

**TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, August 28, 2013**

1. 6:30 PM - CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

- a. 08/14/13 public
- b. 08/14/13 non-public

5. AGENDA OVERVIEW

Swearing in of Firefighter

6. CONSENT AGENDA

- a. 13-76 Release of SNHU surety bond
- b. 13-77 Acceptance of \$100 donation to Heritage Commission

7. TOWN ADMINISTRATOR'S REPORT

8. PUBLIC INPUT: 15 Minutes

9. NOMINATIONS AND APPOINTMENTS

10. SCHEDULED APPOINTMENTS

- a. 13-78 SNHU update of current plans and "rollover" of surety bond

11. 15 MINUTE RECESS

12. OLD BUSINESS

- a. 13-64 Community Building Initiative: Old Home Day; Youth Initiative
- b. 13-75 Risk Assessment Questionnaire from auditor

13. NEW BUSINESS

- a. 13-79 Asphalt Paving Bid Award
- b. 13-80 Fire-Rescue: Acceptance of Donation from CMC amount of \$14,500 (Properly posted)
- c. 13-81 Fire-Rescue: Discussion of Emergency Management in Administrative Code
- d. 13-82 Introduction of proposed ordinance regarding taxation of qualifying historic buildings
- e. 13-83 Employee Appreciation Lunch: October 11
- f. 13-84 Update on Tax Deeded Properties: 1293 and 1301 Hooksett Road

14. SUB-COMMITTEE REPORTS

15. PUBLIC INPUT

16. NON-PUBLIC SESSION

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

NH 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.

17. 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.

TOWN COUNCIL MEETING MINUTES
Wednesday, August 14, 2013

CALL TO ORDER

Chair Sullivan called the meeting to order at 6:30 pm.

ROLL CALL – ATTENDANCE

Dr. Dean E. Shankle, Jr. (Town Administrator), James Sullivan, Nancy Comai, Donald Winterton, David Ross, James Levesque, Todd Lizotte, Robert Duhaime (arrived 6:35 pm)

ABSENT

Susan Lovas Orr (Vacation), Leslie Boswak (Vacation)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

a. 7/10/13 public

***N. Comai motioned to approve with edits. Seconded by T. Lizotte.
Vote unanimously in favor.***

D. Winterton: We discussed at the workshop things that need to be added to minutes. I would like the minutes amended to reflect changes in terms of votes that were abstained and re-record votes.

J. Sullivan: We have not officially changed the rules so those minutes remain the same; going forward these changes will be reflected.

b. 7/10/13 non-public

***J. Levesque motioned to approve. Seconded by T. Lizotte.
Vote unanimously in favor.***

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

- a. 13-71 Surety Bond Reduction – Holt-Neighborhood Works
- b. 13-72 Surety Bond Reduction – United Rentals
- c. 13-60 Acceptance of FEMA grant - \$54,625.59 (public hearing held on June 26, 2013)
- d. 13-73 Donation from PSNH - \$2,500

T. Lizotte motioned to accept the consent agenda. Seconded by J. Levesque.

Roll Call

S. Orr – Absent

L. Boswak – Absent

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Yes

J. Levesque – Yes

T. Lizotte – Yes

J. Sullivan – Yes

Vote unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

- Old town hall – starting to look better
- Received approval for finance software; vendors in today and tomorrow to get finance dept. set up. We've had several bid openings based on approvals from previous town meetings (Fire, Police, DPW, Recycling)
- Fun In The Sun – ending Aug 23; has been going well

- Sewer commission meeting – town attorney still working on Wal-Mart project; it's going to help other development up there; couple days later I went to MHT water works – they are trying to sell land here and in Auburn. Bear Paw is looking to buy a lot of land in Hooksett (will make the entire NE corner of town on conservation easements)
- Annual September Council employee appreciation dinner. No date yet; HYAA provides food, town Council staffs – to be discussed in more detail at the next meeting.
- Employee news:
 - Retirement – James Anderson (firefighter)
 - Fun In The Sun camp counselor Sarah Guillemet made Dean's list
 - Jodi Pinard has resigned after 9 years to become town administrator in Chichester.
- Annual indemnification vote that the Council takes on public officials related to RSA 31

T. Lizotte motioned that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106. Seconded by N. Comai

Roll Call

S. Orr – Absent
L. Boswak – Absent
T. Lizotte – Yes
N. Comai – Yes
R. Duhaime – Yes
D. Winterton - Yes
D. Ross - Yes
J. Levesque – Yes
J. Sullivan – Yes

Vote unanimously in favor.

T. Lizotte: We have done this the last 2 or 3 years, to have on record that the town will indemnify us against any civil actions which are done appropriately. Affirms that we understand and gets in on the record for the year moving forward.

J. Sullivan: We should include this in the agenda for the first meeting of next year.

- We did get a formal complaint from a resident regarding a budget committee official; per the charter, I sent it to budget committee for review and notified resident of what had been done
- Old Home Day – signed up for a booth; info coming from N. Comai
- ISO issue – one resident that had notified the town has received a rebate check based on info he got back from the water company; I sent a letter to the water company and received a return letter. I did what you asked and they were already planning on contacting residents.

T. Lizotte: In regards to the sewer commission, it would be nice if you could talk to them in terms of what the financial impact is and how the payback would be facilitated.

Dr. Shankle: They are trying to help with the auditors. The way it's planning on working is Wal-Mart will front money and they get their fees back as other people hook up to system; that money would go back to Wal-Mart. It is not considered long term debt because if nobody else ever hooks up, we would never pay anything. We are just using money that comes back in only if other people hook up. This is not uncommon – they front the money and the sewer/hookup fees that come in go back to Wal-Mart until it is repaid.

PUBLIC INPUT

Harold Murray - 311 Hackett Hill Rd.

I received the town charter and administrative code to review. I have a question on page 1, section 1.5 of the charter; it states the mapping needs to be done 75 years from now which would be in 2088. I think that is probably a typo.

J. Sullivan: That is correct. When they created districts so people would be aware of what district they could run in, they would have to establish districts by 10/15/1988 -- update to reflect 1988.

H. Murray: I see nothing in the organizational section on emergency management. Should that be in there since it gives all other jobs and duties (nothing in either the town charter or administrative code)? There is nothing in either one regarding emergency management. That falls under the town manager.

J. Sullivan: If it needs to be added, we will make an amendment to add that.

NOMINATIONS AND APPOINTMENTS

a. Planning Board: Paul Scarpetti

R. Duhaime motioned to nominate Paul Scarpetti to the Planning Board.

R. Duhaime: I have known him for years; he was active on the 28 bypass and has developed many parcels in that area. I believe he will be a great addition as he has a lot of expertise in Hooksett real estate.

J. Sullivan: What is the term?

T. Lizotte: Through 2016.

J. Sullivan: So he is nominated at this meeting and appointed at the next meeting

D. Winterton: If the nomination is proper, I would motion to suspend the rules so we can appoint him tonight. There is a meeting coming up on Monday with only 7 members, we might not have a quorum.

***D. Winterton motioned to suspend the rules so Mr. Scarpetti can be appointed to the planning board tonight. Seconded by N. Comai.
Vote 6-1 in favor.***

T. Lizotte: Regarding the motion to nominate, is Mr. Scarpetti here today?

R. Duhaime: No he is not here today.

T. Lizotte: I'm at a loss; he is president of Sierra Development. He fully acknowledges there could be a conflict of interest at times. Does anyone have any concerns about that?

R. Duhaime: I would assume he would have to recuse himself, as an abutter, if there was a conflict.

D. Winterton: I had discussions with Mr. Scarpetti about this. He was concerned that his involvement in development would be an issue, and even though he may have to recuse himself often, he still thought he could bring a lot to the board. I think it's really good when we move someone from that side of the table to the other side. It brings a whole lot of value to the town. As a member of the planning board, I have no doubt he will recuse himself as necessary.

Dr. Shankle: The planning board supported this and supported the idea of suspending the rules because they are down 3 alternates and need additional members.

J. Sullivan: Do they have a concern with it being a possible conflict?

Dr. Shankle: It didn't come up; they already know him.

D. Winterton: Mr. Scarpetti's business partner (his brother) presented at the last planning board meeting. When it comes back, he is going to step down. We discussed that.

D. Ross: I voted to suspend the rules just to have a discussion. I don't like waiving rules, especially when it comes to appointments. My fear is how often is he going to recuse himself? He has relationships with other builders in town. I have a lot of trepidation with this appointment because the appearance is enough to create problems. He may be unable to fully do his duties because of the perception. I think it should be thought about until the next meeting.

T. Lizotte: I'm ok with the 2 fellow Councilors who have been on the planning board who believe this appointment would be ok. I also agree with Mr. Ross that it might get to be a lot of recusals, potentially. We all sit on the Board of Assessors and we have a lot of friends that come to the Board of assessors, and we adjudicate appropriately. The planning board is governed by a set of rules and I'm sure it will be adjudicated appropriately.

D. Winterton: I hope Mr. Scarpetti will have to recuse himself often. That means the planning board is busy and that means we are moving in the right direction.

R. Duhaime: He is very active in town; he has been here a while and has an investment in this town. I think he will be a good addition.

J. Sullivan: There have been other individuals who have had some roles in development or building sites that have served that have not created any problems.

N. Comai: I'm sure there are measures in place that if a member of the planning board acts inappropriately there are steps to be taken. I love when people come from one side of the table to the other. He is being transparent and not hiding anything. I tend to agree to give him a chance.

R. Duhaime: Raymond Guy he was a realtor and was on the planning board for several years with me before he sold his house in Hooksett. We would get into a lot of debates – he would look at it from the realtor point of view, the marketing side. Once he left town, we lost that point of view.

J. Sullivan: A realtor would have the same reason to abstain due to potential conflict.

J. Levesque: It's hard to get experienced people in the trades business on the planning board. I would think that any member can call for him to step down if there are any conflicts of interest. I have had to step down on the ZBA a few times as some things have touched on my property. I have no problem with the appointment.

N. Comai: Should we consider any other volunteers? He isn't competing with anyone so I think it would be OK to accelerate the process.

J. Sullivan: At our workshop, we looked at procedures and requiring a reason for changing rules. What we decide tonight is worth discussion on who serves on a board if there is a potential conflict.

D. Ross: There are 3 open alternate seats. So only 1 full member position is open?

D. Winterton - This is a full position that is open; there are 4 total openings, 1 full and 3 alternates.

J. Sullivan: There will be a full board with this appointment, but there are still 3 alternates that need to be nominated and appointed.

T. Lizotte: Based on the conversation with my fellow Councilors, I am satisfied to move forward.

R. Duhaime motioned to appoint Paul Scarpetti to the Planning Board. Seconded by N. Comai.

Dr. Shankle: These 4 seats have been open since July 1 and he is the only one who has applied for it.

J. Sullivan: Should there be another push to the press for more volunteers for the planning board and other boards?

D. Ross motioned to table the appointment. Not seconded. Motion defeated.

Roll Call

J. Levesque – Yes

T. Lizotte – Yes

S. Orr – Absent

L. Boswak – Absent

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Abstained due to disagreeing with the process of waiving the rules regarding the appointment of Mr. Scarpetti. I feel we are rushing to fill a seat that has only been open for 30 days.

J. Sullivan - Yes

Vote in favor 6-1

SCHEDULED APPOINTMENTS

a. Pop Warner Jamboree: David Dicicco (spokesman) and Jerry Goodwin

D. Dicicco: The jamboree is this Saturday, 8/17. The first game is at 8 am and the last game is around 3:30. We are all set with parks and rec and Cigna for parking. There will be shuttle service between the areas. Everything is the same as last year. This is our 11th year; there are 28 teams, which equates to approximately 500 people coming and going throughout the day.

J. Sullivan: There have been no issues in the past?

J. Goodwin: It used to be 2 days, but we scaled back to one day. We got Cigna to allow us to use their parking lot and we hire charter buses to shuttle people back and forth.

D. Dicicco: Every year we get a lot of comments throughout the season that the facilities and conditions we provide are complimentary of the parks and rec dept. They do a great job for us and for the town.

b. Eagle Scout Project: Colin Burns – troop 292

C. Burns: The proposed project is an informational kiosk at Donati Park

C. Burns: I am working on my eagle project at Donati Park. In the main parking lot in the middle island – I am going to set up a kiosk (10' x 8'); board with information is 8'x4'. There are 4 parts to the info board: 2 bolted shut on opposite sides and 2 changeable ones with hinges. Those will house sports schedules, rec events (Old Home Day). The permanent side will house a map of the area and rules and regulations for the park. I am hoping to get it up and operational by old home day so people will know where to go.

J. Sullivan: Will the kiosk be on the front side of the island or behind?

C. Burns: It's going to be on the side of the island. There will be trees and rocks and the board will be going parallel to the road so as not to incur traffic jams.

C. Burns: Fundraising – I have already raised all the money I estimated I would need for this project (\$1100 for materials and labor). So far, I have raised \$1400 so the extra \$300 will go to parks and rec as extra money.

J. Sullivan: We need approval from Council to proceed.

***D. Ross motioned to approve use of town land for the installation of an informational kiosk installed at Donati Park, as presented. Seconded by T. Lizotte.
Vote unanimously in favor.***

Dr. Shankle: Parks and rec and DPW are excited by this.

R. Duhaime: Will there be a cement base?

C. Burns: Yes, I am going to make sure it is stable before putting anything in.

N. Comai: I would hope you would put plaque or some identification that you have done this work to acknowledge your effort.

T. Lizotte: For clarity on the record...I would like to add an amendment to the motion to add "installed at Donati Park."

c. Senator Boutin: Robie's Country Store

Sen. David Boutin (spokesperson) and Robert Schroeder, president of Robie's Country Store Historic Preservation Corp

R. Schroeder: Brief history of Robie's – 1997 ended a 110-year legacy (5 generations of family) when the store closed. Citizens of Hooksett formed a nonprofit Robie's Country Store Historic Preservation Corp (501c3). Many people raised funds and offered support for this project. In 1998 it was voted to be put on the registry of historic places. The town forgave real estate taxes but a couple years ago it was discovered that no state statute allowed this to happen. Sen. Boutin introduced legislation that would permit a municipality to make such an award. He had great success in getting Senate Bill 43 signed into law by Gov. Hassan. We are requesting your support and vote to allow this abatement to continue.

Sen. Boutin: We have a very active and strong tradition in NH – historic preservation and economic development. We have a rich history with this property as well as economic activity. Robert, Don Riley, Kathy Northrup, Dept. of Cultural Resources, Dept. of Revenue Administration, NH Nonprofit Association, NH Historic Preservation Alliance all came together to craft something that would work and achieve the purpose of this bill which is for the community to appraise certain qualifying historic buildings at a percentage of market value in order to encourage the preservation of historic buildings and economic development. It was formerly known as Senate Bill 43 and is now identified as Chapter 203. We had a signing at state house with the governor. This has not been done anywhere else in state of NH. There are a number of other country stores in NH that are privately owned; as space becomes available, a group could step in and take over a historic property and lease to a tenant to run a retail business. This has to be done pursuant to Hooksett town charter (the Council must hold a public hearing in adopting any ordinances. In regards to 79-G:4, Robie's Country Store meets all the qualifications. When we drafted this we were careful to make it very specific so that there would be no concern for example, to include mill buildings or any historical building. We do not believe this will affect any other property in Hooksett. How it works: Then town appraises property and the amount of the assessment would be 10% of land and building value and the tax is based on that amount. They are getting a break but still paying some property taxes. It meets the guidelines of the state constitution. The rest of the bill has to do with appeals, and that is an existing statute. Thank you for the opportunity to come tonight. Would like to ask you to vote to place this on your agenda for a public hearing on Wed, 9/25.

***D. Ross motioned to place this ordinance on the agenda for a public hearing on Wednesday, September 25. Seconded by J. Levesque.
Vote unanimously in favor.***

Dr. Shankle: According to the charter, at our next meeting I will draft an ordinance, and one of you has to introduce it and it has to be distributed and reviewed at the public hearing within 7 days.

D. Ross: It is extremely narrow; in section E it says the historical purpose of the building was the retail sale of merchandise, and the building is maintained and actively used for substantially the same historical purpose. I think this is a great thing for us to adopt because it is so narrow.

J. Levesque: Board of Assessors granted them 2 years of tax abatement. It's a history of Hooksett. If there was no business, the building would go downhill fast, like town hall. It's part of the town history, a

group meeting place. There is no other place like it. I'd like to thank Sen. Boutin and the other representatives for putting the effort into this bill. It will keep our history going.

Sen. Boutin: I just want to say our 4 state reps (Hess, Walsh, Smith, and Kotowski) also played a key role in getting this into legislation, but at the end of the day, Mr. Schroeder is the true mover and shaker on this issue. We should be very thankful that he played such a large role in protecting such an iconic, historic property and business in our community. He deserves a tremendous amount of credit and gratitude.

J. Sullivan: We thank you Mr. Schroeder...

R. Schroeder: This bill would not have been thought of without Sen. Boutin. He pulled all the strings to make it happen.

OLD BUSINESS

a. 13-68 Town survey

Dr. Shankle: I made your suggested changes. You need to finish the possible open ended questions. At the meeting, I asked people to send me things they wanted to discuss, that's where the last 2 came from; first 2 came out of discussion, one about the budget and the other is about people's attitudes about the town. As you discuss, remember we don't need to do open ended questions. There is a lot of information in the other questions. If it's not useful, we don't have to do it.

D. Winterton: We get 1 open ended question that we pay for whether we use it or not? How much is it?

Dr. Shankle: If we don't use it we don't pay for it. I think it's about \$1200.

D. Winterton: Would you get enough information without an open ended question or is one of the open ended questions valuable for your evaluation of the survey?

Dr. Shankle: I think doing a survey without it we would get a lot of information; we haven't done one before. Is there anything we can't capture in a multiple choice way? Idea of budget might be good to know but most will say taxes. Answers to any of these would be interesting but none of them are biting. My concern would be I don't want people to spend more time worrying about the open ended questions than the other questions.

N. Comai: My experience with surveys is we can take suggestion #1 ("The Town has voted down the proposed budget each of the last two years. Can you please tell us at least two reasons why you believe this might have happened?" In my opinion, this is the most important question.) and create a closed-ended question with bullet points as possible answers (taxes, DPW equipment, operating budget vs. warrant article) and any other things we can come up with. You might get 300 different answers and I believe it would be a waste. Let's take one of these suggested questions and create a closed ended question, save \$1200 and still get answers you are looking for.

Dr. Shankle: We might have come up with 3 custom questions and we have done it with those. If there is something everybody is excited about, it might be worth asking but if not I don't think it's necessary.

N. Comai: We can add a comment section and people can just write in..

D. Ross: Anything we can do to make it shorter will be better. We can't get people to fill in 28 questions on a ballot and we have over 100 here. I would think some of the later questions should be near the beginning. Most people will only get so far and then stop. It's a very long survey.

J. Sullivan: It seems we are inclined not to have an open ended question.

D. Winterton: It seems it will cost 10% of the survey but might not give us 10% more information than the rest of the survey. I don't think we should use it and save money.

J. Sullivan: Is the consensus to not include any open ended questions in survey?

Vote unanimously in favor.

J. Sullivan: Consensus is to eliminate the optional open ended question and proceed with survey as proposed.

b. 13-64 Community-building Initiative

J. Sullivan: The goals and objectives were discussed at the workshop:

Hooksett Town Council- Community Building

Goal: Communicate TC goal and vision to build community and to take steps to understand reasons voters have passed previous default budgets.

Objective:

1. Draft a pledge (for TC and all various committees)
2. Identify youth leaders within the community by recognizing youth achievement monthly.
3. Fully participate in Old Home Day.

We recognize the need to reach out to our constituents to see where we are going wrong.

Over the past several years this "new TC" has lost their momentum.

Developing these key elements is crucial to the success of any community initiative, and understanding how to do so is the purpose this project.

What I believe should be included within the pledge:

Pledge to inspire action and commitment. Capture our mission. Draw people in.

Give hope to a better future (outcome oriented)

Enhance our image (redirect the misperception) Lend credibility to TC members providing confidence in leadership

What I believe we should do to communicate, activate and celebrate this project:

- 1) Include on town letterhead, website municipal bulletin boards. (same look too)
- 2) Include in annual report.
- 3) Have t-shirts printed up and worn at Old Home Day
- 4) Use same message when speaking with public or media- One message one voice

Let's go to Mr. Winterton who created information on how to recognize youth achievement.

D. Winterton: Hooksett Youth Achiever of the Month

This monthly award is initiated by the Hooksett Town Council to recognize achievements by the youth of Hooksett NH.

Hooksett youth, under the age of 21, who have done something "special", are eligible for the recognition. Nominations may be made to the Achievement Subcommittee of the Hooksett Town Council by any resident of the town, or any town employee or town volunteer by submitting a nomination form that will be on the Hooksett website. The committee will communicate monthly with the principals of the Hooksett schools for potential nominations.

The monthly winner will be determined by the subcommittee which will be made up of three town Councilors. The achievements may include but are not limited to civic, philanthropic, volunteer, leadership, athletic, musical, teamwork, or academic activities.

The award winner will be presented with recognition of his achievement at a Hooksett Town Council meeting.

I recommend a 3-person subcommittee that I would volunteer to chair to review nominations and pick winners. We saw someone tonight who fit those criteria and if we weren't here tonight we wouldn't have known that.

N. Comai motioned to create a community-initiative subcommittee and have D. Winterton as the chair. Seconded by T. Lizotte.

Vote unanimously in favor.

D. Ross: Being a monthly award, sounds like it would be time consuming; I wonder about the frequency.

J. Sullivan: There may be some times we are unaware of someone who is deserving and can we possibly make a program where we could recognize them officially as needed.

D. Ross: We don't want to cheapen it; we want to make it more special than every month. It is a significant thing to be recognized by Town Council for an achievement.

R. Duhaime: Quarterly may be a better option just to get it started.

J. Sullivan: I suggest we base it on what the committee believes who may have to be recognized. It may be 2 at one time and none for a while.

T. Lizotte: My impression is we would put together a standard format that within a particular month, there are always a lot of achievements. I think there is going to be a treasure trove on a monthly basis. I don't think it's going to be competitive; I say give it a shot. Administration should create something canned so that picking it is the hardest thing but presenting it is consistent.

J. Sullivan: Something that doesn't restrict them in what they need to do but doesn't require them to act if the committee sees at this point that We want to recognize people but this might not be the time.

T. Lizotte: Each month there are at least 10 people that do things, even something small; it does not necessarily have to be something big.

D. Winterton: That is part of my thought..."has done something special" leaves it wide open; lemonade stand for a cause; a kid that learned an instrument and played at school. The charge was finding things to celebrate. I'm willing to do the work. I agree that we aren't going to have trouble finding someone. We may have co-achievers, such as a team of baton twirlers that went to Australia; it doesn't have to be normal, super big things.

J. Sullivan: We should do that as they need to be recognized too. I think there needs to be a restriction - achiever(s) - since there may be multiple recipients. Perhaps we call it the Hooksett Youth Achiever Program that would allow it to be open ended.

D. Winterton: NH has an athlete of month. At the end of the year, one of the winners is the athlete of year. I like having deadlines and goals - choose one a month (and only one).

T. Lizotte: In this case I think we should give Mr. Winterton the ability to make this achiever of the month. Give the committee charge. They can come to Town Council for a vote.

N. Comai: Nothing precludes us from taking nominees from last month and carrying them over to the next month.

**J. Sullivan: All in favor to establish the program?
Vote unanimously in favor.**

T. Lizotte and R. Duhaime volunteered to serve on the committee; S. Orr and L. Boswak can be offered the chance to volunteer and one of them will step down.

D. Ross: I'd like to suggest that it be no less than 3 members.

N. Comai: Enter document into minutes as what we tried to accomplish at workshop. This will come up again. There might be 2 different ideas on the draft of pledge (14 sentences and formal or 1 sentence mission statement). Those are things we will need to revisit.

J. Sullivan: We have committed to Hooksett Youth Achiever program, we will establish a draft pledge related to community building; we have a booth for Old Home Day on 9/21 - at our next meeting we can fine tune a schedule.

**D. Ross motioned to allow 3 to 5 members on the Hooksett Youth Achiever subcommittee.
Seconded by T. Lizotte.**

Dr. Shankle: Once a committee gets together, they will come back to Council for guidance.

T. Lizotte: I have a concern about reaching a quorum. The committee can be 3 members but additional seats are alternates.

D. Ross removed motion. T. Lizotte removed second.

D. Winterton: It is made up of the chairman and 2 town Councilors (rotating).

D. Ross motioned to allow the Hooksett Youth Achiever subcommittee to be made up of a committee chairman and 2 Town Councilors (rotating members). Seconded by T. Lizotte. Vote unanimously in favor.

T. Lizotte: For clarification, there are 3 Councilors on the committee. We are talking about students and other members of the community. Would it have to be non-public? We are going to be requesting people send in nominations without nominees knowing. I'm concerned about proprietary information.

J. Sullivan: I suggest we proceed with what we have and we can fine tune if necessary and Dr. Shankle can let the committee know.

Dr. Shankle: I don't think you can do it in public. Whether you need to open a meeting and go into non-public I will find that out.

N. Comai: Would it hinder the process to ask a citizen to join the subcommittee or have only Mr. Winterton collect all nominations narrow down first, second and third and then hold a nonpublic to mull over the options.

J. Sullivan: We can contact the scout master to recognize Eagle Scouts. We need to work out details, community outreach is not easy. We need to make sure we do it properly.

R. Duhaime: Once a year we can choose an athlete of the year at the 8th grade graduation, it might turn into a good, award positive for the Council and town.

J. Sullivan: Community involvement award is better coming from the town as a civic award vs. athletic award.

R. Duhaime: We can talk about the positive achievements of student.

NEW BUSINESS

a. 13-74 Discussion of possible changes to Council Rules of Procedure

J. Sullivan: We could not officially vote to change the procedures at the workshop.

T. Lizotte motioned to modify Section 5.d, sentence 2 to change "The Chair" to "Any Councilor" and remove sentence 3. Seconded by N. Comai. Vote unanimously in favor.

Dr. Shankle: Anyone can ask for a roll call vote after a voice vote as currently written.

J. Sullivan: Looking to change so it can occur automatically by any Councilor.

N. Comai: In Section 7.b, I led the charge on restricting it in some way. Has another town done this or are there any examples?

T. Lizotte: I think it's OK as is, but Chair would ask for approval.

T. Lizotte motioned to modify Section 7.d, only sentence, to change "spokesman" to "speaker" and after "spokesmen" add "when possible." Seconded by N. Comai. Vote unanimously in favor.

Dr. Shankle: In Section 7.f.3, it depends on how you read that sentence. I think when it was written it meant the next meeting, not the meeting you are discussing. It's matter of how you read it, but "unless" is clearer than "only if."

T. Lizotte motioned to modify Section 7.f.3 to change "only if" to "unless." Seconded by J. Levesque.

Vote unanimously in favor.

T. Lizotte motioned to modify Section 8.c, only sentence to add at the end, "unless a Councilor requests, in writing, to receive it in electronic format only." Seconded by D. Winterton.

Vote unanimously in favor.

J. Sullivan: I would suggest new Council members go over rules of procedure and indemnity.

b. 13-75 Risk Assessment Questionnaire from auditor

J. Sullivan: We go through this together and by consensus we answer yes or no to the questions. We fill it in now and vote to have it modified and signed at our next meeting.

Town Council reviewed and answered by consensus the Risk Assessment Questionnaire from auditor as outlined in 13-75.

J. Sullivan: This will be approved, adopted and signed at our next meeting.

SUB-COMMITTEE REPORTS

N. Comai: I have nothing to report; I will be attending the parks and rec meeting next Tuesday.

R. Duhaime: Last month's letter from SNHPC:

- ***Monthly Meeting:*** At the June 25, 2013 meeting, SNHPC MPO reviewed and approved the proposed changes to the functional classification and National Highway System (NHS) for many of the roads in its region, and the smoothing of the Census 2010-established urban area boundaries. Federal functional classification and NHS delineation helps determine which levels of government have responsibility for roadways and which are eligible for Federal-aid funding. For more information, go to our website www.snhpc.org, or contact Dr. Julie Chen at 669-4664.
- ***SM4 Permits:*** Polluted storm water runoff is often discharged untreated into local rivers and streams. EPA's Storm water Phase II Rule establishes an MS4 storm water management program to improve the Nation's waterways by reducing the quantity of pollutants that storm water picks up and carries during storm events. The Bureau of the Census' recently released 2010 data indicates new or expanded urbanized areas which may result in the requirement for MS4 permit coverage for operators in unregulated communities, or the expansion of coverage for operators in regulated communities. Several municipalities in the SNHPC region have not been regulated previously. On July 18, 2013 at 10:30 AM, SNHPC Planners' Roundtable will discuss this proposed new rule and its impact on smaller communities. For more information, contact David Preece at 669-4664.
- ***SNHPC Mutual Sharing Opportunities- Needs Assessment Survey:*** SNHPC is conducting a survey to determine if there are common interests and needs among the municipalities and counties in our region in sharing various types of resources and services and/or participating in various cooperative purchasing opportunities. The survey is designed specifically for local government managers and administrators to complete. For more information, contact Jack Munn at 669-4664.

I have not had the first sewer meeting yet. We all should have received an invitation to SNHPC annual meeting on September 13; RSVP by 8/30.

J. Sullivan: Old town hall met two weeks ago – the new handicapped ramp has been installed; fine tuning of railings and woodworking still need to be completed; old ramp removed. We are currently in the process of getting a grant to review the architecture of the building. We have a gentleman from Holden Engineering has volunteered his services. There is a meeting Monday at 3:30; continuing with a slow approach to removing upper floor (wiring/electronics). One member has a group of electrical volunteers willing to help. Once complete, we will apply for an assessment grant.

D. Winterton: Planning board met 8/5

- Ritchie Bros came to announce a soft opening in early October. They won't have everything done but what isn't ready will be blocked off. This will give all town departments a heads up without being a real grand opening.
- Paul David and Ken Scarpetti had a hearing on a medical building on Londonderry Tpk going in across from Regency Mortgage.
- We approved additional sign for Valvoline to be compliant
- 2 families building houses on Queen Bee Mountain asked for and received waivers of sprinkler requirements
- Bond Auto Parts is going where the former Colonial Hardware is
- Beaver Brook Development (between Smyth Rd. and Londonderry Tpk) got final approval for 87 lot subdivision with cluster housing. Most of the discussion was with Webster Woods; they were granted an extension until 10/7 for phase 2.

D. Ross: The conservation commission met on 8/6

- Manchester Sand and Gravel - we signed off on swapping 2 pieces of property in their development
- The proposed medical building on Londonderry Tpk, the concern was there is no sewer system there. Is it served by septic only?

D. Winterton: I will have to look.

D. Ross: How does a medical facility operate without town sewer? I would think we would revisit it. As far as I know there is no plan of water or sewer going to that property.

J. Sullivan: Is it like the Elliot facility on Rt 3?

D. Winterton: Yes, I will check as they come back on 9/9 for public hearing.

R. Duhaime: They are doing sewer hookups there, but I don't know if this is going to be hooked up to town sewer.

J. Levesque:

- Board of assessors met tonight and agreed with the town assessor's recommendations
- ZBA met last night
 - East Point Industrial Park – new United Rental place asked for a bigger sign than allowed. They granted the request because it is hard to see the building from the road.
 - Bass Pro discussed ranger tower signage. Variance was granted, but it was discussed that from the tree line up it should have stairs to look more like a tower. They agreed they would need access to service the sign. Rep from Bass Pro thought it was a good idea and will discuss it with the sign manufacturer
 - Homeowner on Goffstown Rd. is rebuilding a burned house. Asked for variance on setback – greater setback than what was there. They do not want to move an existing pool; variance was granted to put the house in the new position. Abutter was satisfied to see what was happening.

T. Lizotte: I have nothing to report; the budget committee does not meet until September.

Dr. Shankle: The Council has been invited to the safety center on 8/19 for the swearing in of a new officer at 10 am. This will be posted as a meeting.

PUBLIC INPUT

None

NON-PUBLIC SESSION

NH 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. (TAX DEEDED Property issue)

N. Comai motioned to enter non-public (c) session at 8:45 pm. Seconded by T. Lizotte.

Roll Call

D. Ross – Yes

J. Levesque – Yes

T. Lizotte – Yes

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

J. Sullivan - Yes

Roll Call vote unanimously in favor.

*R. Duhaime motioned to exit non-public (c) session at 9:30 pm. Seconded by T. Lizotte.
Vote unanimously in favor.*

*D. Ross motioned to seal the non-public minutes of 8/14/13. Seconded by T. Lizotte.
Vote unanimously in favor.*

*T. Lizotte motioned to adjourn at 9:30pm. Seconded by J. Levesque.
Vote unanimously in favor.*

Respectfully submitted,

Tiffany Verney
Recording Clerk

AGENDA NO. 13-76
DATE: 08-28-13

Staff Report
Landscaping Surety Bond Release – SNHU Operations Center
August 28, 2013

Background: In July of 2011 SNHU put a landscaping surety in place for their Operations Center Project. This bond has been reviewed and should be released. This site has been inspected and meets all of the requirements on the landscaping plan.

Issue: I would like the Town Council to release this landscaping surety in the amount of \$19,003.40 plus interest to SNHU.

Discussion: After reviewing the file and completing a site visit I find the landscaping surety bond should be released. The site looks good and has met all of the requirements.


Fiscal Impact: None

Recommendation: I recommend the Town Council approve the release of the Landscaping Surety Bond that has been put into place by SNHU in the amount \$19,003.40 plus interest.

Prepared by: Leo Lessard, Director of Public Works

Town Administrator Recommendation:

Carroll


Dr. Dean E. Shankle, Jr. Ph.D.

Town Administrator

Staff Report
SNHU Update
August 28, 2013

AGENDA NO. 13-78
DATE: 8/28/13

Background: SNHU has been in the process of expanding and making major improvements to their campus. As the campus continues to grow they want to keep the Town of Hooksett updated on current and future plans.

Issue: Discussion of current projects : (1) new Residence Hall – complete/ received occupancy permit 8/7/13, (2) Library Learning Common – under construction, (3) East parking area – under construction, (4) Depot Road – approved, will start construction in a month.

Future projects : green quad area on west side of North River Rd, median islands at each end of North River Rd entering University, and West Alice St property.

As well as rolling over the Surety that is in place for the new Residence Hall (that now has a CO) to be used for the East Parking area and the Depot Rd Parking area.


Discussion: All of the above items will be discussed. But a major discussion point will be the rolling over of current site surety in place for residence hall that has been completed and rolling that surety into another SNHU project.

Fiscal Impact: None

Recommendation: I recommend rolling over the residence hall bond into the parking lots that are in the process of being built.

Prepared by: Leo Lessard, Director of Public Works

Town Administrator Recommendation: *concur*


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

LAST YEAR'S REPORT



AGENDA NO. 13-75

DATE: 8-28-13

PLODZIK & SANDERSON

Professional Association/Accountants & Auditors

193 North Main Street • Concord • New Hampshire • 03301-5063 • 603-225-6996 • FAX-224-1380

To the Members of the Board of Selectmen, Town Council, City Council, or Commissioners:

This communication, in addition to the questions below, is intended to inform those charged with governance regarding the type, expected scope and timing of the audit. We refer you to the signed engagement letter for the detail covering the audit objective, procedures, and management's responsibilities.

This communication is in addition to other correspondence supplied to management and elected officials requesting specific audit information including documents required for audit and information required for notes to the financial statements. The timing of the audit will be mutually agreed upon by management and the independent auditor and it would be our intention to have the report available to you within ninety days after completion of the field work.

We also intend to provide you with a communication with timely observations arising from the audit that are relevant to your responsibilities in overseeing the financial process.

In order to assist us with gathering information necessary to understand the entity and its environment in connection with this year's audit, please answer the following questions concerning your knowledge of the Town/City's/District's financial procedures. Thank you in advance for your cooperation.

Do you have knowledge of any fraud or suspicions of fraud affecting your entity?

Yes x No If yes, please elaborate below.

There is an ongoing case, involving the Town's former Public Works Director and Mechanic for theft of Town property.

Are you aware of any allegations of fraud or suspected fraud affecting your entity? Yes x
 No If yes, describe briefly.

There is an ongoing case, involving the Town's former Public Works Director and Mechanic for theft of Town property.

Has the Board/Council adopted a universal code of ethics for members and employees to follow? Yes x No If yes, please furnish a copy. Code of Conduct for public officials and Standard of Conduct for employees in the Town's Personnel Plan.

If yes, does this document prohibit elected officials and employees from doing business with the governmental entity? Yes No x Charter prohibits Councilors from holding another paid office, but not from doing business with the Town.

List any transactions between the government and officials or employees during the year of which you have knowledge. Exclude regular payroll transactions.

None

Does the Board/Council formally authorize all disbursements, both vendor and payroll, prior to the release of Town/City funds. Yes ___ No x NOTE: If Town Manager form of government, Town Manager must approve all payments prior to disbursement of funds by the Treasurer.

If the answer to the above is No, please describe your knowledge of how disbursements are approved within the system.

Department head's approved invoices/timesheets stating the goods and services are valid Town's expenses and record budget line items to charge, then invoices and backup documentation are sent to Finance to process. Finance produces a check manifest and sends it with invoices/timesheets to the Town Administrator for signature indicating approval. The signed check manifest is then provided to Treasurers for approval to sign the checks.

Describe how the Board stays informed of the latest changes in the laws and regulations pertaining to the entity.

Town Administrator updates, staff reports and personal research

Does the Board/Council review comparative reports of estimated and actual revenues and appropriations and expenditures? Yes x No ___ If yes, how often are reports reviewed?

Quarterly Financial Reports are reviewed with Finance Director and monthly reports are provided.

What procedures does the Board follow in reviewing or using these reports? For example, does the Board normally meet with the department heads as part of this process? Also, does the Board review BOTH the revenue and expenditure reports?

Yes, Council reviews both revenue and expenditures with the Finance Director on a quarterly basis. Departments also meet with Council to give updates during the year.

Has the Board approved a Disaster Recovery Plan in the event of loss or interruption of the IT function? Yes x No ___ If yes, please provide a copy.

Is there a written investment policy adopted annually in accordance with state statutes? Yes x No ___ If yes, please provide a copy.

Has the Board established and adopted accounting procedures and policies? Yes x No ___ If yes, please provide a copy.

Have you adopted the use of either debit or credit cards by employees? Yes No If yes, please provide a copy of policy covering same.

Does the Board have knowledge of any funds or bank accounts that are not in the custody of the Treasurer or Trustees? Yes No If yes, provide the name and custodian of account.

Signed by _____
Chairperson on behalf of the Board, Council or Commissioners

Date _____

MEMBERS OF THE GOVERNING BODY (BOARD OF SELECTMEN, TOWN COUNCIL, CITY COUNCIL, COMMISSIONERS)

NAME	CONTACT INFORMATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Staff Report
Asphalt Paving Bid Award
August 28, 2013

AGENDA NO. 13-79
DATE: 8-28-13

Background: On July 26, 2013, an RFP was sent to four NH paving companies in an invitation to bid on the Town Hooksett resurfacing projects for 2013 as well as a legal notice was placed in the Unionleader. The RFP was sent to Pike Industries, Brox Industries, Advanced Excavation and Paving, GMI Asphalt, and Continental Paving. Four of these companies responded and the bids were opened on August 16, 2013 at 11am.

Issue: Now that the bids have been received and opened we are seeking approval from the town council to award the bid to Brox Industries in the amount of \$264,730.80.

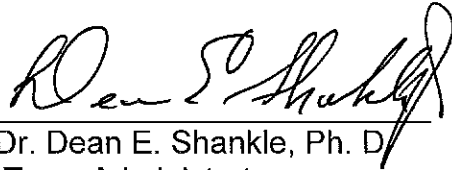
Discussion: The RFP requested that these companies bid on the following scope of work: 1 ½" Overlay of pavement on the following roadways, Joanne Drive, Farmer Road, Heritage Drive, Garlan Lane, and Park Lane. Brox Industries total bid amount is \$264,730.80. Pike Industries total bid amount is \$269,667.05. Advanced Excavation and Paving total bid amount is \$271,230.00, and Continental Paving total bid in the amount of \$270,830.00. We are requesting that the council award the bid to Brox Industries.

Fiscal Impact: We would be using the paving budget approved for the 2013-2014 budget year.

Recommendation: We recommend awarding the asphalt paving bid to Brox Industries in the amount of \$264,730.80.

Prepared by: Leo Lessard, Public Works Director

Town Administrator Recommendation: *Concurs, with the understanding that some of the paving is done this season and some next year.*



Dr. Dean E. Shackle, Ph. D.
Town Administrator

Brox

Bid #13-06

BID FORM
FOR UNIT PRICE AND LUMP SUM CONTRACT FOR ROADWAYS

Item No.	Item Name	Unit of Measurement	Estimated Quantity	Bid Unit Price	Extension
403.11	Hot Bituminous Pavement, Machine Method	Ton	3429 +/- Seventy _____ Dollars and Twenty _____ Cents per Ton	\$70.20 /T	\$240,715.80
604.4	Reconstructing Catch Basins & Manholes	Each	16 Catch Basins(*) 12 Manholes(**) Two Hundred Fifty _____ Dollars and No _____ Cents per Each	\$250.00 /EA \$50.00 /EA	\$4,000.00 \$600.00
619.2	Maintenance of Traffic	Lump Sum	1	4,400.00 \$/LS	\$4,400.00
	Flaggers to be supplied by Contractor Town to provide one Police Detail		Forty-Four Hundred _____ Dollars and No _____ Cents per Lump Sum		
	Remove by, cold plain existing berm		3300 +/-	\$1.35	\$4,455.00
	Replace 6" Cape Cod berm		3300 +/-	\$3.20	\$10,560.00

Total Amount: Two Hundred Sixty-Four Thousand Dollars and Eighty Cents
Seven Hundred Thirty
\$ 264,730.80

List addendum(s) received: E-MAil

[Signature] Sales/Marketing Manager Date August 16, 2013
Authorized Signature Title

(*) Miscellaneous Adjustments not complete reconstructions on all
(**) Sewer manholes to use guard rings supplied by the Sewer Department

Pike

Bid #13-06

BID FORM FOR UNIT PRICE AND LUMP SUM CONTRACT FOR ROADWAYS

Item No.	Item Name	Unit of Measurement	Estimated Quantity	Bid Unit Price	Extension
403.11	Hot Bituminous Pavement, Machine Method	Ton	3429 +/- <u>Seventy One</u> <u>Sixty Five</u>	\$ <u>71.45</u> ^T Dollars and Cents per Ton	\$ <u>245,002.05</u>
604.4	Reconstructing Catch Basins & Manholes	Each	16 Catch Basins(*) 12 Manholes(**)	\$ <u>235.00</u> ^{EA} \$ <u>70.00</u> ^{EA}	\$ <u>3,760.00</u> \$ <u>840.00</u>
			Two hundred thirty five Dollars and zero Cents per Each		
			Seventy Dollars and zero cents		
519.2	Maintenance of Traffic	Lump Sum	1	10,825.00 \$/LS	\$ <u>10,825.00</u>
	Flaggers to be supplied by Contractor Town to provide one Police Detail		Ten thousand eight hundred <u>twenty five</u> <u>zero</u>	Dollars and Cents per Lump Sum	
	Remove by, cold plain existing berm		3300 +/-	\$ <u>0.30</u>	\$ <u>990.00</u>
	Replace 6" Cape Cod berm		3300 +/-	\$ <u>2.50</u>	\$ <u>8,250.00</u>

Total Amount: Two hundred sixty nine thousand six hundred sixty seven Dollars and Five Cents
\$ 269,667.05

It addendum(s) received: # 1

Zarek J. [Signature] Authorized Signature
Estimator Title
8/16/13 Date

Miscellaneous Adjustments not complete reconstructions on all Sewer manholes to use guard rings supplied by the Sewer Department

Advanced

Bid #13-06

BID FORM
FOR UNIT PRICE AND LUMP SUM CONTRACT FOR ROADWAYS

<u>Item No.</u>	<u>Item Name</u>	<u>Unit of Measurement</u>	<u>Estimated Quantity</u>	<u>Bid Unit Price</u>	<u>Extension</u>
403.11	Hot Bituminous Pavement, Machine Method	Ton	3429 +/- <u>SEVENTY</u> Dollars and <u>ZERO</u> Cents per Ton	<u>\$70⁰⁰</u> /T	<u>\$240,030.00</u>
604.4	Reconstructing Catch Basins & Manholes	Each	16 Catch Basins(*) 12 Manholes(**) <u>TWO HUNDRED</u> Dollars and <u>ZERO</u> Cents per Each	<u>\$200⁰⁰</u> /EA <u>\$200⁰⁰</u> /EA	<u>\$3,200.00</u> <u>\$2,400.00</u>
619.2	Maintenance of Traffic	Lump Sum	1	<u>\$2,500⁰⁰</u> /LS	<u>\$2,500.00</u>
	Flaggers to be supplied by Contractor Town to provide one Police Detail			<u>TWO THOUSAND</u> <u>FIVE HUNDRED</u> Dollars and <u>ZERO</u> Cents per Lump Sum	
	Remove by, cold plain existing berm		3300 +/-	<u>\$3⁰⁰</u>	<u>\$9,900.00</u>
	Replace 6" Cape Cod berm		3300 +/-	<u>\$4⁰⁰</u>	<u>\$13,200.00</u>

Total Amount: TWO HUNDRED SEVENTY ONE THOUSAND TWO HUNDRED THIRTY Dollars and ZERO Cents
\$ 271,230.00

List addendum(s) received: 1

[Signature] PRESIDENT 8/16/13
Authorized Signature Title Date

(*) Miscellaneous Adjustments not complete reconstructions on all
(**) Sewer manholes to use guard rings supplied by the Sewer Department

Continental

Bid #13-06

BID FORM FOR UNIT PRICE AND LUMP SUM CONTRACT FOR ROADWAYS

Table with 6 columns: Item No., Item Name, Unit of Measurement, Estimated Quantity, Bid Unit Price, Extension. Includes items like Hot Bituminous Pavement, Reconstructing Catch Basins & Manholes, and Maintenance of Traffic.

Total Amount: Two Hundred Seventy Thousand Eight Hundred Thirty Dollars and No Cents \$ 270,830.00

List addendum(s) received: 1

Authorized Signature: [Signature], Title: Estimator, Date: 8/16/13

(*) Miscellaneous Adjustments not complete reconstructions on all
(**) Sewer manholes to use guard rings supplied by the Sewer Department

AGENDA NO. 13-80

DATE: 8-28-13

Hooksett Fire-Rescue
Staff Report
CMC Donation acceptance
August 28, 2013

Background: Per RSA 31:95-e, II for such amount more than \$5,000. Council shall post notice in the agenda and shall include notice in the minutes of a Council meeting along with a public hearing notice in which such moneys are discussed.

Issue: To accept a donation of over \$14,500.00 for a Physio-Control Lucas 2 Cardiopulmonary resuscitation device.

Discussion: The Hooksett Fire Department is being given this Lucas device as a grant/donation from the Catholic Medical Center in Manchester N.H. as part of their cardiac education and wellness program aimed at enhancing the cardiac health and well-being of the community.

Fiscal Impact: This is a donation to the Hooksett Fire-Rescue Department and the Town of Hooksett for a total amount of \$14,500.00. There is no fiscal impact

Recommendation: Motion to accept the donation of the Physio-Control LUCAS 2 device under RSA 31:95-e, II

Prepared by: Fire Chief Michael Williams



Town Administrator Recommendation:



Dean Shankle
Town Administrator

CATHOLIC
Medical
CENTER

May 29, 2013

Hooksett Fire-Rescue Department
Deputy Fire Chief Michael Hoisington
15 Legends Drive
Hooksett, NH 03106

Dear Deputy Chief Hoisington:

The New England Heart Institute Foundation has received your request in support of a Lucas 2. Our committee has carefully reviewed your proposal. I am pleased to inform you that the New England Heart Institute board has agreed to fund your request to purchase the Physio-Control LUCAS 2 cardiopulmonary resuscitation device for the Hooksett Fire-Emergency Medical Services division.

The mission of the New England Heart Institute Foundation is to raise, provide and distribute funding for cardiac education and wellness programs aimed at enhancing the cardiac health and well being of the community. Funding for this grant was raised through donations from grateful patients and special events organized by the New England Heart Institute Foundation.

The New England Heart Institute Foundation recognizes the need for diligent pre cardiac care from pre hospital providers. We are happy to donate updated life saving equipment to the town of Hooksett, New Hampshire. Catholic Medical Center will be happy to purchase the equipment requested and donate it to the Hooksett Fire-Rescue Department. Please contact Lu Mulla at 603-663-7828, to discuss the arrangements for the installation of your new equipment.

Sincerely,

Carolanne O'Sullivan
President
New England Heart Institute Foundation

**AN ORDINANCE RELATIVE TO QUALIFYING HISTORIC BUILDINGS
ORDINANCE 2013-1**

**SECTION 1
AUTHORITY**

This ordinance is adopted pursuant to the authority granted under NH RSA 79-G.

**SECTION 2
PURPOSE**

The purpose of this ordinance is the preservation of certain qualifying historic buildings to protect the knowledge of Hooksett's history, architecture and culture.

**SECTION 3
DEFINITIONS**

"Qualifying historic building" means a building meeting all of the following criteria, as outlined in NH RSA 790G:3 IV.:

- (a) The building is 100 years or greater in age;
- (b) The building is listed on either or both of the National Register of Historic Places or the New Hampshire state register of historic places maintained by the division of historical resources, department of cultural resources;
- (c) The original core structure of the building must have retained a minimum of 75 percent of its original external features and be free of major external alterations or additions;
- (d) The building and appurtenant land are owned by an entity that is not organized for profit; and
- (e) The historical purpose of the building was the retail sale of merchandise, and the building is maintained and actively used for substantially the same historical purpose, which may include the public display of historic artifacts. Further, the building shall not exceed 3,000 square feet of gross finished building area.

**SECTION 4
APPLICATION**

Any building meeting the above definition will be assessed in accordance with, and using the process outlined in, NH RSA 79-G: 4 – 8.

**SECTION 5
SEVERANCE**

In the event that any word, sentence, or section of this ordinance is found to be invalid as a result of judicial or legislative action, the remainder of this ordinance shall remain in full force and effect.

**SECTION 6
EFFECTIVE DATE**

This ordinance shall take effect upon its passage.

ADOPTED 00/00/2013

Town Council Chair

Town Clerk

CHAPTER 203
SB 43 – FINAL VERSION

24Apr2013... 1230h

2013 SESSION

13-0419
10/03

SENATE BILL **43**

AN ACT relative to the property taxation of qualifying historic buildings.

SPONSORS: Sen. Boutin, Dist 16; Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Sen. Fuller Clark, Dist 21; Sen. Gilmour, Dist 12; Sen. Larsen, Dist 15; Sen. Lasky, Dist 13; Sen. Morse, Dist 22; Sen. Odell, Dist 8; Sen. Rausch, Dist 19; Sen. Reagan, Dist 17; Sen. Stiles, Dist 24; Sen. Watters, Dist 4; Sen. Woodburn, Dist 1; Rep. Hess, Merr 24; Rep. Shurtleff, Merr 11; Rep. Kotowski, Merr 24; Rep. T. Walsh, Merr 24; Rep. Todd Smith, Merr 24

COMMITTEE: Ways and Means

ANALYSIS

This bill enables towns and cities to appraise certain qualifying historic buildings at a percentage of market value in order to encourage the preservation of the historic buildings.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 203
SB 43 – FINAL VERSION

24Apr2013... 1230h

13-0419
10/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to the property taxation of qualifying historic buildings.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 203:1 New Chapter; Taxation of Qualifying Historic Buildings. Amend RSA by inserting after
2 chapter 79-F the following new chapter:

3 CHAPTER 79-G

4 TAXATION OF QUALIFYING HISTORIC BUILDINGS

5 79-G:1 Declaration of Public Interest. The general court hereby finds it to be in the public
6 interest to encourage the preservation of certain qualifying historic buildings which are owned and
7 maintained by an entity not organized for profit. These buildings are important in protecting and
8 maintaining knowledge of New Hampshire and American history, architecture, and culture. It is
9 further declared to be in the public interest to prevent the loss of qualifying historic buildings due to
10 property taxation at values incompatible with their usage.

11 79-G:2 Adoption of this Chapter. A town or city may adopt the provisions of this chapter by vote
12 of its legislative body using the following procedures:

13 I. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the
14 question shall be placed on the warrant of the annual town meeting, by the governing body or by
15 petition under RSA 39:3.

16 II. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative
17 body may consider and act upon the question in accordance with its normal procedures for passage of
18 resolutions, ordinances, and other legislation.

19 III. If a majority of those voting on the question vote "yes," the provisions of this chapter
20 shall take effect within the town or city on the date set by the legislative body, or in the tax year
21 beginning April 1 following its adoption, whichever shall occur first.

22 IV. A town or city may rescind the provisions of this chapter in the manner described in
23 paragraphs I-III.

24 79-G:3 Definitions. In this chapter:

25 I. "Assessing official" means the assessing authority of any town, city, or place.

26 II. "Board of tax and land appeals" means the board of tax and land appeals established
27 pursuant to the provisions of RSA 71-B:1.

28 III. "Commissioner" means the commissioner of the department of revenue administration.

29 IV. "Qualifying historic building" means a building meeting all of the following criteria:

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1 (a) The building is 100 years or greater in age;

2 (b) The building is listed on either or both of the National Register of Historic Places or
3 the New Hampshire state register of historic places maintained by the division of historical
4 resources, department of cultural resources;

5 (c) The original core structure of the building must have retained a minimum of 75
6 percent of its original external features and be free of major external alterations or additions;

7 (d) The building and appurtenant land are owned by an entity that is not organized for
8 profit; and

9 (e) The historical purpose of the building was the retail sale of merchandise, and the
10 building is maintained and actively used for substantially the same historical purpose, which may
11 include the public display of historic artifacts. Further, the building shall not exceed 3,000 square
12 feet of gross finished building area.

13 79-G:4 Appraisal of Qualifying Historic Buildings.

14 I. The assessing officials in any municipality adopting the provisions of this chapter shall
15 appraise qualifying historic buildings and the land appurtenant thereto at no more than 10 percent
16 of their market value.

17 II. No owner of a qualifying historic building shall be entitled to have the property appraised
18 for any tax year under the provisions of this chapter unless the owner applies to the assessing
19 officials on or before April 15 of said year, on a form approved and provided by the commissioner, to
20 have the property so appraised. If any owner satisfies the assessing officials that it was prevented
21 by accident, mistake, or misfortune from filing such application on or before April 15, the assessing
22 officials may receive the application at a later date and appraise the property under this chapter; but
23 no such application shall be received after the local tax rate has been approved by the commissioner
24 for that year.

25 III. The assessing officials shall notify the applicant on a form provided by the commissioner
26 no later than July 1, or within 15 days if the application is filed after July 1, of their decision to
27 classify or refusal to classify the property under the provisions of this chapter by delivery of such
28 notification to the owner in person or by mailing such notification to the owner's last and usual place
29 of abode.

30 IV. A list of all qualifying historic buildings assessed under this chapter and their owners in
31 each town or city shall be filed by the respective assessing officials each year. Such list shall be part
32 of the invoice and subject to inspection as provided in RSA 76:7.

33 V. The commissioner shall include on the inventory blank, required under RSA 74:4, a
34 question concerning whether any changes have been made in the use of qualifying historic buildings.
35 The question shall be written to enable the assessing officials to locate qualifying historic buildings
36 and land appurtenant thereto which may require a change in assessment and to fit the context of the

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1 blank.

2 79-G:5 Appeal to Board of Tax and Land Appeals.

3 I. If the assessing officials deny in whole or in part any application for assessment as a
4 qualifying historic building, the applicant, having complied with the requirements of RSA 79-G:4, II
5 may, on or before 6 months after any such action by the assessing officials, in writing and upon a
6 payment of a \$65 filing fee, apply to such board for a review of the action of the assessing officials.

7 II. The board of tax and land appeals shall investigate the matter and shall hold a hearing if
8 requested as provided in this section. The board shall make such order thereon as justice requires,
9 and such order shall be enforceable as provided hereafter.

10 III. Upon receipt of an application under the provisions of paragraph I, the board of tax and
11 land appeals shall give notice in writing to the affected town or city of the receipt of the application
12 by mailing such notice to the town or city clerk thereof by certified mail. Such town or city may
13 request in writing a hearing on such application within 30 days after the mailing of such notice. If a
14 hearing is requested by a town or city, the board shall, not less than 30 days prior to the date of
15 hearing upon such application, give notice of the time and place of such hearing to the applicant and
16 the town or city in writing. Nothing contained herein shall be construed to limit the rights of
17 taxpayers to a hearing before the board of tax and land appeals.

18 IV. The applicant and the town or city shall be entitled to appear by counsel, may present
19 evidence to the board of tax and land appeals, and may subpoena witnesses. Either party may
20 request that a stenographic record be kept of the hearing. Any investigative report filed by the staff
21 of the board shall be made a part of such record.

22 V. In such hearing, the board of tax and land appeals shall not be bound by the technical
23 rules of evidence.

24 VI. Either party aggrieved by the decision of the board of tax and land appeals may appeal
25 pursuant to the provisions of RSA 71-B:12. For the purposes of such appeal, the findings of fact by
26 said board shall be final. Any such appeal shall be limited to questions of law. An election by an
27 applicant to appeal in accordance with this paragraph shall be deemed a waiver of any right to
28 petition the superior court in accordance with RSA 79-G:6.

29 VII. A copy of an order by the board of tax and land appeals, attested as such by the
30 chairman of the board, if no appeal is taken hereunder, may be filed in the superior court for the
31 county or in the Merrimack county superior court at the option of said board; and, thereafter, such
32 order may be enforced as a final judgment of the superior court.

33 79-G:6 Appeal to Superior Court. If the assessing officials deny in whole or in part any
34 application for assessment as a qualifying historic building, the applicant, having complied with the
35 requirements of RSA 79-G:4, II may, within 6 months after notice of denial, apply by petition to the
36 superior court of the county, which shall make such order thereon as justice requires. Any appeal to

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1 the superior court under this section shall be in lieu of an appeal to the board of tax and land appeals
2 pursuant to RSA 79-G:5.

3 79-G:7 Enforcement. All taxes levied pursuant to assessments under this chapter which are not
4 paid when due shall be collected in the same manner as provided in RSA 80.

5 79-G:8 Disposition of Revenues. All money received by the tax collector pursuant to the
6 provisions of this chapter shall be for the use of the town or city.

7 203:2 New Paragraph; Taxpayer Inventory Blank. Amend RSA 74:4 by inserting after
8 paragraph VI the following new paragraph:

9 VII. The blank shall require owners of a qualifying historic building under RSA 79-G to
10 indicate whether any changes in use of the qualifying historic building have been made.

11 203:3 Appraisal of Taxable Property. Amend RSA 75:1 to read as follows:

12 75:1 How Appraised. The selectmen shall appraise open space land pursuant to RSA 79-A:5,
13 open space land with conservation restrictions pursuant to RSA 79-B:3, land with discretionary
14 easements pursuant to RSA 79-C:7, residences on commercial or industrial zoned land pursuant to
15 RSA 75:11, earth and excavations pursuant to RSA 72-B, land classified as land under qualifying
16 farm structures pursuant to RSA 79-F, *buildings and land appraised under RSA 79-G as*
17 *qualifying historic buildings*, residential rental property subject to a housing covenant under the
18 low-income housing tax credit program pursuant to RSA 75:1-a, and all other taxable property at its
19 market value. Market value means the property's full and true value as the same would be
20 appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and
21 consider all evidence that may be submitted to them relative to the value of property, the value of
22 which cannot be determined by personal examination.

23 203:4 Effective Date. This act shall take effect upon its passage.

24
25 Approved: July 9, 2013

26 Effective Date: July 9, 2013