan- what's the difference between the one that we sent to them?
 287
 288 C. Tewksbury- they changed the following: The new Executive Assistant in the administrative officewas
 289 removed that was about a \$95,000 reduction. They added money to the road salt & sand line for
 290 \$46,000. They added \$20,000 to the police department vehicle maintenance line because they are
 291 keeping the cruisers a little longer. They removed \$3,000 from fuel for the police department as well as
 292 the CEO fuel in the amount of \$2,000. They removed \$3,096 from the library for the wages and then
 293 they added the waste water budget at a total of \$2,527,984.
 294
 295 J. Sullivan- so that results in about a \$32,000 reduction?
 296
 297 C. Karolian- what was the wastewater budget?
 298
 299 C. Tewksbury- the wastewater brought a budget of \$2,543,984 the budget committee reduced it by
 300 \$16,000 for manhole covers and legal line. So, their budget that they brought forward was \$2,527,984.
 301

302 C. Karolian- so the wastewater budget comes out of taxpayers operating budget?
 303
 304 C. Tewksbury- nope they have offsetting revenues. We have to show what they are going to anticipate
 305 spending so that it evens out to DRA.
 306
 307 C. Karolian- how do we know how much they take into their account?
 308
 309 C. Tewksbury- yup it is the exact same money that they get budgeted for. Does that mean they take in
 310 more or less revenue, that I am not sure of but when we are talking about the budget and how it affects
 311 the tax rate the expense matches the revenues so that no tax dollars are paid to support the
 312 wastewater.
 313
 314 C. Karolian – it is my understanding that there is some litigation between the Town of Hooksett and the
 315 Sewer Commission.
 316
 317 A. Garron- the issues is the Sewer Commission doesn't feel that the Budget Committee has authority
 318 over their budget.
 319
 320 J. Sullivan- the TC does not have oversight over the Sewer Commissions budget that is why we do not
 321 see it.
 322
 323 ***D. Boutin motioned that we invite the Sewer Commission to come to the next council meeting to***
 324 ***give us an explanation of their revenues so that we can understand it; seconded by T.***
 325 ***Tsantoulis.***
 326
 327 ***C. Karolian motioned that we table voting on the budget and warrant articles until we get the***
 328 ***revenue information from the Sewer Commission; seconded by D. Boutin.***
 329
 330 T. Tsantoulis- what if a member of the sewer commission can't come to a meeting. We are in a time
 331 sensitive issue here.
 332
 333 **Roll Call Vote #5**
 334 ***T. Tsantoulis Nay***
 335 ***C. Jones NP***
 336 ***R. Duhaime NP***
 337 ***A. Walczyk Nay***
 338 ***R. Lapierre Nay***
 339 ***C. Karolian Aye***
 340 ***J. Durand Aye***
 341 ***D. Boutin Aye***
 342 ***J. Sullivan Aye***
 343
 344 ***Vote in favor 4-3***
 345
 346 J. Sullivan- we will be voting on this on the 26th regardless due to time constraints.
 347
 348 D. Boutin- I think it is best for all of us get the information that we need. Let's do it right and put it to
 349 bed.
 350

351 C. Tewksbury- we need to finalize the default budget which requires a motion to sign the form at
352 \$20,915,015.00.

353

354 ***D. Boutin motioned to authorize the Town Council to sign the FY 2022-23 Default Budget in the***
355 ***amount of \$20,915,015.00; seconded by T. Tsantoulis.***

356

357 **Roll Call Vote #6**

358 ***J. Durand Aye***

359 ***R. Lapierre Aye***

360 ***C. Karolian Nay***

361 ***D. Boutin Aye***

362 ***C. Jones NP***

363 ***T. Tsantoulis Aye***

364 ***A. Walczyk Aye***

365 ***R. Duhaime NP***

366 ***J. Sullivan Aye***

367

368 ***Vote in favor 6-1***

369

370 C. Tewksbury- hopefully at the next meeting on the 26th we will have a draft warrant and then
371 councilors available on the 28th to sign the warrant.

372

373 T. Rainer- TH closes at noon on Fridays. The law requires that the Town Clerk be open until 5:00. The
374 Town Clerk office will be open from 3:00 -5:00 on that Friday.

375

376 ***Hooksett Fire-Rescue Inspections Update - Ian Tewksbury, Administrative Fire Captain (Fire***
377 ***Prevention)***

378

381 A. Garron- the Council has been interested in receiving periodic updates from Captain Ian Tewksbury
382 since he has taken over the position of inspector as to the progress that is being made in the
383 inspections out there as well as the backlog of inspections. He has been invited here tonight to give the
384 council an update.

385

386 Ian Tewksbury- thank you Mr. Chairman and other members of the Town Council. I have been with
387 Hooksett Fire for almost 19 years and am enjoying my new position since end of March 2021. In the
388 past 9.5 months we are 100% caught up on all assembly permits. Over 75 assemblies that require
389 annual inspections including the new Apple Cinemas, the Oscar Barn Wedding venue, as well as all the
390 houses of worship throughout town. Over 100 life safety annual inspections including the entire campus
391 at SNHU. Over 50 new residential home certificates of occupancies, over 25 adult and children foster
392 care life safety inspections. Annual walkthroughs of three schools have been done. All have been
393 certified for both assembly and life safety and documentation has been sent to the state. E911 liaison
394 as of 11/1/21 and updated E911 on over 25 new residential building addresses. The plans review
395 process has been reduced from 6-8 weeks backlog to the normal 1-2 weeks. Last fall I took Fire
396 Investigator I (120-hour class) teaching me the basics of fire investigation. Hooksett is hosting a
397 240hour class on Plans Review which will start the process of myself reviewing all plans coming into
398 the Fire Department so the chief will no longer need to review all of them. I went to Underhill and
399 Memorial Schools for 3 total days last October for Fire Prevention week. Saw over 700 kids and taught
400 them stop, drop, and roll, calling 911, and checking smoke detectors among other fire prevention items.
401 Over the next 12 months I am looking to take Fire Inspector II as well as a sprinkler class and fire alarm
402 class just to improve on my knowledge of those 2 systems. Total of all inspections is over 250.

TC MINUTES

1-19-2022

8

403 T. Tsantoulis- in bullet #5 am I correct to assume that you did not inspect the buildings that are in
404 Manchester. My reason for bringing it to our attention was for clarification only. It is my understanding
405 that we share SNHU with Manchester.

406

407 I. Tewksbury- you are correct I misspoke I did not do any of the different gyms or the swimming pool. I
408 am not sure the exact % but I think 80% of SNHU is in Hooksett.

409

410 C. Karolian- we had talk about annual business inspections? Did you do any of the annual business
411 inspections?

412

413 I. Tewksbury- what the chief wanted, he wanted me to focus on checking up on the life safety and the
414 assemblies. I have gotten a few businesses done but not many. I really focused on the churches.
415 Catching up on the businesses is going to be my priority.

416

417 C. Karolian- why are we just getting it now? It has been on the agenda for over a week now? Why
418 haven't we gotten this before today so we can read it?

419

420 I. Tewksbury- this was just a bullet for me to read from and for you to read and to follow along with. I
421 didn't know that it was protocol to hand it out prior. It was my decision to pass it out so you could follow
422 along and no other reason than that.

423

424 J. Sullivan- the 75 assemblies are annual?

425

426 I. Tewksbury- correct they have to be done every year.

427

428 J. Sullivan- is there a requirement for non-assembly business?

429

430 I- Tewksbury- I am not sure off the top of my head I think it is every 5 years.

431

432 D. Boutin- I want to clarify on the plan reviews. Is that site plan reviews?

433

434 I. Tewksbury- yes.

435

436 D. Boutin- I want to thank you for that, that is a tremendous change.

437

438 C. Karolian- I just need some clarification. The way that I understand it, there was supposed to be
439 annual inspections on businesses. Are they supposed be done annually or 5 years?

440

441 I. Tewksbury- assemblies need to be done annually. Assemblies are where people gather. Such as a
442 school, restaurant, churches, etc. The Walmart's are considered mercantile and they do not need to be
443 done annually.

444

445 J. Sullivan-if you could just provide the TA when other businesses like the mercantile need to be done
446 for their inspections.

447

448
449
450 **Proposed Town Charter Amendments for Article 8.2 Initiative Petitions (amend language) and**
451 **Article 8.6 Recall of Officeholders (remove entire section) (tabled at 1/5/2022 Council meeting)**

452

453 J. Sullivan- as indicated we are waiting for confirmation from the appropriate state agencies on this.
454 What do you want to read into the record?
455

456 Todd Rainer- regarding charter amendments 8.2 and 8.6. Todd Rainer read the letter received from the
457 Attorney Generals Office: Dear Clerk Rainer: Pursuant to RSA 49-B:4-a, on behalf of the Town of
458 Hooksett you submitted proposed charter amendments for review, dated December 9, 2021. Upon
459 review, the NH Attorney Generals office, the Secretary of State's Office, and the Department of
460 Revenue Administration, pursuant to RSA 49-B:4-a, do not object to the proposed amendments to the
461 town charter.
462

463 ***J. Sullivan motioned to remove the item for discussion from the table; seconded by R. Lapierre***
464

465 ***Vote in favor 7-0.***
466

467 ***R. Lapierre motioned to place the Charter Amendment for Article 8.2 Initiative Petition and***
468 ***remove the entire Article 8.6 Recall of Officeholders to the March ballot; seconded by D. Boutin.***
469

470 **Roll Call Vote #7**

471 ***C. Jones NP***

472 ***C. Karolian Aye***

473 ***R. Lapierre Aye***

474 ***R. Duhaime NP***

475 ***A. Walczyk Aye***

476 ***J. Durand Nay***

477 ***T. Tsantoulis Aye***

478 ***D. Boutin Aye***

479 ***J. Sullivan Aye***
480

481 ***Vote in favor 6-1***
482

483 **Proposed Town Charter Amendment for Section 11.2 Judicial Board to follow RSA 673:6, I (a)**
484 **and allow five (5) alternates on the Zoning Board of Adjustment**
485

486 A. Garron- no we have not received a letter. I believe this would be the deadline date that we would
487 have needed to receive that letter.
488

489 D. Boutin- do we need to table this?
490

491 J. Sullivan- we can table it, but by the time we remove them from the table it won't meet the
492 requirements for posting. The requirement for posting per the charter is tonight.
493

494 ***D. Boutin motioned for the Proposed Town Charter Amendment for Section 11.2 Judicial Board***
495 ***to follow RSA 673:6, I (a) and allow five (5) alternates on the Zoning Board of Adjustment;***
496 ***seconded by A. Walczyk.***
497

498 J. Sullivan- this would need to be reviewed and approved by the proper agencies.
499

500 T. Rainer- this is a proposal for a charter amendment? Yes, there is a process for that. We would
501 need to pick that up before the 2023 and my recommendation for any charter amendments would that
502 they would be well underway before the budget season. For the state agencies and the hearing to have
TC MINUTES 1-19-2022 10

503 their proper due before actions happen. The letters that have gone back and forth. If we get things to
504 the state by Thanksgiving that will give us a buffer. It would need to be picked up by July 1. The clock
505 has run out to get these on the ballot for 2022.

506

507 J. Sullivan- changes to any charter needs reviewed by state agencies. There is a time frame for when
508 charter amendments can be offered and approved for the ballot and that time is tonight.

509

510 D. Boutin- how did this happen? We are not new to this. Who is to blame?

511

512 J. Sullivan- we received it too late in the season for discussion. The Committees or Boards did not
513 submit them in a timely manner.

514

515 D. Boutin- who's responsibility will this be. Who is to blame? We have been working on this all fall. No
516 one told us at all that we needed to have this in by a particular date.

517

518 J. Sullivan- we will create a calendar in the future so that this does not happen again. The reason for
519 this is that the submission for the changes were submitted too late to get to the proper state agencies
520 for turnaround.

521

522 C. Karolian- who is it that brought this charter change forward?

523

524 A. Garron- if the council remembers the ZBA came forward having issues with attendance I think back
525 in September October. Even though they spoke about those concerns many times the wording for the
526 zoning change didn't come until later.

527

528 C. Karolian- so it was the ZBA looking to make this change. The TC is not responsible for telling people
529 to get amendments in by a certain point. It is someone's responsibility to inform them.

530

531 T. Tsantoulis- part of the reason we ran out of time, if you remember correctly, we had meetings broken
532 up, or canceled because of lack of quorum or had councilors leave during a meeting.

533

534 ***D. Boutin motioned to direct the administrator to come up with a calendar regarding charter***
535 ***amendments timeframe according to the RSA 49-b-5; seconded by C. Karolian.***

536

537 **Roll Call Vote #8**

538 ***R. Lapierre Nay***

539 ***R. Duhaime NP***

540 ***T. Tsantoulis Nay***

541 ***A. Walczyk Nay***

542 ***J. Durand Nay***

543 ***C. Jones NP***

544 ***D. Boutin Aye***

545 ***C. Karolian Nay***

546 ***J. Sullivan Aye***

547

548 ***Vote failed 2-5***

549

550 C. Karolian- it can be put on our yearly agenda and calendar. We also have to look at the response that
551 we get from the state agencies and how they are going to respond in a timely manner. We just have to

552 follow the process. This issue comes up and sometimes it is not controllable. I think if you put a time
553 element on the calendar we will still be twisting the arms of the agencies.

554

555 ***D. Boutin motioned to retract his motion made on the Proposed Town Charter Amendment for***
556 ***Section 11.2 Judicial Board to follow RSA 673:6, I (a) and allow five (5) alternates on the Zoning***
557 ***Board of Adjustment; seconded by A. Walczyk.***

558

559 J. Sullivan- based on where we went with this, I will not move forward with item #14.5

560

561 **ARPA Committee Update**

562

563 A. Garron – we have organized a committee and T. Tsantoulis and R. Lapierre and D. Boutin have
564 volunteered to meet. We will meet on how we should use these funds.

565

566 T. Tsantoulis- we have not met yet. It is in the forefront and we will get there.

567

568 C. Karolian- what is the status of the items that we have already started looking at, items that we
569 already agreed as on as a council.

570

571 A. Garron- the 2 items that the council has voted on was bringing broadband to Edgewater Drive in the
572 amount of \$12,500 then the feasibility study in the amount of \$12,000. Central Water Precinct
573 committed \$6,000 towards this. Those 2 are going forward as approved. The reminder of the 1.5 million
574 minus the \$24,500 are what we are going to be speaking about.

575

576 C. Karolian- how will the plans be implemented? Will they just make suggestions? Or will it be the
577 committee members making those decision?

578

579 A. Garron- I would say a lot of what you have said needs to be taken into consideration. We have not
580 met yet. There are a lot of needs that need to be met.

581

582 J. Sullivan- R. Lapierre and T. Tsantoulis and D. Boutin are on the subcommittee. There was no
583 specific charge a show they should conduct those meetings. At this point we do not know what they are
584 going to do.

585

586 R. Lapierre- we are going to have public meetings with public input and open debate, and we will bring
587 back recommendations for ARPA funds back to the TC for discussion, debate and final vote.

588

589 D. Boutin- councilor Lapierre, Tsantoulis and I served on a subcommittee in the later part of 2021. The
590 meetings were held here, they were posted. Anyone who wanted to speak was allowed to. We even
591 invited people to come and speak. It was fully transparent.

592

593 J. Sullivan- once the committee makes their recommendations the TC can move on it. Let us wait and
594 get that committee report.

595

596 C. Karolian- I want to clarify what I said. I am not asking for parameters. How are they going to go
597 about what they are doing?

598

599 A. Garron- the final rules from the Treasury just came out. We were working on the interim rules and
600 they will be made available to the committee.

601

602

603 **NEW BUSINESS**

604

605 **Budget Transfer #2022-01 in the amount of \$1,996.00 from Town Clerks' budget to Tax**
 606 **Collector's budget.**

607

608 *D. Boutin motioned to authorize the Chairman to sign Budget Transfer #2022-01 in the \$1,996.00*
 609 *from Town Clerks' budget to Tax Collector's budget; seconded by R. Lapierre.*

610

611 **Roll Call Vote #9**

612 *J. Durand Aye*

613 *D. Boutin Aye*

614 *C. Jones NP*

615 *R. Duhaime NP*

616 *C. Karolian NP*

617 *A. Walczyk Aye*

618 *T. Tsantoulis Aye*

619 *R. Lapierre Aye*

620 *J. Sullivan Aye*

621

622 **Vote in favor 6-0**

623

624 **Ambulance Purchase by Fire Rescue Department (Tabled at 1/5/2022 Council Meeting)**

625

626 *J. Sullivan motioned to remove item 15.2 Ambulance Purchase by Fire Rescue Department from*
 627 *the table for discussion; seconded by R. Lapierre.*

628

629 **Vote in favor 6-0**

630

631 *T. Tsantoulis motioned to purchase a 2022 PL Customs Ambulance from Sugarloaf*
 632 *Ambulance/Rescue Vehicles, LLC for \$297,344.00 under the HGAC Purchasing Consortium*
 633 *which represents the purchase price and the trade-in credit of the 2008 International/AEV*
 634 *ambulance and authorize the Town Administrator to sign the purchasing contract; seconded by*
 635 *D. Boutin.*

636

637 **Roll Call Vote #10**

638 *C. Karolian NP*

639 *T. Tsantoulis Aye*

640 *R. Lapierre Aye*

641 *C. Jones NP*

642 *D. Boutin Aye*

643 *J. Durand Aye*

644 *A. Walczyk Aye*

645 *R. Duhaime NP*

646 *J. Sullivan Aye*

647

648 **Vote in favor 6-0**

649

651 **Community Development Department Reorganization**

652

653 J. Sullivan- The Administrator may prepare and submit to the Council proposed reorganization plans
 654 which may, subject to applicable law and this Charter, reorganize, consolidate, or abolish any Town
 655 agency in whole or in part, or establish new Town agencies as he/she deems necessary or expedient.
 656 Such reorganization plans shall be accompanied by explanatory messages when submitted. Under
 657 10.12 the TA is proposing this.

658
 659 A. Garron- what we typically do when we have an open position is reevaluate the position and if it is
 660 warranted and needed or relook at it as something else. In this particular case the administrative
 661 assistant position was vacated and that person is now our project coordinator. In talking with the Town
 662 Planner N. Williams, we looked at the way the community development department is structured. We
 663 thought about reorganizing it to a fashion of turning the AA position into the Planning Coordinator
 664 position. Years back there was a Planning coordinators position that over time went back to an
 665 administrative assistant position. We feel that the time is right with regard to the workload within the
 666 department and the skill sets that the department will need, the planning coordinator position just
 667 seems to be a good fit to elevate to. That's why that is being entertained now.

668
 669 J. Durand- is this the same Administrative Assistant that the Budget Committee took out?
 670

671 A. Garron- no that is not, that was my Executive Secretary that I had requested that they took out. It is
 672 an existing position of the administrative assistant that is evolving into a planning coordinator position.
 673

674 J. Durand- so it is a name change. Will that name change also change their pay?
 675

676 A. Garron- yes it will. You will see on page 89 it will go to a grade 9 from a grade 8. Where that vacant
 677 slot on the pay scale was.
 678

679 C. Karolian- this grade 9 is going to be non-exempt? Are they entitled to overtime? Will they be a part of
 680 the union?
 681

682 A. Garron- yes, they are non-exempt, entitled to overtime and they could be a part of the union if the
 683 union accepted this position.
 684

685 A. Garron- we are not looking to eliminate the position we are just looking to elevate the current
 686 position.
 687

688 C. Karolian- is this something that was suggested by MRI or is this something that the town is taking
 689 on?
 690

691 A. Garron- no MRI did not suggest this the town is doing this on our own.
 692

693 C. Karolian- do we know what the cost factor is?
 694

695 A. Garron- without knowing what that individual will be brought in at. You can take the minimum of
 696 \$50,000 and add in the benefits.
 697

698 C. Karolian- so we are saying that the department did not need 2 administrative assistants
 699

700 A. Garron- that was not their charge. They were not asked to look at that.
 701

702 R. Lapierre- you said the town has had a planning coordinator in the past. Will this need to go to the
703 warrant article?

704
705 A. Garron- yes. We did. This is not a new position it is in the same compliment. It is reorganization.
706

707 D. Boutin- I would caution all the council members in considering this. When you look at the 3rd page
708 most of the duties are administrative. Then look at the pay scale. You are paying someone to do
709 administrative duties with a high pay scale. This should go to the voters to vote on this is a huge
710 increase to ask for.

711

712 ***D. Boutin motioned to table this discussion and vote until we have more time to look at it;***
713 ***seconded by C. Karolian.***

714

715 J. Durand- if we have 2 administrative assistant does that mean someone is losing their job or is
716 someone moving up?

717

718 J. Sullivan- when we bring it off the table what information are we looking for?

719

720 D. Boutin- if you are eliminating one job? Is someone moving up and getting a bump in pay?

721

722 J. Sullivan- the past planning coordinator left our employment. We filled the position within which left an
723 open administrative assistant. Which the TA is suggesting a name change and a task change to better
724 accommodate the office and needs.

725

726 ***C. Karolian I retract my second to the motion.***

727

728 ***No second on the floor.***

729

730 D. Boutin- the question I have is when you look at the page with the duties and responsibilities. It is
731 interesting to see that there is no indication of education. Do they need a MA in Planning do they need
732 a BA?

733

734 A. Garron- if you look on page 93 it says it under licensing and certification required.

735

736 J. Sullivan- from what the position is currently doing now can you tell me the additional duties you
737 would have them do.

738

739 A. Garron- you will see that it is a lot of assistance with the Town Planner. They will much like before be
740 involved in the Conservation Commission. The maintenance of GIS is also very important.

741

742 N. Williams- in general when we were looking at this and the direction of the department, we were
743 looking at someone who could take on more of the administrative tasks. Where we could become a
744 more well-rounded department. They would be sitting in on plan reviews and applicant reviews and
745 sitting in my absence. Someone more specialized in plan review and more versed in map review and
746 GIS.

747

748 C. Karolian- what was Nicks job title?

749

750 A. Garron- he was a project coordinator. Under the administrative department.

751

752 A. Garron- the goal is not to eliminate a position. What we thought was workable was maintaining some
753 of those duties and modifying it to assist the town planner better.

754

755 D. Boutin- so you know how town government works, they are trying to slip in another position. Next
756 year they will be asking for another administrative assistant then changing him from planner 1 and this
757 position to planner 2. If this was an administrative assistant how can they change it to a planning
758 coordinator?

759

760 J. Sullivan- they can under the town charter

761

762 D. Boutin- the problem with this is that we are growing a department for no reason. There is no excuse
763 for having to spend this much money. I want a justification for the position. Everything in the job
764 description is a town planner.

765

766 Nick Williams- when you talk about our department you really talk about 2 departments. Current
767 planning and long range. So, the current planning would consist of when you have an application come
768 in for a site plan or a development proposal, it goes through the process. This person would be more
769 involved in that part of our departmental function. Where we are looking to shift a focus on more long-
770 range planning. So, this position would need more of a background with working with planning boards
771 and a technology piece and updating our GIS piece.

772

773 D. Boutin- with all due respect to the Town Planner they didn't have planning coordinators. They didn't
774 have all this. All they had was a secretary. The town planner would do the work.

775

776 J. Sullivan- are you changing it from an administrative assistant to a Planning Coordinator?

777

778 N. Williams-because they are doing more coordinating than an administrative assistant would be
779 expected to do.

780

781 J. Sullivan- now about the pay what is the max for an administrative assistant on the chart? \$44,000-
782 \$62,00. for the admin now it could be \$50,000-\$70,000. At the min would be \$50,000, what would your
783 suggested amount be?

784

785 A. Garron- it depends on the qualifications of the person that we get. Pay is given upon experience.

786

787 D. Boutin- you said this pay scale is not part of the motion is that correct, I don't see in this
788 documentation where it talks about the pay.

789

790 J. Sullivan- it says they are creating a planning coordinator at a level 9. It would be approving it at a
791 level 9. We don't know the exact salary, but it could be up to \$70,000.

792

793 ***D. Boutin motioned to reclassify the proposed planning coordinator position and place it under***
794 ***the pay scale of 8 not 9 seconded by J. Durand.***

795

796 D. Boutin- a reasonable person reading this will conclude that their role will be administrative not
797 planning. The chart currently calls it administrative then it should be paid at that rate.

798

799 C. Karolian- if I recall grade 9 was left blank by the MRI study. You put planning coordinator in blank 9.
800 The TC voted on a pay scale that had 9 as blank. There was no planning coordinator in 9 and I asked
801 this back then.

802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851

J. Sullivan- when we approved this matrix at whatever meeting this was at, we asked why there were blank spots. The rational for having some positions blank, as the town grows they will see a need to fill positions. New positions may not fit in the level of an 8 and does not rise to the level of a 10 so that is why we are putting it in at a 9. did we not?

RECESS at 8:48

Back In session at 8:53

T. Tsantoulis- we have a TA that we hired. We hired him because of his background and expertise in community development, and we recognized the need for community development and get Hooksett on the map and use up a lot of the underutilized space in town. What he is proposing is within his purview to do. Besides maybe D. Boutin no one else has the experience of a Town Planner. If he is in his right to make these changes then he is allowed to do that. We cannot second guess what he was hired to do. We cannot speculate what he is or is not going to do next year. We can vote it at a yes or a no. I don't want to second guess an individual who was hired to do what we are asking him to do.

D. Boutin- I will echo the remarks that councilor made. I am recognizing the TA role and expertise. All I am saying is the position is primarily administrative and the pay should reflect that.

C. Karolian- for the record I take exception to what T. Tsantoulis is alluding to the quality of the TA and his qualifications and or his abilities. That is not the question. The actual is the pay scale from 8 to 9.

J. Sullivan- based on this you are hiring a planning coordinator with more duties than an administrative assistant with the same pay.

Roll Call #11

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

Vote in favor 4-3

J. Sullivan – based on this we are having a planning coordinator which we are moving from an administrative assistant, but the duties will be more than an administrative assistant and the pay will be the same. Now we are back to the beginning because no motion was made. If we do or do not make a motion on this that we are changing the name and leaving it the same.

A. Walczyk motioned to allow the Town Administrator to reorganize the community development for the planning coordinator position to be in the pay scale of 8 of \$44,782 to \$62,691 seconded by T. Tsantoulis.

C. Karolian- this org chart will it stay the same in the future?

TC MINUTES

1-19-2022

17

852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901

A. Garron- no the wording will be changed to reflect the planning coordinator position.

C. Karolian-how about the community development reporting to the TA?

A. Garron- that is not being proposed to change at this time. To be honest in the future I'd like to see that change. I'd like to have that discussion and was it the intent of the Council for the TA to be the department head of that department forever. I'd like to see a department head be in charge of it much like many other departments and that department would be on its own.

C. Karolian- just so the other councilors are aware this is the first step in a multi-step, there will be another step that will create a position that will be in charge of this department.

Roll Call Vote #12

D. Boutin Aye

A. Walczyk Aye

J. Durand Nay

C. Karolian Nay

R. Lapierre Nay

T. Tsantoulis Aye

R. Duhaime NP

C. Jones NP

J. Sullivan Nay

Vote failed 3-4

Town Council Public Minutes - RSA 91:a

T. Tsantoulis motioned for consensus for Councilors to have goal to keep the total number of public minutes' pages to a minimum, while meeting the requirement of RSA 91: a.; seconded by D. Boutin.

J. Sullivan the intent of this is to streamline the process of keeping minutes.

T. Tsantoulis- I agree with this. We have archived meetings, If we need to review it we can review it. We are constantly talking about keeping costs down. We are paying an awful lot of money to write stuff that doesn't even need to come into play, that's how I support that motion.

C. Karolian- what this reads to me is that we are trying to keep the councilors limiting discussions to keep the costs down and because the minutes are to long. If it takes the minute taker 20 hours to take the minutes, then so be it. I think it needs to reflect what is being said at these meetings. Is this a cost endeavor for what she is receiving? Is the minute taker objecting to how long it is taking to take the minutes? It does not look good on the surface.

A. Garron- the reason why this is coming up we wanted to remind the councilor that RSA requirement of keeping minutes and that they are not required to keep them verbatim minutes or the RSA would take a different slant there, but also some order to how we do things. There are meetings where discussion goes off and it is difficult to track the conversation. There is a lot of conversation that makes it difficult to produce the standard of minutes that the council wants. The intent is not to have verbatim

TC MINUTES

1-19-2022

18

minutes. The council if they wish to seek verbatim minutes then that will need to be changed and amended to have a more expansive minute record. This is really an attempt to meet the intent of the law and really capture the essence of all the discussion that take place. But a lot of discussions takes place and A lot of different tangents, and it is difficult for anyone taking minutes.

R. Lapierre- if you haven't read RSA 91: a if is just supposed to include by state law a brief description of what the subject matter is discussed it is not supposed to be a verbatim recording. It is not just operational efficiency it is to be in better compliance with how the RSA is written.

C. Karolian- we are in compliance with what we are doing now. She does a good job. We don't go down verbatim road, and we don't have to. We have all read 91-a we know what it says. But it seems to me the complaint is that it is taking the minute taker to long to transcribe. We can have an offsite company do the transcribing from the video if need be, like other communities do.

J. Sullivan- this is not the 1st time we have had long discussion on the minutes. Do we want them short and sweet or to the opposite end to having them more verbatim and to the direct point? This gives the minute taker the ability to add what they feel is appropriate to add to the minutes. Let's give it a shot. If it does not meet our qualifications, then we can revisit. The goal of the motion is to have the minute pages at a minimum.

Roll Call Vote #13

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

Vote in favor 4-3

APPROVAL OF MINUTES

T. Tsantoulis motioned to approve the public minutes of the December 8, 2021, meeting. Seconded by D. Boutin.

Vote in favor 7-0

D. Boutin motioned to approve the public minutes of the December 15, 2021, meeting. Seconded by T. Tsantoulis.

R. Lapierre- I just want to make clear that my request was not to participate in the meeting and vote over zoom. It was to be able to speak to you guys remotely over the discussion over the negotiations of the union contract. I did not want to vote I did not ask to be apart of the vote and if you had made that motion and approved it I would have removed myself from that vote because I would not like to set that precedence. I just wanted to dial in remotely to let you know how those negotiations were going.

Vote in favor 6-1 R. Lapierre abstained due to not being in attendance.

952 ***D. Boutin motioned to approve the public minutes of the January 5, 2022, meeting. Seconded by***
 953 ***J. Sullivan.***

954
 955 ***Vote 4-0-3-*** T. Tsantoulis, J. Durand and C. Karolian abstained due to not being in attendance
 956

957 ***J. Sullivan motioned to approve the non-public minutes of the January 5, 2022, meeting.***
 958 ***Seconded by D. Boutin.***

959
 960 ***Vote 4-0-3-*** T. Tsantoulis, J. Durand and C. Karolian abstained due to not being in attendance
 961
 962

963 **PUBLIC INPUT**

964
 965 Mark Meville 42 Main Street- It is a rare occasion that I actually watch the video at home. Tonight, I did.
 966 This has to stop. When I saw the video, I put my coat on and came down here when I heard the arguing
 967 and name calling. You must show decorum. You may not always agree, but you treat people with
 968 mutual respect. All the videos and minutes that I have been reading and watching this has been a bad
 969 year. Stop with the tangents. Stop the bickering. I hope that sinks in. I get phone calls from other
 970 people. In regard to the minutes, I need to know what is going on I need to feel like I was there, maybe
 971 not verbatim but a blurb. You should be ashamed that this is captured in the minutes. You should be
 972 embarrassed of what went on tonight. I am also not in favor of the reorganization.
 973

974 **ADJOURNMENT**

975
 976 ***Chair Sullivan motioned to adjourn the meeting at 9:26 pm. Seconded by D. Boutin.***

977
 978 ***Vote in favor 7-0.***

979
 980
 981
 982 Respectfully submitted,

983
 984 *Alicia Jipson*

985
 986 Alicia Jipson
 987 Recording Clerk

988
 989
 990
 991
 992
 993
 994 Please see subsequent meeting minutes for any amendments to these minutes

**Town of Hooksett
Town Council Special Meeting Minutes
Wednesday, January 26, 2022**

The Hooksett Town Council met on Wednesday, January 26, 2022, at 6:00 in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the meeting of 26 Jan 2022 to order at (6:00) 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 6:51) Councilor Timothy Tsantoulis (left at 9:27), Councilor Clark Karolian, Councilor Alex Walczyk, and Councilor Roger Duhaime, Councilor Clifford Jones.

Absent: Councilor David Boutin

PLEDGE OF ALLEGIANCE

J. Sullivan extended a moment of silence for Kathy Northrup.

PUBLIC HEARING

Continued Public Hearing - Wastewater's Martins Ferry Pump Station and Force Main Upgrades in the amount of \$4,300,000.00 (continued & tabled from 01/12/2022 Town Council Meeting) - Steven Whitley, Town Legal Counsel.

J. Sullivan motioned to remove for discussion from the table the continued public hearing on the Wastewater's Martin Ferry pump station and Force Main upgrades, seconded by T. Tsantoulis.

A. Garron- at the last meeting we were reviewing the potential warrant article or the sewer commission, and questions were asked in regard to 2 items. One, given that the pump station that we are looking to fund lies in the opposite bank of the TIF District can we use TIF funds in order to provide funding for this. Attorney Steve Whitley and I corresponded together on this before this meeting. In page 8 of your packet, I do have our response from our legal counsel in regard to that question, in which I will read: the safest and most legally sound position is to focus the expenditure on TIF funds within the TIF district. As you correctly noted, expansion of the TIF district to include the Martins Ferry Pump station would thus resolve this issue. However, even if the council does not expand the district, under these facts the TIF funds could still legally be used for the pump station upgrade is primarily intended to further and support development within the TIF district. It is thus consistent with the TIF statute (RSA 162-K). It is difficult to separate the pump station upgrade from the corresponding upgrades occurring within the district that are undoubtedly intended to promote development within the district and thus valid. If challenged, the Town would thus have a strong argument in support of the use of TIF funds, as part of an overall plan of infrastructure improvement aimed at spurring development within the TIF district. I acknowledge that this logic can only be taken so far, and so a more extreme example would be beyond

47 the scope of what RSA 162-K allows, but I don't believe the Martins Ferry upgrade is that extreme if an
48 example.

49
50 C. Karolian- Mr. Whitley are you aware that included in this warrant article is a mile and a half worth of
51 force main going outside the TIF district. In your opinion is 1.5 ok to be able to use that TIF money?

52
53 S. Whitley- I think the best route would be for the council to expand the TIF district, so that there would
54 be no argument about improper spending of that money however given the overall intent of these
55 upgrades that they are focused on spurring development within the TIF district I think that the Town has
56 something to stand on if it were to be challenged if the TIF district was not expanded. I was given some
57 plan that did depict the force main expansion that you just described.

58
59 C. Karolian- barring the TIF district expansion if that's not expanded to the east side of the river that 1.5
60 of force main shouldn't come under TIF funds?

61
62 S. Whitley- no I think you can use that TIF funds for that 1.5 miles of force main.

63
64 C. Karolian- as far as your opinion, I think you gave 2 options. Relocate this portion of water & sewer
65 lines and or expand the TIF district. Are you giving an opinion on which one the town should do or are
66 you giving 2 options and its up to the town to decide if they want to move the sewer lines or expanded?

67
68 S. Whitley- I recommend that the TIF district be expanded. I think it puts the town in the best legal
69 position on this issue, however the decision is not mine. If the council decides not to do that, I still think
70 they have a sound argument on using the TIF funds for this.

71
72 C. Karolian- but in your response to the inquiry about the TIF district using that money for that sewer
73 going outside, from what I read you are giving 2 opinions, you can use it for A relocate the lines or B
74 amend the TIF district. It didn't appear in your email that you were making a choice and a
75 recommendation it was just one or the other. I ask because what we received as councilors from staff in
76 the staff report, the original email that you sent the response had no bold or highlighted wording.
77 However, in the reports that we received. The line that reads relocate this portion of the water & sewer
78 lines now reads to us contrary to your email in bold or simply amend the TIF district which leads anyone
79 reading that to believe that is your recommendation as opposed to we have 2 options, move or not. I
80 am not sure if your email has been changed. I know if I wrote that email, I would be upset that
81 somebody took my email and changed it to sway the councilors to believe that is your recommendation
82 over the 2, it would be fair for us to say that you did not put that in bold.

83
84 S. Whitley- I did not put that in bold, I did see that was bold in the packet.

85
86 C. Karolian- so that is a misrepresentation of what you are recommending.

87
88 S. Whitley- I would not say that is a misrepresentation. I think the thrust of my response is that I think it
89 is better for the town to expand the TIF district but if you chose not to it is still viable to go forward using
90 TIF funds.

91
92 C. Karolian- your email says that you can do A or B with no recommendation by you that your
93 preference is B amend the TIF district.

94
95 S. Whitley- I think there is a recommendation in my email.

96
97 C. Karolian- I am not trying to find fault with your email, I am trying to find out why this has been
98 changed to get the councilors to go in one direction vs another. Based on the staff report that we
99 received it says that it is based on the recommendations of town counsel to amend the TIF district. I

100 just wanted the other councilors to be aware that the information that we are getting is being swayed vs
101 what the attorney is actually writing.

102
103 A. Garron- in regard to the bolded recommendations, if the council remembers when we were looking
104 at amending the TIF district plan, there was a section that came up of piping that came from Cross
105 Street and Route 3a. So much like we did with this issue, we asked the question can this be
106 permissible. The response back was ideally it would be best to expand the district, although we could
107 mount an argument connecting these 2 areas is consistent with the piping. We opted based on that
108 discussion opted to move forward with expansion. There were areas of exit 10 that we wanted to
109 include. The emphasis on this was to expand the district and build upon that recommendation. Fast
110 forward to last week when we had the discussion on the warrant article, you had posed the question in
111 regard to spending money outside of the district. We have asked this question before since it was
112 across the river. It was determined that particular cases were a bit unique, and I had tried explained
113 that one cannot happen without the other. One pump station that goes underneath the Merrimack River
114 into another pump station into the force main was part of the original project that we started with. We
115 started with exit 10 then work our way north to exit 11.

116
117 C. Karolian- with all due respect that doesn't answer the question and that does not make it right and
118 does not give someone the right to change his email. His email was changed to look like it was his
119 opinion bolded to sway.

120
121 C. Karolian- as far as the superintendent and the sewer commission, your operating budget is roughly
122 2.5 million. The reason we tabled it was to find out what your revenue was. How much money does the
123 sewer dept have in reserve and revenue vs the operating expense?

124
125 K. Conaty- the operating expense and revenues almost offsets exactly. It is about \$100,000 in revenue
126 that we are predicting this year. So, it's \$100,000 more that will automatically go into the trust funds. In
127 the trust funds we have \$8,581,470 million of which \$5,579,019 is encumbered at this point for the
128 upgrades of the plant to solve the disk overflow problem the hydraulic system has been addressed.
129 That leaves \$3,002,451 of which I have encumbered 1.2 million towards this Martins Ferry project,
130 which bring us down to \$1,802,451 and that's exactly right where we should be for DES and EPA
131 regulations which require us to carry 6 to 12 months of operating revenue in out budget. With 2.5 million
132 budget that leaves us with 9 months of carrying revenues.

133
134 C. Karolian- if I understand it correctly. If your operating budget is 2.5 million and your revenues are 2.6
135 million, so you have \$100,000 extra and taxpayer money is not going to go towards the operation of the
136 sewer.

137
138 K. Conaty- no we are fully funded by user fees.

139
140 C. Karolian- and why is it if you have that extra money why can't you use it. You mentioned the last
141 time that if it didn't go forward, and if it came to the \$300,000 would we be in favor of that.

142
143 K. Conaty- if the warrant article won't pass because of the TIF money not being able to be used the
144 sewer commission said they would just cover the \$300,000 to make sure that the project went forward
145 while we can get these grants funds that are available. The grant funds will run out and I will be short
146 \$800,000 rather than \$300,000.

147
148 T. Tsantoulis- I'd like to point out the bolding, I can be sympathetic to his concern. I don't see it as a
149 way to sway my opinion. I see it as a way to point out the discussion and it helps the reader along the
150 way. In regard to the comment the sewer commission made, we are using taxpayer money in one way
151 or another it is just coming in the form of a grant but is still taxpayer money.

152
153 Chairman Sullivan asked if there was any public input there being none, Chairman Sullivan closed the
154 Public Hearing at 6:32 pm.

Brief Recess taken at 6:34 pm.

Davis Ross was mad that they closed the public hearing before he could speak because he was in the hall. J. Sullivan indicated that he looked up and asked if there were any public comments, there being none he moved forward.

J. Sullivan- I asked the council if they had any further questions there being none, I asked the public if they had any questions there being none, I closed the Public Hearing. Since I closed the Public Hearing on our behalf, I will ask the council if they wish to reopen the Public Hearing to include Mr. Ross input.

J. Sullivan motioned to reopen the Public Hearing; seconded by J. Durand.

Roll Call Vote #2

R. Duhaime NP

J. Durand Aye

C. Jones Nay

R. Lapierre NP

A. Walczyk Aye

D. Boutin NP

C. Karolian Aye

T. Tsantoulis Nay

J. Sullivan Aye

Vote in favor 4-2

David Ross 56 Sherwood Drive- what TIF money is going to be committed to the sewer? Is there any TIF money left? Aren't we already in the red? Aren't we already paying a bond that is not supporting itself from the existing TIF, and now you want to expand the TIF assuming that you can encumber money from this expanded TIF to cover this existing bond. I don't believe that DRA is going to let that happen because it is totally wrong. You are asking the town to put up more collateral for something they have already been encumbered for. No other money from that bond can go anywhere other than what was done in that district. If you want to expand the TIF district, fine, then you will need to float another bond to do the other stuff. The email change is fraud. When you change someone's email even so much as bolding something is fraudulent. I hear about this 1.5 million is already encumbered. Meaning that the deal is already been made. You cannot encumber funds that aren't already committed or contracted to be spent. The MOU with the sewer commission, when did that happen? You cannot tell them what to do you have nothing to do with them, yet you have engaged in an MOU. Beyond that I look at this as a slighted hand. You want to expand the TIF district to cover the bond. Nothing is needed to expand the TIF district. The state needs to fix the exit first. The people that live here are your prime objective, not the people who want to be here. You are here faithfully overseeing that trust.

C. Karolian- Is there some questions that you need answered vs just placing your public input. Do you have questions about this plan moving forward?

D. Ross- there was a lot of new info tonight that was presented tonight, such as the MOU, and the legal opinion, and the illegal changing of the email.

J. Sullivan- we had an email that was sent from Mr. Whitley and there was some indication that there was some change made in bold, and is there concern there from Mr. Whitley.

A. Garron- if I can emphasize one point. We did not change one word of Mr. Whitley's recommendation or opinion that he gave us, not one word. What we did do was highlight it in bold his opinion/recommendation, that there was an opinion that was rendered either you can defend spending money outside the district but the recommended route was to amend the district itself by adding parcels. The only reason why we emphasized that was that we went forward with amending the

boundary of the district. That is it, not one word was changed from the opinion of Mr. Whitley, and if you want to ask Mr. Whitley he is here to answer that.

J. Sullivan- lets go back to the hearing and what questions have not been asked.

C. Karolian- why was not relocate the water & sewer lines highlighted as well. If they were both bolded as the reader we would have seen that there are 2 options. My question is why was that not bolded.

B. Thomas- I am the one who drafted this staff report. I had no intention of changing the opinion of Mr. Whitley. It was my intent to show the staff's recommendation. I apologize for you having to take up so much time on this. I was just showing the staffs opinion on this. I will change how I do this in the future.

A. Garron- I just want to conclude with this that this is the staff recommendation I think you all received the recommendation from the TIF committee but the recommendation from the EDAC as well, with regard to the expansion of the boundaries.

Public Hearing closed at 6:56 pm.

R. Duhaime motioned to move the Martins Ferry Pump Station and Force Main Upgrades in the amount of \$4,300,000.00 to the warrant; seconded by T. Tsantoulis.

R. Duhaime- you cannot do the West side of the river without doing the Martins Ferry pump station so I see no reason why we cannot do it. The other thing is we are going to be able to put the pipe on Manchester Sand and Gravel site. Which has been very good to the town of Hooksett, they have never asked for any TIF money, this is going to put the sewer pipe on their property, and this is a win win for all and I'd like to see this happen for Hooksett.

T. Tsantoulis- what we have been looking at is a lot of out of the box thinking. Making accusation is not going to get us to where we need to be. If you want to move Hooksett forward, then you have to get your head out of the sand and do what you have to do.

Roll Call Vote #3

D. Boutin NP

C. Jones Aye

A. Walczyk Aye

J. Durand Nay

R. Duhaime Aye

T. Tsantoulis Aye

R. Lapierre Aye

C. Karolian Nay

J. Sullivan Aye

Vote in favor 6-2

C. Tewksbury- can we have a first and second- J. Sullivan will be the 1st and R. Duhaime will be the 2nd. Members of the sewer commission will also be there. The other question that came up. We still have the operating budget to go over.

PUBLIC INPUT - 15 MINUTES

David Ross 56 Sherwood Drive- so the warrant article that you just put on the warrant good luck. Exit 11 is never going to happen unless the state handles it. It won't handle the traffic. Until the state does what needs to be done it is a dead issue. For you to think that you can co-sign a loan to a developer is wrong. I cannot believe that DRA will let this deal fly. This is not the way the money is to be spent. If you have a legal opinion that says the DRA will approve then I seriously doubt that legal opinion. Hooksett would like to remain Hooksett. I don't think we are in a hurry to expand the commercial business. I have never believed in TIF districts. Why should the town do anything besides getting the

state to get off their butt and fix things.

OLD BUSINESS

Tax Increment Finance District (TIF) –Discuss Amending the Tax Increment Finance Plan – Steven Whitley, Town Legal Counsel

J. Sullivan – we are here to discuss after properly posted and properly advertised and an already held Public Hearing expanding the boundaries and changing the wording of the TIF to change the wording to allow alternate funding.

T. Tsantoulis motioned to expand the district border to add the properties listed on the attached submission from the Southern New Hampshire Planning Commission that include the properties on the east side of the Merrimack River, the three properties of Cross Street, and the section of Cross Street from Route 3A to the west end of the frontage of the properties; seconded by A. Walczyk.

R. Lapierre- I've read through the legal opinion, I understand that the staff recommendation is to amend the TIF district, but I don't know why, there seems to be no justification of the recommendation.

C. Karolian- I understand what he is saying. We are talking about expanding the TIF district to include from the east side of the river which includes the pumping station and all the parcels that go past that. We don't need to amend the TIF district if we can use that money for that purpose as stated by the attorney.

J. Sullivan- I need to look at staff for explaining.

S. Whitley- you can use the TIF funds on the portions of the force main, however there is some uncertainty with that and from a legal perspective my preference would be to eliminate that issue by expanding the TIF district to encompass that area.

C. Karolian- if I understand you correctly, we can do this without expanding the TIF district.

S. Whitley- you can but there is some uncertainty. I don't have a crystal ball and know how a judge would rule on this if it were challenged. I'm saying that the town has a solid argument that it could make that this is allowable, and it is consistent with the statute. But I am not sitting here guarantying that a judge reviewing this issue would agree with me. So, to take that uncertainty out of the equation and to eliminate the cost and the potential delay of having the TIF district development delayed, I think it is a better position to be in to expand the TIF district, because then we don't have to have this hanging out there and there is also not the potential of a judge a month, a year 5 years from now would take a different view.

C. Karolian- in reality it would be best just to expand the area that is needed for the expansion of the force main.

S. Whitley- I was not in the discussion of adding those other parcels. I'd recommend looking to staff for that.

C. Karolian- I understand the reason but can't we just look at the areas that include the force main.

A. Garron- the reason behind the expansion was. The initial question was how we can spend the money outside of the TIF district for the section of pipe that went out then back in. The TIF committee looked at it and said if we were going to look to expand, lets look at it in a more comprehensive way. So, we looked at it and what we found was in the existing TIF district there were some parcels that had potential development that could enhance the current TIF district that should be considered but then we

323 also started to look at the other side as to what the potential on the other side was. Given our project as
 324 it is configured now took us to the other side of the river, so now we looked at the other side and said
 325 are their potential development that could enhance the TIF district. We had Southern NH Planning
 326 Commission look at it and analyze it say does this makes sense to expand in this fashion the result was
 327 yes it does makes sense. Cause we do have infrastructure projects on that side of the river, we do have
 328 growth potential on that side of the river therefore it makes sense to bring back a recommendation for
 329 the TIF committee to the Council to say let's go beyond what we were initially thinking let's look at a
 330 more comprehensive expansion and that is what you have before you now.

331
 332 R. Duhaime- can we clarify where the pump stations are going to be.

333
 334 B. Thomas- the pump station is going to be on Arlene Greens property, it will be on Quality Drive as it
 335 will be easier to get to with utilities.

336
 337 R. Duhaime- will we be able to gravity feed that from Walmart.

338
 339 B. Thomas- yes and the design is about 90% complete.

340
 341 J. Sullivan- the council established a TIF district of volunteers. We had many discussions on the
 342 boundaries. We had concerns that the work was going on outside of the boundaries. We have a TIF
 343 district, the planning board has been involved in this. We have established that this falls within the
 344 guidelines given from the state.

345
 346 C. Karolian- does anybody know if the state will give us an easement to go through their property.

347
 348 B. Thomas- we have had a meeting with the state. Basically, there was no real question that they will
 349 give us an easement. I believe they will give us an easement.

350
 351 C. Karolian- did anyone explain to them that we will be going through their property.

352
 353 B. Thomas- yes, they fully understand that we will be going through their property. They haven't given
 354 us a formal response. It was just a given that we will get an easement. The design concept has not
 355 changed the minute designs are still underway.

356
 357 **Roll Call Vote #4**

358 **A. Walczyk Aye**

359 **R. Lapierre Aye**

360 **C. Jones Aye**

361 **R. Duhaime Aye**

362 **J. Durand Nay**

363 **C. Karolian Nay**

364 **T. Tsantoulis Aye**

365 **D. Boutin NP**

366 **J. Sullivan Aye**

367

368 **Vote in favor 6-2**

369

370 J. Sullivan the next discussion which again I referred to earlier which we had a separate hearing on
 371 regarding adding wording to the TIF agreement plan that would allow for private investors and private
 372 borrowing and financing.

373

374 J. Durand- can I ask the attorney one quick question; we have a councilor here who works for the
 375 company Underwood Engineering I would think he should step out of the room while discussions are
 376 going on.

377 S. Whitley- I think to avoid any appearance of impropriety or bias he should consider stepping down for
378 this vote. He alone can make that choice. This body cannot make that choice for him, I cannot force
379 him to do that, he is not required to step down he does not have to remove himself if he wants to
380 remove himself from the vote he may. He may remain in the room as a member of the public during the
381 discussions.

382

383 J. Sullivan- under Riggins Rule as a suggestion is just letting the public know that you have an interest
384 or conflict in the discussion, and that you should excuse yourself from the room.

385

386 S. Whitley- you can take a vote, but it just a suggestion. Also, for the record I think it would be helpful
387 for councilor Durand to state why he believes Mr. Jones should recuse himself and allow Mr. Jones to
388 respond and say why he does or does not agree with you.

389

390 J. Durand- I did, he works there that is the conflict. And it is in conflict because his company will gain
391 more work and money.

392

393 C. Jones- I am not even working right now and if I do, I am not working on any Hooksett projects. This
394 is why I was not even considered for any Hooksett projects for this specific reason.

395

396 C. Karolian- because we don't want to have the appearance of conflict and if you read in the MOU there
397 are issues regarding his employer that would be getting more money to do some services. How long
398 has he been employed by Underwood Engineering? We have voted on many things in the past as a
399 council that involves Underwood, which would be a financial gain for his employer. Was it prior to them
400 getting the contract for this design work or was it after?

401

402 C. Jones- I've only been working with them for a few months, nor have I voted on anything that had to
403 do with Underwood Engineering. If it makes it better, I will step down because this is ridiculous.

404

405 ***T. Tsantoulis motioned to amend the TIF district Plan to include use of TIF increments to***
406 ***reimburse private investors for private borrowing or financing; seconded by A. Walczyk.***

407

408 T. Tsantoulis- as I said earlier it appears to be a unique opportunity for to get some property that has
409 been doing nothing for the town for a long time, this is out of the box thinking. It involves things that we
410 have not done before there are always going to be people who have a hard time doing things that we
411 have not done before. We have to step up and perhaps take a look at what might work better for the
412 town.

413

414 ***R. Lapierre motioned to amend the motion to read motion to amend the TIF district Plan to***
415 ***include use of TIF increments to compensate private investors for private borrowing or***
416 ***financing; seconded by A. Walczyk.***

417

418 J. Sullivan- based on that change we need some guidance on the TIF plan and doing that.

419

420 R. Lapierre- reimburse can mean in full and compensate means a portion. I don't want the TIF district to
421 say that any private investor that invests money or have them think that they are entitled to full
422 reimbursement.

423

424 S. Whitley- my thought process in using reimburse was I wanted to make it clear that the town was
425 using TIF increments to reimburse a developer for actual funds that they had actually spent on the plan.
426 Compensate I think has a slightly different meaning. I don't think I agree that if you leave it as
427 reimburse you are obligated to reimburse in full. Any proposal that utilizes these funding mechanism
428 will need a Public Hearing and will be voting on and agreed to before the town before it is signed. So,
429 you will know if you are going to be reimbursing in full or a portion. I don't think that a developer could

430 say you used the word reimburse therefore I am obligated to get 100% back. I think that is something
431 that is worked out between the town and the private developer.

432
433 R. Lapierre and A. Walczyk after input from attorney Whitley removed their motions.
434

435 R. Duhaime- from what the Attorney and Matt Surge says this is a creative idea and has not done in the
436 state before. We are going into this with no experience. This is my district. We gave them the approvals
437 so that they can move forward with getting approvals from the state. I think before we look at financing,
438 I think we need to look at the whole picture. The traffic has to be addressed as well. The town has to
439 take the lead with the sewer and water, but we need to do it right. The state is ignoring exit 11. We
440 need to go to the state and pressure them and it needs to come from this council. We are spending all
441 this money, and they need to do their part.

442
443 J. Sullivan- what this motion is would be allowing us to even consider a private public agreement. By
444 doing this, it would give us the opportunity. It does not mean we have to make any decision outside of
445 this. This just gives us the ability to act if there is an option for outside financing.

446
447 R. Duhaime- is this type of agreement authorized under RSA-162-k?
448

449 S. Whitley- yes, it is allowable under the RSA-162-k provided you amend the TIF plan because the
450 statute is clear that you can only use TIF funds consistent with your plan. That's why before you now is
451 a vote to change the plan and if you vote that in the affirmative then yes you could legally use TIF funds
452 to reimburse, compensate, recompense a developer. If you change the plan then yes you can then
453 move forward with accepting outside funds.

454
455 R. Duhaime- has this been done anywhere in the state?
456

457 S. Whitley- I am unaware of anyone doing it like this before. I would just add that RSA-162-k does not
458 have a great deal of detail, because I believe the intent was to allow for some flexibility. What we have
459 is the language of the statute and that is it.

460
461 C. Karolian- what does the current TIF plan say.
462

463 S. Whitley- the current TIF plan says that you use TIF funds to pay off bonding. It's a little bit vague. But
464 it clearly states that TIF funds are to be used to paying off bonds. In order to even consider the MOU,
465 you need to add some different language to make it clear to take away any ambiguity that this is an
466 allowable use of TIF funds.

467
468 J. Durand- I've been a resident for 30 years and I don't want to see Hooksett be the first one in this.
469

470 T. Tsantoulis- I would comment that part of what Mr. Durand said that same piece of property no one
471 wanted to be the first one to do something and consequentially that property sat with nothing being
472 done on it. We can be 1st, 2nd or last, your choice.

473
474 R. Duhaime- Christine on our previous TIF district it was paid off early. Will this be a problem for us
475 moving forward?
476

477 C. Tewksbury- I do not have any input on this. Exit 10 was a huge blessing for the town where we had
478 a developer come in and put-up certain guarantees on the bond.

479
480 R. Lapierre- there was a lot of talks of us not being the 1st to try this. That may be true in NH, but this
481 has been done in other states. It is called a Pay as you go TIF obligation and it's used with success to
482 pay back a private investor as if the private investor is a bond as defined in the TIF act. It has been a
483 part of other states TIF approach for years.

484 C. Karolian- we don't have the particulars from other states. We need to compare apples to apples. If
485 we had their finance agreement, we would know how to compare.
486

487 **Roll Call Vote #5**

488 ***T. Tsantoulis Aye***

489 ***C. Jones Abstained***

490 ***R. Duhaime Nay***

491 ***A. Walczyk Aye***

492 ***R. Lapierre Aye***

493 ***C. Karolian Nay***

494 ***J. Durand Nay***

495 ***D. Boutin NP***

496 ***J. Sullivan Aye***

497

498 ***Vote in favor 4-3-1***

499

500 **Tax Increment Finance District (TIF) to Discuss Funding Agreement between Town and Granite**
501 **Woods Developer - Peter Bartash, Granite Woods Development, David Mercier, Underwood**
502 **Engineering, and Steven Whitley, Town Legal Counsel**
503

504 J. Sullivan-we opened a Public Hearing regarding this same discussion and we continued that PH to
505 tonight's meeting. That Public Hearing has been reopened. We have all parties involved here to discuss
506 and for all to ask questions.
507

508 Peter Bartash Granite Woods Development applicant for the MOU- we have certainly spent a lot of time
509 on this MOU and the agreement. We have brought this MOU to the TIF district and the Economic
510 Development Advisory Committee and town staff. I think there has been questions and concern on our
511 intent. What we are looking at is the TIF District and understanding that the purpose and intent of the
512 TIF district is to facilitate and enable economic growth and development within specifically designed
513 areas. As of today, the property that we are looking at pays about \$20,000 in property taxes. The way
514 that the TIF district is designed it's about the increment above that \$20,000 and what happens with that
515 money and how it is used to encourage and foster development and growth within that district. All of the
516 funding that is being discussed and how the mechanics of how that is applied within this MOU is talking
517 about any additional tax revenue would be created by this project that we had proposed and was
518 approved for by the Planning and Zoning board. The way this is designed and intended which is the the
519 money that we are looking at being reimbursed is for funding public infrastructure improvements that
520 we are stepping up as the developer and the applicant would guarantee and back and execute on
521 behalf of the town and upon completion would be granting all of those improvements to the town. In the
522 same way that a town may seek a bind from another lending source we are stepping up and saying that
523 we will be that source and we will take the risk of guaranteeing those funds so that the town does not
524 have to and in exchange for taking that risk and exchange of moving that development and growth of
525 this area forward. What we are suggesting, the additional tax revenue that we are creating in this
526 district that a portion of that revenue be redirected to paying off the cost of those improvements. We are
527 developing a project and we are leveraging our project and our funds to implement and install public
528 infrastructure and then we are paying new revenue into the system that is being used to pay for those
529 funds. The whole purpose of this, and I hear council Durand's comments about the community. The
530 reason that we are proposing to do this, we are offering the town not to get stuck in that cycle, we are
531 offering to come in here and be a part of the solution, and not perpetuate the issues. Duhaime was
532 right, we asked for the boards support so that we could show a united front. We want to be a part of the
533 solution. Imagine if this goes right are we prepared for success. That is the way the MOU is presented.
534

535 A. Garron- when this project was first presented to the Planning Board. This applicant came to the TIF
536 district and the Economic Planning Commission to see where we were at in this project. We decided to
537 start this project out at the exit 10 area as that is where the businesses were. Much later we have a
538 proposal in the exit 11 area. The concept then evolved if we were to take on the exit 11 area. Our focus

539 is still on exit 10. So, when we look at project financing yes this is new. When we look at the benefits of
 540 this project. We have a developer willing to fund our project basically ahead of schedule. We have a
 541 private developer saying I'll build it and I'll take on the debt. We reached out to attorney Whitley and
 542 how best to go about that. I know this is new for us and for NH. We are paying debt for infrastructure
 543 that we are going to building anyways, we are just not a point that we are ready to do that now. If we
 544 wanted to do a project like this we could never do it financially. This gives us the opportunity to move
 545 that forward and to collect revenue to do other improvements in the TIF district. At the end of the day
 546 this is a good project for Hooksett.

547
 548 J. Sullivan- basically how we typically work is the traditionally we need bonds to do the infrastructure,
 549 then we would go out and ask the voters to take out a bond and pay off that bond and the interest we
 550 would take from that increased tax increments in the district. The current plan is that you would provide
 551 us the 7 million dollars to provide the infrastructure in that district, and then we would take the tax
 552 revenue that we get from your improvements on your property, we would then pay over a 15-year
 553 period each year we would pay you back 60% and we would keep the 40%. I just want to know how is
 554 this different. Did I summarize the traditional bond arrangement? How is this different than a traditional
 555 bond payment?

556
 557 P. Bartash- in the traditional process an article would be floated to the voters to approve or deny
 558 approving the town to take on the additional debt. Because with the town being the trust, they are liable
 559 for the debt. The difference from what we are proposing, the town and the town trust is not being asked
 560 to take the debt or pay back the debt. We are providing the debt and the funding and assurty that the
 561 debt will be repaid, and we will repay the debt. So, the difference between the 2 fundamentally from a
 562 risk perspective is that the traditional process of asking the voters for approval is asking the voters to
 563 take on the risk of taking on the debt. In this agreement we as a private entity are taking on the risk of
 564 that debt. Secondly there have been comment about the MOU and the structure being used as a
 565 developer's way to pay for their own project. Again, the funding and the nature of the funding is specific
 566 to public infrastructure improvements. Furthermore, the public infrastructure improvements that we
 567 would install on our property in accordance with the towns design plans to extend water and sewer and
 568 create a loop from Cross Road back to Hackett hill, that 1.9 million dollars' worth of work is on our
 569 property, we are proposing to do the work we are going to turn those improvements over to the town
 570 when we are done with them. We are not asking to be reimbursed for that 1.9 million dollars. Under the
 571 typical structure you are right. What we are saying is that not only are we incurring that debt, but we are
 572 only asking for 60% of that tax increment over a 15-year period to pay it off so that the town can take
 573 that other 40% and handle the other shortfalls in the district take on other projects that are within the
 574 district and move all of its goals forward concurrently as a benefit to the town.

575
 576 C. Karolian- you said that the portion of the improvements on your property would then be turned over
 577 to the town? Would this become town property or town easement?

578
 579 P. Bartash- yes because it is a part of the public utility system, it would be handled through an
 580 easement with the town and the property owner. The town would need the ability to govern those
 581 improvements and have the ability to access and maintain those improvements.

582
 583 C. Karolian- so the town would be taking over the maintenance, upgrades, the town would be
 584 responsible wheather it is the water or sewer department, the town would need to come in and repair
 585 that?

586
 587 P. Bartash- this is no different than any other infrastructure, correct.

588
 589 C. Karolian- I am not aware of any private infrastructure that the town is responsible for taking care of
 590 on private property.

591
 592 P. Bartash- this easement and the granting of the improvements are a benefit to the town. Not only are
 593 we as the installer executing the towns plans that the town is designing and telling us this is what we

594 want, and the town is overseeing that work but then they are also maintaining it as they would any other
595 public infrastructure.

596

597 C. Karolian- I understand that the town would be responsible for the public property, what I am having a
598 hard time understanding is that the town would be responsible for plumbing and the infrastructure on
599 your property.

600

601 P. Bartash- you have to think about the condition of having an easement for that area of these utility
602 improvements. That area effectively becomes private property. If you think of it as a residential
603 property, the town is not going to come onto your private property and is not going to repair your sewer
604 connection to the utility main. Just as the town is not going to come onto this property and repair the
605 connection from our building to these new water and sewer mains. We would be responsible for any
606 work outside of the area of this easement. But again, its not different having a water and sewer line
607 running down the middle of the road.

608

609 C. Karolian- the easement allows the town to get on the property. But I am responsible for maintaining
610 the property. When I look at the MOU, it says the cost is approximately 7 million dollars not including
611 the carrying costs associated with the funding. That 7 million dollar figure did that come from the town,
612 who came up with the estimate?

613

614 David Mercier Underwood Engineering- yes that estimate came from us. It is based on similar projects
615 of similar magnitude that have been bid by us recently.

616

617 C. Karolian- would you agree that it could be less than 7 million? If it were to go out to bid to private
618 contractors.

619

620 D. Mercier- when put together a bid like this it is usually plus or minus with a contingency of plus or
621 minus 20%. That bid was given last year so prices could have gone up.

622

623 C. Karolian- so this MOU could go to 8 million dollars.

624

625 D. Mercier- that is possible.

626

627 C. Karolian- the MOU says that the Granite Woods could pay approximately 1.5 million in property
628 taxes based on future reassessment of the facilities once up and running. Where did that assessment
629 come from? Did that come from a town assessor looking at what the future plan is on this, did this come
630 from the developer.

631

632 A. Garron- that figure was given by the developer, and then we had our assessor look at it and that
633 number could be lower based on the materials used and the square feet.

634

635 C. Karolian- it could be more than that and it could be less than that, but we didn't have do anything to
636 look at what the assessment would be.

637

638 A. Garron- we did ask our assessor, is this a realistic number that they provided? Based on the size of
639 the structure and all that right now he's not coming up with the same values, but he needs to look at the
640 overall property once everything is done and take that into consideration.

641

642 C. Karolian- what kind of figures is the assessor coming up with?

643

644 A. Garron- he comes up with a figure of half of that of 750,000 as opposed to 1.5 million. The same
645 percentages hold true meaning that the 60/40 split will be based on \$750,000 as opposed to 1.5 million
646 dollars.

647 P. Bartash- the opinion of the assessor was based on the construction cost of the core and shell of the
648 facility. That does not factor in an additional assessment of any other build outs by a tenant within the
649 facility. The \$750,000 he gave a range he was expecting it to be more than that. This is again where I
650 want to underscore the nature of this agreement in terms of protecting the town. So you just heard from
651 the towns engineer that the cost more than 7 million dollars. If it costs 8 million dollars, that I sour
652 problem to deal with. If the assessment comes in lower and the split is less that is also our problem and
653 our risk to deal with. We still have to carry that debt.

654
655 C. Karolian- I would personally feel a 100% better if that you just said was incorporated in the MOU as
656 opposed to what's in there now. I believe it should be specific and not approximate.

657
658 P. Bartash- the council is being asked to authorize the TA and the staff to negotiate this MOU and to
659 finalize it into a definitive agreement that will spell out specific dollar amounts specific requirements and
660 will be based on the principals that are outlined in the MOU.

661
662 C. Karolian- are you saying if we were to vote and accept this MOU it could be changed and fine-tuned.
663

664 P. Bartash- what I am saying is the MOU as a document after it is executed that document is executed.
665 We will then enter the process of entering into a detailed development agreement to spell out the
666 specific clarifications that we are talking about tonight regarding items such as the exact cost, and it
667 cannot deviate from the intent and spirit of the MOU. So we cant here tonight say well we are agreeing
668 that the estimated cost is approx. 7 million dollars and then have a definitive agreement that says we
669 are going to reimburse you 9 million dollars of first costs. That cannot happen without us coming back
670 to the group and reopening the conversation around those types of changes.

671
672 C. Karolian- an MOU is just that except when it has specifics in the MOU which then turn the MOU into
673 a binding contract.

674
675 S. Whitley- between the town and granite woods, the language, and the details in here are binding. If
676 the town and Granite Woods move forward to flush out more details, then what is here he stated it
677 correctly they cannot deviate from the specifics that are within the MOU.

678
679 C. Karolian- I also have in the MOU that we have there is language that says Underwood Engineering
680 would perform construction observation services throughout the water and sewer utility installation
681 proceed. It also indicates Underwood Engineering services would be paid for by the town. How much is
682 that going to cost us? Is there a cap on how much they are going to charge us? We don't know how
683 much Underwood is going to charge us. I want to bring up the job description of our Town Engineer.
684 Why would we enter into an agreement that would make Underwood Engineering the benefactor of
685 charging the town an unknown amount when we have a Town Engineer who is susposta be doing that.

686
687 A. Garron- if we were to stick with the exit 10 for our start point and we were to proceed with the
688 implementation of the water and sewer project, it would have been my understanding that we would
689 have continued to engage with Underwood Engineering to oversee that to make sure that we are
690 getting 100% benefit of everything that we planned and designed and that it being carried out the way
691 that we wanted it. Therefore, the fact that now we have a proposal that will implement a section of our
692 project that will take place in the 3rd and 4th phase of our project and now that it is being funded by
693 others I did not see that changing meaning I think we would rely on our engineer who designed our
694 project to oversee to make sure that construction has happened. In regard to our own engineer he will
695 need help. The magnitude of this project I think would over extend the amount of time that we would
696 want our town engineer to spend on top of everything else that he is responsible for.

697
698 C. Karolian- on the heels of that we would be expecting a bill from underwood engineering to take on
699 the overload. But we don't know how much that is going to cost.

700
701 A. Garron- are you looking for an estimate on the cost of how much this will cost.

702 C. Karolian- yes if we are going to be entertaining into a contract with them much like they have the
703 estimate of 7 million dollars which is not coming from the town its coming from Underwood Engineering
704 that put in an estimate and the tax amount is not coming from the town its being estimated by the
705 developer. I just can't go forward with an open-ended agreement. When we talk about the 7 million
706 dollars, based on the 1.5 million dollars that would be \$900,000 being sent back to the developer for a
707 period of 15 years. If we look at paying off the principal that is about 7.5 years. What happens with the
708 other 7.5 years when the town is still obligated to continue paying \$900,000 a year for another 7.5
709 years. We are just going on a good faith estimate by an engineer and a developer.

710
711 C. Karolian- who came up with the MOU? I understand that the Town Engineer came up with the MOU.
712 The observation that I made on September 29, 2021, at the TIF meeting Underwood approached
713 councilor Boutin who was the chair, and it was Mr. Mercier that indicated to the chair that the town
714 needs to come up with an MOU. Mr. Boutin responded that we need to make sure it is iron clad cause
715 we don't want money being spent then having it turned down by the voters in a couple of years. We
716 need more solid answers that are more definitive. This is not going to go to the voters and we are
717 circumventing that by coming up with this agreement.

718
719 R. Duhaime- Peter, I appreciate you coming here tonight. I look at this and I have the same questions.
720 Why would we pay you twice? We have builders that come into this town and put in a subdivision they
721 put in a million-dollar road and then sell the homes. They do all the investment the town does not put
722 any infrastructure in for them they do the utilities, they do the road they do everything. You are going to
723 put 7 million dollars here, but it is going to increase the value of your property. Its good for the town but
724 it is also good for you. Why would I pay you 13 million dollars over 15 years, why not 10 years? I
725 understand there has to be interest on this money, but I don't understand the 15-year term. I don't
726 understand why there is a minimum of 13 million dollars when the expenses are paid there paid.

727
728 P. Bartash- it comes down to the steps in the agreement and who is taking on the burden of risk. The
729 cap and the floor was not our idea. When we originally brought this forward to the TIF committee we
730 presented our fundamental assumptions of our cost of capital to fund the improvements. We also made
731 assumptions of what the potential tax payment might need to be or liability form the future
732 improvements of the property and we said this really needs to be a 15 year term the improvements
733 could be more the tax valuation could be less, and at the end of the day the voters are not responsible
734 for repaying this debt we are. The assessor told us that the day 1 value of the tax liability of this
735 property is likely going to be less than the 1.5 million dollars it's probably going to be less than half of
736 that. And so if at the full 1.5 million dollars and the 60% of that is \$900,000 over 7 years and that pays
737 off the principal by the way the interest is accruing along the way and we are paying a higher rate of
738 interest because we are not a Municipality we are a private entity. Well if the tax assessment comes
739 back lower and the term is only 7.5 years now we are financially insolvent and we are unable to
740 continue and carry forward. This term is designed as a backstop against that type of risk, a risk that
741 again we are signing on and saying we are willing to take, and here's what we are asking as a
742 protection against that. This is not a profit center for us this is our recognition of an opportunity to assist
743 the town to accomplish its objectives within the TIF plan and also bring water and sewer to our
744 property. I also want to point out that why that is. If I just wanted to bring water & sewer to my place,
745 then I wouldn't have agreed to the loop. But in the spirit of what we are intending to do here we wanted
746 to assist the town in getting this project done. We said yes, we will do that we have the mechanisms in
747 place to do that. We did not want a cap in this agreement, nor did we want a floor. We felt that those
748 types of mechanics were to unclear, they were to uncertain and they would shift the nature and intent of
749 this agreement away from its key fundamental principal. It was proposed by councilor Lapierre. The
750 creation of the cap was born out of wanting to protect the town. This agreement is designed to provide
751 a mutual benefit to the town and our proposed project. Are we optimistic that this is going to improve
752 the area? Yes, The whole intent is to increase development in the area. It puts us in alignment with the
753 town. If we are going to agree with a cap, then respectfully its fair for us to say that there is going to be
754 a minimum for us to be reimbursed. If you are asking if I want a cap or a floor, I do not want that but we
755 are trying to be accommodating and move forward in a good faith agreement.

756
757 R. Duhaime- can Councilor Lapierre explain why you wanted this cap.

758 R. Lapierre- Mr. Bartash is correct that I did not want this to become a profit center. By putting a floor in
759 you have removed all risk to yourself. There is no risk to you only to the town. You will make 4.6% there
760 if you take out 7 million dollars and do nothing with it.

761

762 P. Bartash- over a 15 year term which is less than the rate of inflation.

763

764 R. Lapierre- today it is but who knows. My point is by putting a floor in, all your discussion and noble
765 talk about taking on risk is completely devoid of any truth. There is no risk to you if you have a minimum
766 floor in your agreement. There is only risk to the town, if your property never increase in value where do
767 we find that money, we have to get that money from somewhere else and that is not an agreement that
768 I think any of us will agree to. You can't have a floor in here because it is not coming out of the tax
769 dollars that are increased by the value of the property its just a liability to the town and it should be
770 bonded. Now a cap I think you are correct. I did want a cap I did not want a floor.

771

772 P. Bartash- the reason why we are still taking on the risk we are still liable for making up the debt. In
773 the realm of hypotheticals, we are not going to build a 500,000 sq foot facility and then start the water
774 and sewer work so that we can connect to it 2 years later we will do it parallel. And if for some reason
775 the market and economy shift, and we are responsible for continuing to build the infrastructure or
776 turning the infrastructure over at the time we turn it over there is no future revenue. The floor is set out
777 of coming out of the tax revenue that the project generates. so, the project still needs to be successful.
778 Were still required to do everything that we still need to do for our own private project in order to even
779 generate the revenue that would be used to create that floor.

780

781 R. Lapierre- as a follow up then if the project does not generate 13.78 million dollars as a 60% of your
782 property tax who is liable to make up the difference?

783

784 P. Bartash- we are liable.

785

786 R. Lapierre- that's not what this says. This agreement reads "The total funds to the developer per this
787 agreement shall not be less than \$13,781,771".

788

789 P. Bartash- which this agreement meaning through the portion of the tax revenue=e that is being
790 reimbursed to the developer.

791

792 R. Lapierre- I am seeing shall not be less. So, if that tax revenue does not raise \$13,781,771 the town
793 by this agreement has to make it right.

794

795 P. Bartash- by the proposed agreement, but again the point of us having this discussion is so we can
796 understand these details. It sounds like the language around that specific point needs to be modified to
797 more accurately reflect the intent of the agreement.

798

799 J. Sullivan- from what I hear there needs to be some wording changed in the MOU.

800

801 P. Bartash- if the town council had requirements or conditions around specific aspects I am asking
802 could an approval of the MOU include conditions that would factor int the final definitive agreement.

803

804 S. Whitley- I think are you asking can the council conditionally approve the MOU provided certain
805 changes are made as specified in the conditions, and yes I think that you could do it that way. The
806 alternative that has been alluded to is close the PH, renegotiate and then come back with a new PH
807 and present the new revised figures and language to the council.

808

809 J. Sullivan- it seems that if it moves forward there may be changes made and we are not really voting
810 on those changes. I'd think if there were changes then the MOU would need to be rediscussed.

811

812 S. Whitley- I agree with you giving the comments that I am hearing from the council I think it would be
813 difficult to craft a conditional approval that would leave everyone confident with what the end product
814 was going to be. If the discussion was back and forth on a more narrower issue I think a conditional
815 approval may work. It seems that what we are talking about is much broader than the original terms of
816 the MOU, and I think it is best to have the parties reengage and try and hammer out some of these
817 differences and then to come back and present the renegotiated agreement for the council to consider.

818
819 J. Sullivan- I think if we are inclined to make changes and discussion then I think that would be the best
820 approach.

821
822 P. Bartash- we are not trying to rush this approach. It makes sense to make sure that there is clarity. As
823 a point of clarification, I know we talked about the difference between 7 and 8 million dollars we are not
824 saying that by the next time meet we will be asking for 8 million dollars. We are still using the 7 million
825 dollars in our figures. And that the language reflects what was proposed here today. The point of the
826 conversation is tightening that language so that all parties feel comfortable.

827
828 ***J. Sullivan motioned to direct the TA to review the MOU that incorporates and redefines the***
829 ***ideas and suggestions made today to make sure the language is more conducive to the benefit***
830 ***of the town; seconded by T. Tsantoulis.***

831
832 R. Duhaime- I think it is good, but I think it should be for both parties. I see that Underwood is in this
833 MOU, and I don't understand why.

834
835 D. Mercier- you may not have been present in one of the meetings, but we did not ask to be placed in
836 the MOU and we asked it to be changed, but the town expressed as well as the staff expressed comfort
837 in our services and wanted to continue on with that.

838
839 R. Duhaime- I don't see any risk here from you. I am looking out for the taxpayers. I want you to be
840 competitive when we put it out to bid. When I give it to you there is no competitiveness.

841
842 J. Sullivan- my intention of doing this would be for some of the councilors to reach out to the TA in
843 redrafting the MOU. I know he will share all of our concerns with everyone.

844
845 T. Tsantoulis- originally we choose Underwood Engineering because they are known in the state as
846 one of the better companies for water and sewer.

847
848 C. Karolian- I'm in favor of this project. I want to see this soar, as far as Underwood Engineering, I think
849 we need more specifics when it comes to the 7 million dollars.

850
851 **Roll Call Vote #6**

852 ***J. Durand Aye***

853 ***R. Lapierre Aye***

854 ***C. Karolian Aye***

855 ***D. Boutin NP***

856 ***C. Jones Abstained***

857 ***T. Tsantoulis Aye***

858 ***A. Walczyk Aye***

859 ***R. Duhaime Aye***

860 ***J. Sullivan Aye***

861

862 ***Vote in favor 7-0-1***

863

864 J. Sullivan that means we are not closing the PH we will continue to keep the PH open.

865

866 A. Garron- so I am clear the way that we are voting on this I am going to obtain feedback from all
867 parties. When we feel we have enough input from all and the consideration and bring forward a
868 redrafted MOU.

869
870 S. Whitley- if and when this comes back, I would re notice the hearing.
871

872 P. Bartash- I would really appreciate a date today.
873

874 J. Sullivan- shall we schedule it for the 2nd meeting in February? Yes the 23rd.
875

876 S. Whitley- it will be re-noticed.
877

FY2022-2023 Budget and Warrant Articles

879
880 C. Tewkesbury- I am looking for a motion to recommend the operating budget for FY 2022-2023 in the
881 amount of \$21,657,131. That is the budget committees suggested budget. They made some
882 amendments to the budget. We did not vote on it because there were questions on the sewer budget.
883 It represents a 2.92% Increase over this year's budget.
884

885 ***J. Sullivan motioned to recommend the operating budget for FY 2022-2023 of \$21,657,131***
886 ***seconded by T. Tsantoulis***
887

Roll Call Vote #7

889 ***C. Jones Aye***

890 ***C. Karolian Aye***

891 ***R. Lapierre Aye***

892 ***R. Duhaime Nay***

893 ***A. Walczyk Aye***

894 ***J. Durand Aye***

895 ***T. Tsantoulis Aye***

896 ***D. Boutin NP***

897 ***J. Sullivan Aye***
898

899 ***Vote in favor 7-1***
900

901

PUBLIC INPUT - 15 MINUTES

903

904 D. Ross 56 Sherwood Drive- after listening to all this, there was a lot of ifs. if they are in a position to
905 guarantee the 7 million dollars, can we propose a tax deferment? Meaning not collect the tax dollars
906 that are due on the property, wouldn't that be a safer way to do it? If they can't guarantee it then it
907 seems that they can't move forward. Seems like more details that are not in the MOU. We need to have
908 more reliable estimates on this. You are talking about a private entity agreement and the town. There
909 are 14,000 people looking for you to protect them. Why was there talk about relocating the pump
910 station, why did we need to relocate it?
911

ADJOURNMENT

913

914 ***Chair Sullivan motioned to adjourn the meeting at 9:30 pm. Seconded by C. Karolian.***
915

916 ***Vote in favor 7-0.***
917

918

919

920 Respectfully submitted,

921

Alicia Jipson

922

923 Alicia Jipson

924 Recording Clerk

925

926

927

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