

**Town of Hooksett  
Town Council Meeting Minutes  
Wednesday, February 23, 2022**

1  
2 The Hooksett Town Council met on Wednesday, February 23, 2022, at 6:00 in the Hooksett Municipal  
3 Building.

4  
5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 23 Feb 2022 to order at (6:00) pm.

7  
8 **PROOF OF POSTING**

9 Human Resource Coordinator Donna Fitzpatrick provided proof of posting.

10  
11 **ROLL CALL**

12  
13 **In Attendance:** Councilor James Sullivan, Councilor John Durand, Councilor Randall Lapierre,  
14 Councilor Roger Duhaime (6:08 arrived), Councilor David Boutin, Councilor Timothy Tsantoulis,  
15 Councilor Clark Karolian, and Councilor Alex Walczyk.

16  
17 **Absent:** Councilor Clifford Jones

18  
19 **PLEDGE OF ALLEGIANCE**

20 Chair Sullivan called for the pledge of allegiance.

21  
22 **PUBLIC HEARINGS**

23  
24 **Continued Public Hearing - Tax Increment Finance District (TIF) to Discuss Funding Agreement**  
25 **between Town and Granite Woods Developer – February 23, 2022 - Peter Bartash, Granite**  
26 **Woods Development and David Mercier, Underwood Engineering will be available to answer any**  
27 **related questions. (See item #14.1 for details) (last discussed at 01/26/2022 TC Meeting)**

28  
29 Chair Sullivan opened the continued Public Hearing at 6:03 p.m.

30  
31 A. Garron- I recommend that we have a continuation of this Public Hearing until March 9<sup>th</sup> due to a  
32 request from many for more information from various departments and committee members and those  
33 involved. Due to all the questions and concerns we were unable to draft a document to present tonight,  
34 and we are asking for a continuance to have time to draft the MOU.

35  
36 **D. Boutin motioned to move the Public Hearing for continuation until March 9<sup>th</sup>, 2022; seconded**  
37 **by J. Durand.**

38  
39 D. Boutin- the TIF advisory met last week mainly discussing the revisions to the MOU. The revised  
40 MOU is being put together and I expect that we will be voting on a final version that we will be  
41 recommending to the Town Council.

42  
43 C. Karolian- who drafted the original MOU?

44  
45 D. Boutin- it was a condition of the Planning Board approval, that there be an MOU and the Town  
46 Engineer drafted that and there has been some input from the applicant and others.

47

48 C. Karolian- for clarification, part of the Planning Board approval was that an MOU be done between  
49 the Town and the developer? Was it specific on who was to draft this? It seems like the town has taken  
50 the lead on this MOU.

51  
52 D. Boutin- the MOU is for the infrastructure improvements. It is typical for a Planning Board to task  
53 conditions for infrastructure improvements. There is a lot of pieces being addressed in this MOU.

54  
55 A. Garron- we are working on the MOU to make sure we protect the town. The developer also wants to  
56 protect their interest as well.

57  
58 **Roll Call Vote #2**

59 ***R. Duhaime Nay***

60 ***J Durand Aye***

61 ***C. Jones NP***

62 ***R. Lapierre Nay***

63 ***A. Walczyk Nay***

64 ***D. Boutin Aye***

65 ***C. Karolian Aye***

66 ***T. Tsantoulis Nay***

67 ***J. Sullivan Aye***

68  
69 ***Vote 4-4 vote failed***

70  
71 R. Lapierre- there was a draft MOU in our packet. There was a concern that I brought up last time. Any  
72 agreement that requires a minimum payback essentially becomes a bond and should be bonded  
73 correctly and put on the warrant. If there is no minimum and the money paid back to the developer can  
74 come from his own property taxes, then it is more of a rebate to incentivize development.

75  
76 A. Garron- what particular RSA is that under regarding the bond?

77  
78 R. Lapierre- whenever we put out multi year bonds we always put it on the warrant.

79  
80 A. Garron- I understand when a municipality does it, but you are taking that to include private funding?  
81 Lapierre took some time to re-write the MOU, with all the new info that we received, it was a tight  
82 turnaround to get all the info needed in this draft MOU in time for this meeting.

83  
84 R. Lapierre- let's say the developer borrows 8.4 million dollars for the project. The MOU is drafted  
85 where it obligates the town to pay back 10.5 million regardless of the increase in property value taxes,  
86 which guarantees the developer a 3.1% return on his borrowed money that might be less than he is  
87 paying to borrow it, but it is still the town basically taking out a 3% bond. It's so similar that I would not  
88 want to be challenged in court that we tried to skirt the RSA for multi-year bonding for development  
89 projects. My point is a tax rebate of his own taxes inbounds. A minimum payback that guarantees him a  
90 certain rate of return potentially from sources outside of taxes that the developer pays to the town itself  
91 is obligating other tax money not just outside of the property or the TIF district but possibly from other  
92 parts of town to cover the minimum payback, it's a 3% bond, or potentially it would be an 8.9% max.

93  
94 D. Boutin- the Town Attorney has approved the MOU as presented and there is nothing illegal about  
95 the MOU. The developer on page 3 of 5 it states that the developer is paying for the costs of the  
96 improvements. The money to pay back his debt comes from the 60/40 split on his taxes so there is no  
97 town money being spent on this project.

98

99 C. Karolian- I believe if we do have a minimum then it does need to be on the warrant article and would  
100 not go on till 2023. Page 4 of 5 of the MOU states that the MOU may be terminated at any time by both  
101 parties at any time, upon them giving a 14-day advance notice with no reason why.  
102

103 J. Sullivan- that is why we have requested for all concerns to be addressed and why we suggested the  
104 continuance of the Public Hearing to get all the information.  
105

106 D. Boutin- is the section that C. Karolian read objectionable to the Town Council? If so, then it can be  
107 brought up and addressed at the Monday meeting.  
108

109 J. Sullivan- I would want to be clear on both ends what happens if someone bails.  
110

111 A. Garron- we discussed that aspect in great length. That section was created by Town Counsel, this  
112 has evolved. I believe there is some modifications especially to this section, which is why we are  
113 requesting a continuance, and want to have Legal here at the next meeting.  
114

115 D. Boutin- if we have the 14-day provisions what happens to the developer's commitment to put the  
116 water & sewer in? If they walk away are we stuck paying the bill? I think this provision should be taken  
117 out.  
118

119 J. Sullivan- I think we need to get clarification on this.  
120

121 D. Boutin- we don't do this to other developers. It does not make sense to do it to them.  
122

123 T. Tsantoulis- the drop out clause is there to protect both parties. On page 3 letter (d) it gives great  
124 detail on what happens if the developer pulls out.  
125

126 R. Duhaime- the last time I discussed this I had concerns about Underwood Engineering in the MOU.  
127 I'd really like to have someone else oversee this project. There is another developer putting in \$500,000  
128 to add water & sewer to their property and we are not paying them back. I don't see where they have  
129 any skin in the game. We are paying them back for all of it.  
130

131 R. Duhaime- can we hire another firm to oversee this?  
132

133 A. Garron- we are contracted by Underwood Engineering to design and oversee this. This was  
134 originally our project, and they were already contracted to oversee this project years ago.  
135

136 J. Durand- I don't understand why we have an engineer on the payroll and we don't use him as an  
137 engineer. We were sold on this job to us it was told it wasn't going to cost us anything, but it is because  
138 it's costing us to hire engineers to oversee this work.  
139

140 C. Karolian- I need clarification from D. Boutin, you said the developer has already spent money what  
141 have they spent that on? Underwood Engineering, we extended their contract to cover phase 1, 2, 3 of  
142 the TIF district development. When we look at the construction Eng. of the contract it brings a number  
143 of questions. Are we receiving invoices from Underwood Engineering that they are sending in  
144 periodically? Did the developer pay Underwood Engineering? What has been billed and what has been  
145 paid so far. I don't believe this can be put out to bid as they are locked into contract for phase 1, 2 ,3.  
146

147 D. Boutin- Underwood Engineering has been involved in this infrastructure engineering from day 1. The  
148 design of the water & sewer the engineer is doing it on behalf of the town being paid for by the  
149 developer. The reason why we want them to do the contract administration is because there is no one  
150 who knows this town and project better than UE. To go out and hire another engineer who has no

151 experience working with the town or no experience on this project does not make sense. They are a  
152 very reputable firm and do reputable work.  
153  
154 A. Garron- in regard to Karolian's questions, yes invoices have been submitted at all various stages of  
155 the project. I want to be clear this is our project and has always been. There is nothing being done that  
156 is specific to granite woods. 1.9 million of the projects on the developer's property is on them and they  
157 are paying for that. The rest of the loop is on us and our project.  
158  
159 R. Lapierre- if this is our project, how would it have been paid for?  
160  
161 A. Garron- if the town took this on, we would have floated a bond.  
162  
163 R. Lapierre- how would it have been paid?  
164  
165 A. Garron- through TIF proceeds.  
166  
167 R. Lapierre- what if there was not enough TIF money?  
168  
169 A. Garron- we'd still have to float the bond.  
170  
171 R. Duhaime- what have we paid UE so far?  
172  
173 A. Garron- I don't have that on me. I can get that for next meeting.  
174  
175 T. Tsantoulis- when we first started this TIF district we choose back then that we would use UE for this  
176 project. We decided this back then and I do not understand why we are rehashing them, if you were not  
177 here for that then I do not know why we are discussing changing them. We are beating them up for  
178 nothing. We choose UE because they are very well known for this type of work.  
179  
180 R. Lapierre- they are currently under contract. When there is a new contract, it will go under normal  
181 town procurement procedures.  
182  
183 D. Boutin- why are we talking about a draft MOU that is going to be changed on Monday?  
184

## 185 **Public Comments**

186  
187 David Ross 56 Sherwood Drive- tax money is town money. Who would put a 14-day easy out on a deal  
188 of this size? Has anyone talked to DRA on this issue? This seems like a deliberate avoidance of the  
189 voters will. You should be floating a bond and then go out to bid. The idea of getting tax money from a  
190 taxpayer and then turn around and cut them a check is something that I had not ever heard of. Why not  
191 give them a tax break? To say that it has been used across the country and that it has always been  
192 successful is stretch? Where is the proof? Who will be owning the land? If something goes wrong and  
193 they go belly up the town will be on the hook. Having a 3<sup>rd</sup> party engineer is what should happen. You  
194 need a 3<sup>rd</sup> party engineer, which is the towns protection.  
195  
196 Don Winterton- I appreciate that you are digging in and doing your due diligence. The TIF district is ran  
197 by the TC with the assistance of the Town Administrator. Luckily for us you have a TA who has  
198 experience working with TIF's. When SNHPC was here they told you what the future was and it was not  
199 brick and mortar, it was distribution centers. There was no mention on page 4 H. where after 10 years  
200 the town sits down with the developer to see where they are in their payments and see how that needs  
201 to be readjusted. I do hope you continue this to the 9<sup>th</sup> as more needs to be ironed out. UE didn't ask to

202 be put in the MOU, they actually asked to be taken out. Please try and change the reputation of this  
203 town has with developers. We have not become an inviting community for development.

204  
205 J. Sullivan- I think we want to continue this PH till March 9<sup>th</sup>. There is more information that is still being  
206 had.

207  
208 **J. Sullivan motioned to continue the Public Hearing until Wednesday March 9<sup>th</sup>, 2022, at the**  
209 **Hooksett Town Council Chambers at 6:00 p.m. seconded by D. Boutin.**

210  
211 **All in favor 8-0.**

212  
213 D. Boutin- I would suggest for March 9<sup>th</sup> we have legal here and I think we should invite the applicant.

214  
215 **BICENTENNIAL MOMENT**

216  
217 J. Sullivan-Hooksett on skis. Chair Sullivan gave a presentation of the old Hooksett Rope Tow and the  
218 ski slopes. Merrimount ski area was located by Hackett Hill and Route 3. It opened from 1945-1956.  
219 Merrimount today is a walking trail. The cottages and cabins are still there today.

220  
221 **SPECIAL RECOGNITION**

222  
223 Public Works Director, Earl Labonte - retirement (10/2018-02/2022)

224  
225 J. Sullivan- Earl is retiring after 3.5 years of service to the town. He will have had over 30 years of  
226 service in the field. He served in the military. Worked for Lebanon and the VA for a number of years. On  
227 February 28<sup>th</sup> will be his last day with Hooksett. Earl was presented with a token of appreciation for his  
228 years of service.

229  
230 E. Labonte- it was a good time working here from time to time. I have a combined 30 years with  
231 municipal and 25 years in the service, so it is time to go and retire.

232  
233 C. Karolian- on behalf of the TC, we think you are more than deserving of a happy and healthy  
234 retirement.

235  
236 **PUBLIC INPUT**

237  
238 Vincent Limbo 56 Main Street- I was sad to hear the passing of Kathy Northrup. I had reached out to  
239 my councilor Durand with getting something named in her honor. She tried to protect everything  
240 historical in this town. I would ask you to consider naming the bridge in her honor. She did so much for  
241 the historical society.

242  
243 **TOWN ADMINISTRATOR'S REPORT**

244  
245 A. Garron I am glad to report covid #'s are going down. We are at 62 cases in Hooksett. We had a  
246 review of the improvements that will take place along NH Rt.3- Alice Drive to White Hall Road. NHDOT  
247 did a good job describing the plan, they showed the proposal and the options on the table that is up for  
248 consideration. The meeting was well attended and great conversations. This was the 1<sup>st</sup> informational  
249 meeting. We will be interviewing for Earl's position, we received 8 applications and interviewing 3  
250 applications tomorrow and will bring back recommendations to the TC.

251 We are also going to be interviewing for the Community Development Administrative Assistant position  
252 next week as well. We are looking at the possibility of using computers for meetings by Board and  
253 Committees to help save on paper and make ease of use for members and will be looking at using

254 current equipment or getting new. The Non-public is rescheduled for another meeting. The Farmer  
255 Road Surveys went out to 19 homes and 11 responded. What we plan to do with the results is  
256 reconnect with NHDES and Central Water to see what the next steps will be. Our initial meeting with  
257 DES had indicated that there was going to be grant funding and planning money coming down the  
258 pipeline. We want to take the study and the feasibility study and see what the best path would be.  
259

260 C. Karolian- who came up with the questions for the survey?  
261

262 A. Garron- I came up with the questions and then I gave them to Apple Tree for their consideration. We  
263 incorporated their amendments to the list.  
264

265 R. Duhaime- we do not have a plan for these homes that are looking for water. I have a letter from a  
266 resident seeking to get water as they are having issues with their wells. I think the town should be  
267 looking at areas that we can solve and not leave it to the water precincts.  
268

269 T. Tsantoulis- Municipal water is much like a business. It has to be feasible. It has to make money to  
270 sustain itself.  
271

272 C. Karolian- how come we only sent surveys out to only 19 on Farmer Road? I thought we were going  
273 to go farther up the road.  
274

275 A. Garron- if the council recalls we were initially began speaking about only Farmer Road and then that  
276 expanded up to Auburn Road and other areas. It was really the direction of the council to 1<sup>st</sup> survey the  
277 19 on Farmer Road to see if they would even be interested in hooking up.  
278

279 R. Duhaime- we need to have some sort of plan that is coordinated. I don't think that some residents  
280 should be at the whim of the 2 water precincts.  
281

282 D. Boutin- the state will be doing considerable drainage work on that road as well.  
283

284 C. Karolian- can ARPA funds still be used for this? Are we looking at this as a dead issue based on the  
285 survey? What is the resolution?  
286

287 A. Garron- I would look to the committee as to their suggestions and what is and is not a viable project  
288 for the funds.  
289

290 R. Lapierre- we have a number of projects through public input here through, administration input, TC  
291 input, departments, and items on the CIP. We are waiting till after the March 8<sup>th</sup> Town Meeting as many  
292 projects are on the warrant and will be decided on then. There are only 5 houses that are looking at  
293 hooking up on Farmer Road with a proposed cost of \$400,000.  
294

295 C. Karolian- I strongly request that this remains on the table for consideration for ARPA funds.  
296

297 R. Lapierre- it is on the list; I would not say that it is not being considered. The sub-committee is there  
298 to do due diligence and will only be making recommendations to the TC we are not the gate keeper to  
299 ARPA funds.  
300

301 A. Garron- the decision on use of ARPA funds remains. I want the council to know that there is a lot of  
302 pots of money out there for this as there are many contamination issues out there. We can apply for  
303 other grants and other funding options.  
304

305 **C. Karolian motioned that we move forward with seeking 3<sup>rd</sup> party funding such as grants or**  
306 **federal funds to fund the water issues on Farmer Road seconded by A. Walczyk.**  
307

308 **Roll Call Vote #3**

309 ***D. Boutin Aye***  
310 ***C. Jones NP***  
311 ***A. Walczyk Aye***  
312 ***J. Durand Aye***  
313 ***R. Duhaime Aye***  
314 ***T. Tsantoulis Aye***  
315 ***R. Lapierre Aye***  
316 ***C. Karolian Aye***  
317 ***J. Sullivan Aye***

318  
319 ***Vote in favor 8-0***

320  
321 **OLD BUSINESS**

322  
323 **Tax Increment Finance District (TIF) to Discuss Funding Agreement between Town and Granite**  
324 **Woods Developer (last discussed at 01/26/2022 TC Meeting)**

325 Moved to next scheduled meeting.

326  
327 **NEW BUSINESS**

328 **Quarterly Financial Report as of December 31, 2021**

329 Moved to next scheduled meeting.

330  
331 **Tribute to Kathie Northrup**

332  
333 **J. Durand motioned that we make a plaque for Kathy Northrup at Head School seconded by J.**  
334 **Sullivan.**

335  
336 J. Sullivan- knowing Kathy I think she would frown upon a building being named after her. I think she  
337 was a traditionalist and thought naming should remain historical.

338  
339 R. Duhaime- I had some constituents speak to me and were interested in helping in some way, and  
340 possibly have a tree planted in her name.

341  
342 J. Sullivan- I understand funds are being accepted in her name.

343  
344 A. Walczyk- I think some trees are being replaced at Donati Park and could be consideration to plant  
345 more in her name.

346  
347 **All in favor 8-0**

348  
349 **NHMA 2023-2024 Legislative Policy Process**

350  
351 J. Sullivan- traditionally we have a rep who attends during the process on behalf of issues that would be  
352 beneficial to the Town. If councilors have any encouragement on supporting policies, they may.

353  
354 A. Garron- if anyone wants any articles pursued, we will also need them to testify for that particular  
355 article.

356 **Town Administrator Contract Effective May 2022**

357

358 J. Sullivan- We will be going into Non-Public on that.

359

360 **APPROVAL OF MINUTES**

361

362 ***R. Lapierre motioned to approve the public minutes of the February 5, 2022, Special Meeting.***  
363 ***Seconded by D. Boutin.***

364

365 ***All in favor 7-0***

366

367 ***R. Lapierre motioned to approve the public minutes of the February 9, 2022, meeting. Seconded***  
368 ***by D. Boutin.***

369

370 ***All in favor 7-0***

371

372 **SUB-COMMITTEE REPORTS**

373

374 T. Tsantoulis- we made a correction the other day regarding an HYAA meeting that was improperly  
375 advertised. On February 23<sup>rd</sup> we will be giving an HYAA award to an individual.

376

377 R. Duhaime- March 8<sup>th</sup> we have NH Housing Authority coming in at 6:00 p.m. to give us information on  
378 the housing situation. Then at 7:00 p.m. we have a Zoning meeting.

379

380 A. Walczyk- we have discussed at the Conservation Commission the River Walk Trail and beaver  
381 removal. It is a more complicated than it seems. We have a "friends of the trail program" meeting from  
382 10-1. Parks n Rec as well as Conservation Commission still have the possible land donation on the  
383 agenda.

384

385 J. Sullivan- I attended the Heritage Commission and they have reassigned chair members. Clay  
386 Cemetery they are looking at restoring that cemetery and are gathering information on that and  
387 gathering records. For the Bicentennial Committee things are moving along great. Plans are set in  
388 place.

389

390 **PUBLIC INPUT**

391

392 David Ross 56 Sherwood Drive- I think it would be great if you placed the proposed plans for Alice  
393 Road along the walls during the Town Meeting. The State is proposing sidewalks, and it is not a heavily  
394 pedestrian traveled road and don't see a need for the sidewalks. We will be responsible for maintain  
395 and plowing the sidewalks. On the Farmer Road survey there are really only 9 that really count. The  
396 point being that we have a known health hazard, we know it exists and we cannot ignore it. A lot of  
397 people fear surveys. I think this is a legitimate use of the ARPA funds. You approved broadband for  
398 Edgewater Drive that will not benefit the town. The ZBA hearing is already a continuation. I think they  
399 really should postpone it as many that should be attending will be at the polls and I think all should have  
400 the opportunity to be there.

401

402 **NON-PUBLIC SESSION NH RSA 91-A:3 II a.**

403

404 **J. Sullivan motioned to go into Non-Public at 8:36 p.m.; seconded by D. Boutin.**

405

406 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining  
407 of such employee, or the investigation of any charges against him or her, unless the employee affected



408 (1) has the right to a public meeting, and (2) requests that the meeting be open, in which case the  
409 request shall be granted.

410

411 **Roll Call Vote #4**

412 **A. Walczyk Aye**

413 **R. Lapierre Aye**

414 **C. Jones NP**

415 **R. Duhaime Aye**

416 **J. Durand Aye**

417 **C. Karolian Aye**

418 **T. Tsantoulis Aye**

419 **D. Boutin Aye**

420 **J. Sullivan Aye**

421

422 **Vote in favor 8-0**

423

424 **J. Sullivan motioned to adjourn the non-public session of 2/23/2022 at 9:36 pm seconded by R.**  
425 **Lapierre.**

426

427 **Vote in favor 8-0**

428 **R. Lapierre motioned to seal the non-public minutes of 2/23/2022; seconded by J. Sullivan.**

429 **Vote in favor 8-0**

430

431 **ADJOURNMENT**

432

433 **R. Lapierre motioned to adjourn the meeting at 9:37 pm. Seconded by J. Sullivan.**

434

435 **Vote in favor 8-0**

436

437

438 Respectfully submitted,

439

440 *Alicia Jipson*

441

442 Alicia Jipson

443 Recording Clerk

444

445

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