

TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, December 14, 2011

- I. 6:30 PM - CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. APPROVAL OF MINUTES**
 - November 30, 2011
 - November 30, 2011 Non-Public (1st Session)
 - November 30, 2011 Non-Public (2nd Session)
- V. AGENDA OVERVIEW**
- VI. CONSENT AGENDA**
 - 11-122 Acceptance of Donation from Kiwanis in the amount of \$1663 per RSA 31:95-b,III(b).
- VII. TOWN ADMINISTRATOR'S REPORT**
- VIII. PUBLIC INPUT: 15 Minutes**
- IX. NOMINATIONS AND APPOINTMENTS**
 - Nominations
 - Councilor at-Large
 - Appointments
 - 1. Town Council Officers
 - 2. Parks & Recreation Advisory Board – Dustin J. Raiche
 - 3. Planning Board – Brendan Perry
 - Available Positions
 - 1. Cemetery Commission – Fill-in Member (Exp. 6/2013)
 - 2. Heritage Commission – (2) Alternate Members (Exp. 6/2012 & 6/2014)
 - 3. Planning Board – Alternate Member (Exp. 6/2012)
- X. SCHEDULED APPOINTMENTS**
 - 1. Public Hearing re: Clay Pond II Conservation Commission Easement
 - 2. CIP Committee re: 2012-2013 CIP
 - 3. Don Riley, Town Moderator re: Deliberative Session
- XI. 15 MINUTE BREAK**
- XII. OLD BUSINESS**
 - 11-112 Complaint Procedure
- XIII. NEW BUSINESS**
 - 11-123 Administrative Code Amendment – Code Enforcement Division
 - 11-124 Maureen Hemeon, 31 Pinnacle Street Quit Claim Deed
 - 11-125 Budget Presentation
 - a) Overview
 - b) Administration and Agencies
 - c) Assessing
 - d) Budget Committee
 - e) Cemetery Commission

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

As of 12/07/11

- f) Capital Improvement Program
- g) Conservation Commission
- h) Debt and Leases

XIV. SUB-COMMITTEE REPORTS

XV. PUBLIC INPUT

XVI. NON-PUBLIC SESSION

1. **RSA 91-A:3, II (c)** "Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant."

2. Attorney-Client Privileged Meeting (non-meeting)

XVII. ADJOURNMENT

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

AGENDA NO. 11.122
DATE: 12.14.11

Staff Report
Acceptance of Donation from Kiwanis
December 14, 2011

Background

The fence located at the Skate Board Park located across from the safety center has been damaged and is in need of repairs. This fence keeps the skate boarders in a safe area where vehicles cannot enter. This fence needs to be repaired for safety reasons. Kiwanis has offered to donate \$1,663 towards the repair of this fence.

Issue

This donation would greatly assist the Parks & Recreation Department in performing these repairs. The cost of the total repair is \$3,263. The Parks would pay \$1,600 towards the repair and Kiwanis would donate \$1,663.

Discussion

We would like the town council to accept this donation for repairs to be completed at the Skate Board Park. This would greatly assist the parks department as well as the children who utilize this park. This would also address the safety concerns that are present today.

Fiscal Impact

The impact would be felt in the Public Works Parks & Recreation Division under the maintenance and repair line in the amount of \$1,600.

Recommendation

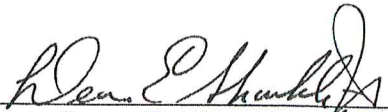
I recommend the Town Council accept the donation from Kiwanis in the amount of \$1,663 to assist in the repair of the fence located at the Skate Board Park.

Prepared by:

Leo Lessard, Public Works Director

Town Administrator Recommendation

Concur with recommendation.



Dean E. Shankle, Jr. Ph.D.
Town Administrator

TOWN OF HOOKSETT PUBLIC HEARING NOTICE

The Hooksett Town Council will be holding a public hearing at their meeting on Wednesday, December 14, 2011 at the Town Hall, 35 Main Street, Hooksett, NH. The purpose of the hearing is to obtain public input regarding the proposed Clay Pond II Conservation Commission easement. Questions should be directed to Jodi Pinard, Conservation Commission Secretary at 668-8019.

Public Notices

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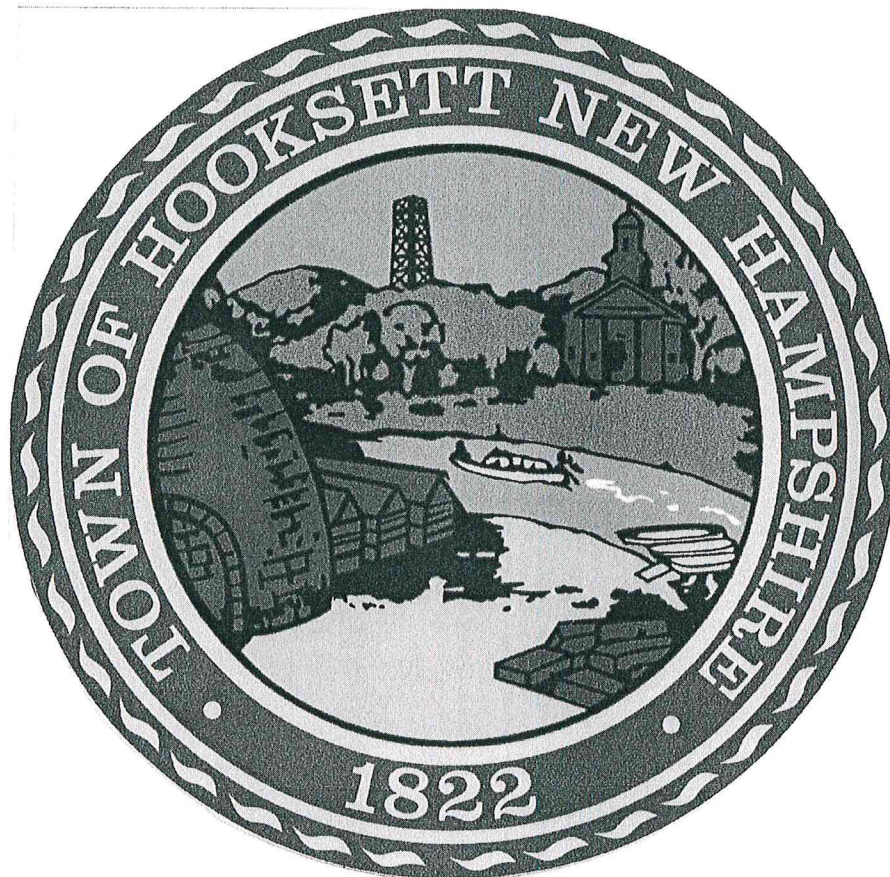
Appeared in: *The Union Leader* on Thursday, 12/08/2011

[Back](#)

AGENDA NO. 11.123
DATE: 12.14.11

TOWN OF HOOKSETT

ADMINISTRATIVE CODE



Adopted: January 29, 1992

Revised: April 13, 2005

Revised: September 9, 2009

Revised: September 8, 2010

Revised:

1. PURPOSE.

This Administrative Code is hereby established for the Town of Hooksett for the purpose of dividing the administrative service of the Town into departments, divisions and bureaus, and for the purpose of defining the functions and duties of each such department, division and bureau.

1.1 Severability.

The sections of this Administrative Code and the parts hereof are separable. If any portion or section of the Code of the application thereof to any person or circumstance shall be held invalid by a court of competent jurisdiction, the remainder of the Code shall not be affected thereby. If a clause, portion of or section of this Code is so held invalid, then the applicable provisions of State law, if any, shall govern.

1.2 Review.

This document will be reviewed at the beginning of each fiscal year by all included Town organizations. Recommended changes will be submitted to the Town Administrator within 30 days.

2. DEPARTMENTAL ORGANIZATION.

<u>Department</u>	<u>Official Head</u>
Administration	Town Administrator
Assessing	Town Administrator or Assessor
Building	Code Enforcement Officer
Community Development	Town Planner
Family Services	Family Services Director
Finance	Finance Director
Fire-Rescue	Fire Chief
Public Works	Public Works Director
Library	Library Director
Police	Chief of Police
Recycling and Transfer	Superintendent
Tax Collector	Tax Collector
Wastewater	Superintendent

3. DEPARTMENTAL FUNCTIONS.

3.1 Administration Department:

The Town Administrator shall supervise and be responsible for the administrative and financial affairs of the Town and shall carry out the policies enacted by the Council. His/her office shall be charged with the preservation of the health, safety and welfare of persons and property and shall see to the enforcement of the ordinances of the Town, the Town Charter and the laws of the State of NH. The Town Administrator shall supervise and direct the administration of all Town departments included under Section 3 of this ordinance and the personnel therein.

The Administration Department shall consist of the Town Administrator, a Human Resource Coordinator and other support staff as required; recommended by the Town Administrator and approved by the Council.

3.2 Assessing Department:

The Assessing Department is responsible for establishing and maintaining the value of all real property in the Town of Hooksett, for the purpose of taxation. The department is responsible for working with the Town Council, Board of Assessors and Department of Revenue Administration. This department shall prepare all tax warrants and bills, and provide assessing information to the general public.

The Department shall be under the supervision of the Town Administrator, if the Assessor position is contracted. If the Assessor position is filled by a hired employee, the department shall be under the supervision of the Assessor and shall consist of other support staff as required.

3.3 Building Department:

~~The Building Department shall be responsible for the enforcement of all building codes, ordinances and laws, where such enforcement is not specifically granted to other parties. The department shall also be responsible for the review of applications and plans for all construction projects in the Town.~~

~~The Department shall be under the supervision of the Code Enforcement Officer and shall consist of other support staff as required.~~

3.4 3.3 Community Development Department:

The Community Development Department shall be made up of Planning and Engineering. It shall be responsible for all business relating to land use and will be instrumental in the development and implementation of a comprehensive plan for the orderly growth and development of the Town.

This department shall consist of planner(s), engineer(s) (Town or contract) and other support staff as required, under the supervision of the Town Planner.

3.5 3.4 Family Services:

The Family Services Department administers General Assistance to families in need under RSA 165. It shall assess, investigate and authorize requests for assistance and refer applicants to other social services as needed.

Family Services shall be under the direction of the Family Services Director, and shall consist of support staff as required.

3.6 3.5 Finance Department:

The Finance Department's major areas of responsibility include budget management, accounts payable, cash management and financial reporting. It shall be under the supervision of the Finance Director with additional support staff as required.

3.7 3.6 Fire-Rescue Department:

The Fire-Rescue Department shall protect the lives and property of the inhabitants of the Town of Hooksett from the adverse effects of fire, sudden medical emergencies or exposure to dangerous conditions created by either man or nature.

The Fire-Rescue Department shall implement fire suppression, emergency response, rescue, prevention, inspection, haz-mat and investigation throughout the Town of Hooksett and as needed through Mutual Aid.

The Fire Department shall be under the supervision of the Fire Chief with additional support staff as required.

3.8 3.7 Public Works Department:

The Public Works Department shall be responsible for the Divisions of Building Maintenance, Cemetery, Highway, ~~and~~ Parks and Recreation, and, Code Enforcement, and shall provide support services to other ~~town~~ departments as necessary.

The Building Maintenance Division shall be responsible for addressing the maintenance needs of all ~~town~~ buildings.

The Cemetery Division shall coordinate activities with the Cemetery Commission and funeral directors, mow, trim the grass and excavate graves in town cemeteries.

The Highway Division shall be responsible for road maintenance, fleet maintenance, and support services to other town departments as necessary.

The Parks & Recreation Division is responsible for the maintenance of all public playgrounds, athletic fields, ~~other~~ parks, equipment, and related facilities as well as the grounds of all Town owned property. This Division is also responsible for the planning and coordination of recreational activities., and providing supervision of Town sponsored recreational activities.

~~The Parks & Recreation Division shall mow and trim the grass for all town parks, fields and building grounds; maintain related structures, facilities and equipment and provide supervision of town sponsored recreational activities.~~

The Code Enforcement Division shall be responsible for addressing the enforcement of all building codes, ordinances, regulations and laws, where such enforcement is not specifically granted to other parties. The Division shall also be responsible for the review of applications and plans for all construction projects in the Town and subsequent inspections in accordance with all local and State rules and regulations.

All Divisions ~~The Building Maintenance, Cemetery, Highway and Parks and Recreation Divisions~~ shall be under the supervision of the Public Works Director and shall consist of other support staff as required.

3.9 3.8 Library:

The Library shall provide services in accordance with RSA 202A. This department shall be under the supervision of the Library Director and shall consist of other support staff as required.

3.10 3.9 Police Department:

The Police Department is responsible for the enforcement of the laws, maintaining order in the community, protecting life and property, and assisting the public-at-large in a manner consistent with the rights and dignity of all persons as provided for by the law and under the Constitution of the United States and the State of New Hampshire.

The Chief of Police, under the general supervision of the Police Commission, shall manage this Department, which shall consist of sworn police officers, civilian dispatchers, and civilian support personnel as required.

3.11 3.10 Recycling and Transfer Department:

The Recycling and Transfer Department shall be responsible for solid waste collection, recycling and transportation to solid waste disposal sites. The department shall also maintain and operate the transfer station, recycling center and post-closure of the Town's landfill site.

The Department shall be under the supervision of a Superintendent and shall consist of other support staff as required.

3.12 3.11 Tax Collector:

The Tax Collector shall be responsible for issuing all tax notices, maintaining documents of reported payment, depositing monies in a timely fashion, assessing tax liens on delinquent accounts and issuing all licenses and permits, including motor vehicle permits, while collecting all fees and all other duties as required. The Department shall be under the supervision of the Tax Collector and shall consist of other support staff as required.

3.13 3.12 Wastewater Department:

The Wastewater Department shall manage the treatment of wastewater within the Town of Hooksett and all collection and treatment systems. The Superintendent, under the general supervision of the Sewer Commission, shall manage this Department with the assistance of support staff as required.

4. Boards, Commissions, Committees and other Officials
(to include elected or appointed officials.)

The appropriate State laws, The Town Charter, and Town Ordinances, direct the listed Boards, Commissions, Committees and other Officials. The following descriptions are for guidance only in the daily conduct of business.

- 4.1 **Budget Committee** (9 Elected and 4 Appointed) - Review annual budgets submitted by the Town Council, School Board, all Precincts and the Sewer Department. Submit recommended budgets to the Town Voters and periodically review all expenditures.
- 4.2 **Cemetery Trustees** (Elected) - Arrange for cemetery lot visits and sales, maintain vital records relative to burials, manage day-to-day care of cemeteries, and manage expenditures of allocated funds.
- 4.3 **Conservation Committee** (Appointed) - Research and catalog all open space, natural, ecological, wetland or aesthetic areas within the Town; develop a program to protect listed areas; and obtain land in the name of the Town through gift, purchase, grant, bequest or other legitimate means for continued preservation.
- 4.4 **Economic Development Committee** (Appointed) – Enhance the vitality of the local economy by retaining existing businesses and attracting new ones.
- 4.5 **Emergency Management Director** (Appointed) - Develop all hazard plans for possible emergencies such as hurricanes, mass casualties and floods; coordinate the use of local resources; and organize available services during an emergency.
- 4.6 **Health Officer** (Appointed) – Enforce the state public health rules and laws as well as local ordinances and regulations. Serve as a liaison between state officials and the local community on issues concerning local public health.
- 4.7 **Heritage Commission** (Appointed) – Handle transactions relating to all cultural resources including hiring consultants and contractors as needed and receiving gifts of money and property, both real and personal, in the name of the Town, subject to the approval of the Town Council. Such gifts shall be managed and controlled by the commission for their proper use.
- 4.8 **Library Trustees** (Elected) - Manage the Town Library and all property of the Town Library; control expenditures of funds received from Town appropriations, fines, gifts, and copying charges; and appoint and remove with due process the Librarian and other Library staff.

- 4.9 **Moderator** (Elected) - Preside over town meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. May prescribe rules of procedure, but such rules may be altered by the town.
- 4.10 **Parks and Recreation Advisory Board** (Appointed) - Under the jurisdiction of the Town Council, assist the Public Works Department ~~Parks and Recreation Department~~ in an advisory capacity on recreational projects, recreational budgetary items, and recreational capital improvements., and ~~Assist the Parks & Recreation Superintendent~~ with the submittal of applications for federal, state, and other grant monies relating to parks and/or recreation. Develop plans and work with the Conservation Commission in obtaining and receiving land for recreational purposes.
- 4.11 **Planning Board** (Appointed) - Prepare and amend the Master Plan, review and recommend Zoning Ordinance amendments to the local legislative body and review and act on all subdivision and site plan applications.
- 4.12 **Police Commission** (Appointed)- Promulgate and enforce all rules for the government of the police force, appoint a Police Chief, constables, superior and other police officers as they deem necessary within the limits of funds appropriated, fix the compensation of all members of the Police Department, within the limits of funds appropriation and remove any Police Chief, constable, superior or other police officers for just cause after due hearing which cause shall be specified in the order of removal.
- 4.13 **Sewer Commission** (Elected) - Make regulations and decisions as may be necessary for the proper functioning of the sewer system and overall operation of the Sewer Department, levy special assessments upon land benefited by the sewer, establish sewer charge procedures for defraying the cost of plant and system operations and manage the maintenance and repair of sewer systems.
- 4.14 **Recycling and Transfer Advisory Committee** (Appointed) - Advise the Council on matters related to the management of municipal solid waste and recycling.
- 4.15 **Supervisor of the Checklist** (Elected) - Care for the checklist in compliance with Federal HAVA (Help America Vote Act); determine whether or not each individual is qualified to vote; and amending the districts within two (2) years of the census.
- 4.16 **Town Clerk** (Elected) - Record and maintain all permanent documents and perform all other related functions per state statute.

- 4.17 Town Council (Elected)** - Consists of nine elected members, one from each District and three At-Large members. Is the governing body of the Town and directed by the specifications of the Town Charter. Prepares and passes ordinances, submits a proposed budget to the Budget Committee and gives direction to the Town through the Town Administrator and appointed Boards and Committees.
- 4.18 Town Hall Preservation Committee (Appointed)** – Work toward the preservation of the old Town Hall.
- 4.19 Town Treasurer (Appointed)** – The Treasurer shall have custody of all monies belonging to the Town, and shall pay out the same only on orders of the body designated by the Town to expend such funds. The Treasurer shall deposit such funds in institutions and in such a manner as designated by law, and according to the Town’s investment policy, keep suitable records, reconcile the General Fund, and subsidiary account bank statements monthly, and perform all other related functions per state statute.
- 4.20 Tri-County Solid Waste Committee (Appointed)** – The Tri-County Solid Waste Management District is formed under State law to prepare the 15-20 year Solid Waste Management Plan for municipalities within their district under the State law, RSA 149-M
- 4.21 Trustees of the Trust Fund (Elected)** - Maintain custody of all trust funds held by the Town. Invest the monies as limited by RSA 31 and other state statutes as they apply.
- 4.22 Zoning Board of Adjustment (Appointed)** - Hear appeals; and administer special provisions of the Zoning Ordinance dealing with variances, special exceptions and administrative decisions. Act as the Building Code Board of Appeals per RSA 673:1-V.

5. Administrative Policy and Procedure.

- 5.1 **Departmental Records and Reports.** Reports of the major activities of each Department shall be made to the Town Administrator each month, and an annual written report shall be filed with the Administrator within ten days of the end of the fiscal year. Such reports shall be in proper form and of sufficient detail for proper control of departmental activities and for publication in the Annual Town Report.
- 5.2 **Preservation of Public Records.** Each Department Head shall be responsible for the preservation of all public records under the department's jurisdiction and shall provide a system of filing and indexing of same. No public records, reports, correspondence or other data shall be removed permanently, unless authorized by law or ordinance, or without the knowledge and approval of the Administrator.
- 5.3 **Cooperation between Departments.** If possible, it is the duty of every department, subject to approval of the Administrator, to furnish to any other department such service, equipment, labor and materials as may be needed to perform necessary operations. Expenses will be assigned to the appropriate budget when such considerations are germane.
- 5.4 **Payment of Monies.** All monies withdrawn from the Town General Fund shall be authorized by the Town Administrator and/or his/her designee. Withdrawals may be in the form of a check, wire transfer, ACH transfer or other type of electronic banking format used by the Town Treasurer.
- 5.5 **Purchasing Procedures.** The purchase of all equipment and supplies not taken out of a petty cash fund may require the use of standardized purchase orders and varying levels of control dependent upon the dollar amount.
 - 5.5.1 **Purchase Orders.** Purchase orders shall be used for all purchases of equipment and supplies as required by the Town Administrator or recommended by the Finance Director. Procedures are provided by Administrative Regulations.
 - 5.5.2 **Approval of purchases.** The level of approval required on a specific purchase shall vary depending upon its dollar amount. In emergency situations, approval may be obtained from the Town Administrator.

Amount

Approval Level

0 - \$2,000	Department Head
\$2,001 - \$15,000	Town Administrator after three competitive quotes or bids required
\$15,000 ¹ and over	Town Council after three competitive bids

The results of the three competitive bids required for purchases over \$2,000 shall be submitted to the Finance Department for review and submission to the Town Administrator. If Council approval is required, the Town Administrator in conjunction with the requesting department head shall present the bids for Council review and disposition.

- 5.5.3 Special Exceptions per Section 5.12 of the Town Charter.
 - 5.5.3.1 No competitive bids shall be required when purchasing through the State of New Hampshire or at State of New Hampshire bid prices.
 - 5.5.3.2 Requirements for three competitive bids may be waived in specific instances by a 2/3 vote of the Council.
 - 5.5.3.3 If the Council has voted to make a purchase or enter into a contract, the Administrator shall carry out the vote of the Council and enter into such transaction on behalf of the Town and in accordance with Section 5.5.2.

5.6 Purchasing Procedures. Purchasing procedures are described in detail by Administrative Regulation.

5.7 Budget Development. Each individual department is to submit their budgetary requests as per the schedule of the Town Administrator. These requests will include the account number, account description and a written justification for each line item. This information, along with the Town Administrator's recommendations, shall be submitted to the Finance Department who will consolidate this information into a report to be submitted to the Council. The Council, Town Administrator and Budget Committee will then produce a schedule of review for the Council budget, beginning with the initial Council review, taking place by the first week of January. The Council shall receive copies of each departmental budget one week before the scheduled review, and the Budget Committee shall receive copies of all Council approved budgets one week before their review. All information will be tracked and updated by the Finance Department who will ultimately produce a report for the entire Town including the following information:

Account Number
Account Description

Current Appropriation
Department Request
Town Administrator Recommended
Town Council Recommended
Budget Committee Recommended
Variance in Dollars
Variance as a percentage
Last year's expenditures

The review process for the Council should be completed by the last week in February. The Budget Committee should conclude its meetings as prescribed by the Municipal Budget Act.

- 5.8 New Ordinances.** The Town Council approves new ordinances. The Town Clerk, or designee, codifies each new ordinance and distributes copies of the new ordinance to appropriate departments, boards and commissions.

AGENDA NO. 11.124
DATE: 12.14.11

**Staff Report
HEMEON (plan #11-07)
31 Pinnacle St., Map 7, Lot 17-1**

**Quitclaim Deed from Maureen Hemeon to
the Town of Hooksett
December 14, 2011**

Background

The Hemeon lot line adjustment, 31 Pinnacle St., Map 7, Lot 17-1 (plan #11-07) was conditionally approved by the Planning Board on August 15, 2011. One of the conditions was for Maureen Hemeon to Quitclaim Deed approximately 6,807 square feet to the Town of Hooksett. This land was incorrectly surveyed back on June 26, 1964, and then was improperly added to what has now become Map 7, Lot 18 (currently owned by the Town of Hooksett). Town Attorney Steve Buckley reviewed and approved the proposed Quitclaim Deed on October 17, 2011.

Issue

Town Council approval is needed to accept the land deeded from Maureen Hemeon to the Town of Hooksett. This acceptance will correct the survey error from 1964, and add approximately 6,807 square footage to Town owned land at Map 7, Lot 18. Time is of the essence as Ms. Hemeon has a scheduled loan closing for her property located at 31 Pinnacle St. on Friday, December 16, 2011.

Fiscal Impact

None.

Recommendation

Recommend that the Town Council motion to accept the land in the Quitclaim Deed from Maureen A. Hemeon to Town of Hooksett doc#799230 Book 3284 Pages 123-124.

Prepared by:

Donna Fitzpatrick, Planning Coordinator

Town Administrator Recommendation:

Concur with recommendation.


Dr. Dean E. Shankle, Jr.
Town Administrator