

**TOWN COUNCIL AGENDA  
Regular Meeting  
Wednesday, June 11, 2014**

- 1. 6:30 PM - CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
  - a. Public: May 28, 2014
  - b. Non-public: May 28, 2014
- 5. AGENDA OVERVIEW**
- 6. CONSENT AGENDA**
  - a. Acceptance of donations to Police Department for Bicycle Rodeo: (Target \$25, gift card; Walmart \$75 gift card; Hannaford \$65, 2 cases of apples; BJ's 25, gift card; Cowabungas \$300, passes; Market Basket \$50, water and snacks; Kmart \$100, helmets and bike.
- 7. TOWN ADMINISTRATOR'S REPORT**
- 8. PUBLIC INPUT: 15 Minutes**
- 9. NOMINATIONS AND APPOINTMENTS**
  - a. Steve Couture: Conservation Commission (reappointment)
  - b. Muamer Durkovic: Planning Board – alternate until 2016; ED Advisory (new)
  - c. Ivan Gult: (ED) Advisory (new)
  - d. Frank Kotowski: Planning Board (reappointment); ED Advisory (new)
  - e. Sean McDonald: Recycling Advisory (reappointment)
  - f. Michael J. Simoneau: Zoning Board (reappointment)
  - g. JoCarol (Gau) Woodburn: Conservation Com from alternate to full
- 10. SCHEDULED APPOINTMENTS**
  - a. Hooksett Garden Club
- 11. 15 MINUTE RECESS**
- 12. OLD BUSINESS**
  - a. 14 – 033 Public Hearing and Discussion of changes to Alarm Ordinance
  - b. 14 – 034 Public Hearing and Discussion of Pawn Shop Ordinance
- 13. NEW BUSINESS**
  - a. 14 – 046 Scarpetti Edgewater Drive Proposal
  - b. 14 – 047 Police Chief to discuss purchasing cruisers with funds from this year's budget
  - c. 14 – 048 Finance Director re end of year issues including encumbrances
  - d. 14 – 049 Project Coordinator to discuss to give Performance Management Overview
  - e. 14 – 050 Charge for Council departmental oversight subcommittee
  - f. 14 – 051 Discussion of ambulance collection policy and billing rates
  - g. 14 – 052 Discussion of District Court Lease
- 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, May 28, 2014**

**CALL TO ORDER**

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

**ROLL CALL – ATTENDANCE**

Adam Jennings, Nancy Comai, Robert Duhaime (6:55 pm), Donald Winterton, James Levesque, Susan Orr, Chairman James Sullivan, Dr. Dean E. Shankle, Jr. (Town Administrator)

Missed: David Ross

**PLEDGE OF ALLEGIANCE**

*Recognition of new Eagle Scouts from Hooksett Troop 292:*

Alex Autenrieth – designed and built a changing shelter for town skating rink at Hanna Ho Hee Pond

Colin Burns – designed and built a kiosk at Donati Park for static display items

Congratulations to both!

D. Winterton: Tonight's Hooksett Youth Achiever award winner, Dylan Durazzano is a student at Cawley Middle School. He is being recognized for being VP of his class, active in school and also a budding filmmaker! He has submitted videos to the White House and other national competitions. He created the CMS talent show winning video.

*Presentation of certificate and pin.*

*Moment of silence for Jim Walter*

**APPROVAL OF MINUTES**

a. Public: May 14, 2014

***T. Lizotte motioned to accept the public minutes of May 14, 2014. Seconded by S. Orr. Vote unanimously in favor. T. Lizotte and N. Comai abstained due to prior absence.***

b. Non-public: May 14, 2014

***D. Winterton motioned to accept the non-public minutes of May 14, 2014. Seconded by A. Jennings.***

***Vote unanimously in favor. T. Lizotte and N. Comai abstained due to prior absence.***

**AGENDA OVERVIEW**

Chair Sullivan provided an overview of tonight's agenda.

**CONSENT AGENDA**

a. Release of Maintenance Bond for Rae Brook Farm

***T. Lizotte motioned to accept consent agenda. Seconded by A. Jennings.***

D. Winterton: Have we been plowing or has the association been plowing?

Dr. Shankle: Yes we have been.

***Vote unanimously in favor.***

**TOWN ADMINISTRATOR'S REPORT**

- Attended Golden Age Luncheon w/Councilor Lizotte
- Attended GE function, Sen. Shaheen also attended; GE Aviation is lobbying federal government to bring more work to this plant and create more jobs in Hooksett
- Hooksett Heritage Day was a success
- Went to Access Greater Manchester meeting regarding public/private partnerships; Councilor Winterton to address later
- Working on insurance bid; met with consultant again
- Working on Community Development software; had demo with more info to follow

- First community profile meeting; 5-6 residents attended; UNH facilitated; hoping it leads to Master Plan update. This is a low impact committee to volunteer for; leading up to a workshop in November. 1 meeting in June and 3 or 4 in Sept and October. Way to get involved without a long term commitment.
- Sent letter to state re: bridge work
- Working with all depts. to put together a welcome packet to be handed out at Town Clerk's office and Community Development office
- DPW doing training – confined space entrenched support; OSHA roadway construction, etc. Training is provided free of charge from UNH.
- Hooksett PD sponsoring bike rodeo - working on fundraising and getting donations; current donations will be on an upcoming agenda for approval and acceptance
- Received letter from Dept. of Resource and Economic Development Division of Forest and Land (Forest Management Bureau) requesting to upgrade a portion of Chester Tpke for winter log truck access to complete forest management project in this portion of the park. It has been discussed with DPW director. I'd like permission to get to this to Conservation Commission and if they concur, I'll respond with approval.

***J. Levesque motioned to allow Town Administrator to send letter indicating Council support for the Chester Turnpike upgrade. Seconded by T. Lizotte.***

T. Lizotte: That is the road near Clay Pond?

Dr. Shankle: Yes. The road goes to the right, the gate goes forward and that is the road.

R. Duhaime: That's a state corridor trail for snowmobiles. It ends at the entrance to Bear Brook State Park. The trail is washed out and is all stones. There is a wetland crossing washed out on the Allenstown side so it makes sense to come in on the Hooksett side.

***Vote unanimously in favor.***

R. Duhaime: Have you followed up with Sullivan Tire? Has the Code Enforcement Officer looked into the way they are using the site?

Dr. Shankle: I did bring it up but I will mention it again.

R. Duhaime: They have a mobile home that was supposed to be on site for only one year and it's been almost 2. It's looking like a permanent thing. Before we approve the bond, we might want to remind them to remove that. I attended Dot Robie's church and her funeral will be June 14 at the church. I assume there will be 100's of people. This is a chance for the town to orchestrate it well. Can we put a flag on a fire truck in the center of town? Police detail? We need Council support so I thought I'd bring it up for discussion as it will be too late at the next meeting. It will be at the Congregational church in Hooksett.

Dr. Shankle: Yes I can sit down and talk with police and fire.

R. Duhaime: They are coming in from Heads Cemetery to the church. I'm assuming there will be some dignitaries and a lot of people at this funeral.

J. Sullivan: Would it be appropriate to have the town flags lowered to half-staff for the day?

T. Lizotte: I think we should allow the Town Administrator to come up with something appropriate within the constraints of time and money.

***Consensus to assist in any way Council can.***

D. Winterton: Who is heading up the organizing?

R. Duhaime: I can mention it to her son and daughter as a point of contact for Dr. Shankle.

J. Sullivan: The Boeing program, I assume it is encouraging the federal government to extend that contract. Can we as a Council send a letter in support of any contracts sent to the Hooksett GE plant?

T. Lizotte: I think we can send it to our state reps in Congress.

***Consensus to have Town Administrator write a letter on behalf of Council encouraging support of extending the contract.***

T. Lizotte: Back to Mrs. Robie's funeral, I'd like to add that we allow Town Administrator to do what's possible with the understanding that there might be limitations because of logistics and with respect to the wishes of the family. We should understand that our town employees can only do so much.

***Consensus to, if possible, have town flags lowered to half-staff on June 14 in honor of Mrs. Robie.***

J. Sullivan: June 4 at 4:00 pm, the Garden Club is having a ceremony at upper Donati Park – installing plaque in front of memorial tree. They are looking for Councilors to attend.

T. Lizotte: June 14 is also championship day for HYAA so we might want to ask Town Administrator to discuss with police as there will be a lot of people in this area.

#### **PUBLIC INPUT: 15 Minutes**

Jodi Pinard, 11 Morningside Drive: I am Conservation Commission secretary, and I've sat with Jim Walter since 2007. Hooksett has so many amazing volunteers and staff that deserve a thank you. Jim had cancer twice and lost his battle. He was a testament to his commitment to this town. He still came, he still served, he always listened, and was always positive. I just wanted to say thank you because I appreciate what you do, the employees sitting here and the police and fire personnel who protect us everyday. I would hope you would return it to your employees and volunteers as well.

Dr. Shankle: We do have our annual volunteer appreciation day planned for June 28. We are currently planning that now.

J. Sullivan: I think the Council appreciates everyone who serves whether they work for a department or serve on a committee.

#### **NOMINATIONS AND APPOINTMENTS**

a. Cemetery Trustee: Denise Cascio Bolduc

Dr. Shankle: Mike Horne was hoping Denise Cascio Bolduc could be appointed immediately so they could start working. She is taking the position as of July 1. Town Charter states that if there are openings in elected positions, you are able to appoint.

***S. Orr motioned to appoint Denise Cascio Bolduc as Cemetery Trustee until June 30, 2014 according to section 11.4 of Town Charter. Seconded by T. Lizotte.***

S. Orr: When we have a vacancy on the Council we ask people to volunteer and we appoint. This is also an elected position so I think the same rules would apply.

J. Sullivan: If someone resigned their elected position, we'd follow standard procedures of posting. Since this person was elected to start as of July 1, I think we are all set.

A. Jennings: Was there a third person at one time? If so, we need to nominate and appoint until July 1.

Dr. Shankle: She is elected as of July 1, but they want her to start sooner.

***Vote unanimously in favor.***

#### **SCHEDULED APPOINTMENTS**

a. Fire Chief re ambulance finances

Chief Williams, Assistant Chief Jore, Hooksett Fire Department

Dr. Shankle: Council will be discussing ambulance write offs in non-public because you can't find the people. Can you explain the process?

Chief Williams: There are a group of people we were unable to contact (we have exhausted all sources). Our collection policy doesn't address that so we might want to put something in addressing the people that collections can't find. I'd recommend writing it off since there is no way of finding these people.

J. Sullivan: Is that a recommendation we add in to make it clear?

Chief: We could put something in there or do it on a case by case basis.

***Consensus to have Town Administrator and Fire Department to look into seeing if this should be added. If so, it will be added as a future agenda item.***

T. Lizotte: I'd like to ask Town Administrator to look to see if there is any data collection that can be done on the front end for tracking.

Chief: We ask for name, address, other contact info. We get cut sheets from hospitals also. This is when they are in the hospital. They get a bill sent and the address is not valid. They can't be located. Comstar says it's pretty common. They may have given a false address at the hospital. I can do more research to see what they recommend.

N. Comai: On average, how much is written off in a year?

S. Orr: Write off is referring to specifically uncollected funds, not what Council agreed not to collect?

Chief: Correct. This is uncollectable because the people can't be contacted.

Dr. Shankle: Bad address write offs since 9/3/11 is \$12,394.

N. Comai: In a 3-year time period it's \$12,000. I'd say it's a minimal amount of money. Would you think it's high enough to reevaluate how we confirm addresses?

Chief: I'd say it's a small percentage.

A. Jennings: \$12,000 over 3 years – how many more man hours will it take to find the people and how many would be in a hardship situation and we'd write it off anyway. At some point, we have to cut our losses.

S. Orr: That's an average of \$3,000/year over the 4-year period (\$250/month); if I extend your 2014 figures and assume an average monthly cost, it's an average ambulance fee billing of \$285,000 and \$250 of that is a write off. I'd say put it in the policy under collection process; add another bullet saying "in the event all collection procedures are exhausted, it would be written off."

J. Sullivan: I think we put the policy change on a future agenda to discuss and provide correct wording.

N. Comai: I believe you'd still need to come before Council to ask for a write off as it's not a department head's purview to write things off. We can add the bullet but you still need to come before Council.

Chief Williams: I spoke to Councilor Winterton and Dr. Shankle to find out what you were looking for in terms of the ambulance special revenue fund. Here is a brief overview of how the system works. 2007 – first ambulance went into service (TriTown) and also when the first collection policy was put into place and billing rates were established. In 2011 voters approved special revenue account for ambulance and it went into effect January 2012. Revenue goes in and bills related to ambulance are paid out of this fund. The budget summary spreadsheet reflects where the revenues are seen going into the account, tracked monthly and where expenses are paid from. In 2012, there was some discussion about what it costs to operate the ambulance. We spoke with Councilors Lizotte and Comai (on a subcommittee) and came up with formulas on what it cost to operate the ambulance. It went into effect 11/1/12, based on 3 hospitals we transport to and 4<sup>th</sup> formula is non-transport. Finance takes ambulance report monthly and runs a

report with transport vs. non-transport and figures if it's close to our estimations. It seems to work pretty well both with the formulas and the monthly reports sent to finance. Page 4 is what our billing fees are compared to other area towns. Our billing rates are low comparatively and I think we need to look at that sometime in the future to become a little more competitive. BLS is a basic call with no IV, medication administered, very basic call. ALS-1 is EMTA's – starting line, hydrating and ALS-2 is paramedic service starting IV's, administering narcotics, etc. These are just levels of service we provide. Revenue goes in and expenditures go through it, including capital expenses.

D. Winterton: How are our costs determined on the 2013 rate spreadsheet?

Chief: These are the rates that were established in 2007. The rates were Medicaid/Medicare plus 10%. That is a common practice in all ambulance billing services. AMR rates are Medicaid/Medicare plus 150%. Insurance companies pay whatever you bill whereas Medicaid/Medicare only pay what they pay.

D. Winterton: The formulas you came up with, is \$19.18 still current considering salary and benefits?

Chief: Yes, this is the average firefighter rate. All benefits are factored into that rate.

D. Winterton: How is the OT amount calculated?

Chief: We try to keep minimum staffing at 7. If we are at 7 all the time, it works. Optimum staffing would be 8 per shift. On a week to week basis it varies so we are using some of this money to keep our staffing at 7.

D. Winterton: If you only have 6 staff on, to bring a 7<sup>th</sup> person on, it's billed to ambulance?

Chief: Yes. If it's on a shift that we need to keep staffed.

D. Winterton: What does OT cover?

Chief: Contractual things like vacation, holidays, etc.

D. Winterton: It's only billed to ambulance after you've got 6 on the contractual stuff?

Chief: Yes. Contract says minimum staffing is 6, but we're trying to stay at 7.

J. Sullivan: There are no dedicated positions to ambulance services?

Chief: Everybody rotates on the ambulance.

J. Sullivan: So based on that there should be more than OT. If you have people dedicated, even though rotating, wouldn't base pay be part of ambulance fees and that can be subtracted from the cost of the position?

Chief: Nobody was hired; everyone was cross trained on the ambulance. To charge a wage to it, we never hired any employees when we took it over.

J. Sullivan: Regular shift pay, even though people are rotating on the ambulance, why can't we take that cost out of operating cost?

Chief: We do with the formulas. The average base rate is used to figure out if what we're hiring consistent with what it cost to run the ambulance.

J. Sullivan: Why isn't the regular pay on the expenses? It only talks about overtime.

C. Soucie: If we called it wages and personnel, it would equal the same amount as what we are paying for OT. The formula makes sure that what we are charging for overtime is consistent with hiring 2 employees to run the ambulance based on the number of runs actually incurred.

Dr. Shankle: Revenue takes into consideration what people cost. We are not expensing normal salaries for people working the ambulance to the ambulance special revenue fund; it's in the budget for firefighters.

C. Soucie: In February, \$2600 was the OT amount paid. There is a formula that applies the runs each month and applies the formulas and is consistent on a yearly basis that the amount charged to OT is equivalent to hiring 2 people and we were paying regular wages vs. OT. It's based on the number of runs per month. It averages out over the whole year.

Dr. Shankle: You're saying if you need to pay 2 people 24hrs/day it would cost a lot more. Christine is saying if you consider you are paying firefighters and you only charge the time they are running the ambulance, it's covered. If you didn't have firefighters and you had to pay ambulance, it would be a lot more.

R. Duhaime: If you look at this sheet you see 132 calls. How many calls included an actual fire? The point is fire service is changing. You are trying to get 2 services out of one department. Has it been profitable in any of the years?

Chief: All our bills are paid and there is \$250,000 in the fund.

R. Duhaime: Why are we paying OT? These EMS calls are more and more part of what the department is doing and less about fires. We need to manage it the other way and put OT into the fire department if it's a large part of your work. If you could run more efficiently the town could save money and maybe hire the 8<sup>th</sup> person.

Chief: We do need to look at increasing our fees. We've always done a lot of medical calls. I'm sure you will see more calls with the Affordable Care Act.

R. Duhaime: Councilor Lizotte has mentioned thoroughly going through each department and looking at the efficiency and I think this is the perfect place to start.

Chief: We are not paying for the service – I'm not budgeting \$250,000 for this service. As a taxpayer, I think we are getting a great bang for our buck. The service is staying ahead of itself. We can absolutely collect more.

T. Lizotte: It needs to be fully loaded to understand what it is – if 132 calls, that has to be equated to 132 times number of hours. Calculation of fees, if fully loaded, we might break even. It's not clear that it's break even. I know we got some data last year or so and it reflected more medical calls and that needs to be reflected in the budget. I don't like this fund or the fact we don't reflect 100% loaded and it's not transparent. I want to make sure the budget reflects clear and straight facts.

Chief: It's fully loaded as far as when the ambulance is operating. It's not 24/7. It's a good formula.

T. Lizotte: On the fees (Medicaid plus 10%) I figure maybe 20% and you say 50% operating income. I believe it's slightly under water and needs to be fully loaded.

***T. Lizotte motioned to create a safety subcommittee to take a look at this more closely.***

T. Lizotte: You had concerns about HIPAA in terms of creating data sets on a map indicating where calls were placed, correct?

Chief: No, I forwarded maps, at your request, last year on where the calls where.

Dr. Shankle: Are there issues indicating which are fire calls and which are EMT calls?

S. Orr: It seems we have a lot information and numbers that need clarifying. I think we should get this going and move it along.



N. Comai: I could look at this two ways: subcommittee or as another service that the fire department offers as you do with a tanker or boat. I'm kind of on the fence, but I'm all about efficiencies. The scope of the subcommittee would be to see if it is self-sufficient or not and go from there.

D. Winterton: What process is required to change these rates we charge? We are talking about reimbursed services. I'm disappointed they haven't been adjusted since 2007. The fact that we are about 60% of what Goffstown gets for mileage, I think they should be adjusted tomorrow. For residents that don't have the ability to pay, we can waive fees for hardships. We should be billing at least what an average area rate is, if not more, because of our superior service.

A. Jennings: I concur that we need to adjust fees. I like the idea of the fund being self-sufficient, preventing town taxes from increasing. I'd like to see the subcommittee.

Dr. Shankle: Combine the two motions and make that the part of the charge of the subcommittee. It makes sense for the committee that is looking to see what is going on to recommend fees.

R. Duhaime: I'm surprised that it's not reviewed every so often so formulas and figures are transparent. There isn't anything like this town-wide regarding fee review.

Chief: There was a proposal a few years ago to do that but Council didn't want to increase fees due to the slow economy. They do need to go up but we're not super low but we can stand to institute an increase.

N. Comai: I'm getting 2 vibes – that the fees can be changed by this group in a matter of moments. With July 1 coming up, I'd suggest we refrain and ask Chief Williams and Christine to get together and present some updates to the fees at our next meeting that we can vote on. The committee needs to do more than that.

A. Jennings: We should consider making a semi-permanent subcommittee to continuously review departments.

T. Lizotte: I think it's an easy thing to do: fully load it, and determine if it is a break even enterprise. You have to understand it first to figure costs before you can create any fee change. I say we create the committee and ask Christine for the information. My reason for the committee is to get data on what calls are, where the calls are and get clarification on that data. We should be able to understand what the fully loaded costs are.

***D. Winterton motioned to ask the Town Administrator to direct the Fire Chief to come back at the next Town Council meeting with a revised fee schedule to vote on. Seconded by N. Comai.***

***T. Lizotte amended the motion to include that the Town Administrator develop, through the departments, a revised spreadsheet which takes into consideration fully loaded labor and any other ancillary costs of the ambulance service such that it reflects what the true cost is of the ambulance service. Seconded by A. Jennings.***

T. Lizotte: I want to separate it out because that if they can get that first step then the subcommittee can take a look at it. However, I like Adam's idea of something more generic that can go step by step. I'd request he consider developing a charge and forming that subcommittee for the next meeting.

D. Winterton: I'd like to ask the Town Administrator if data can be generated in 2 weeks.

Dr. Shankle: What do you mean by fully loaded?

T. Lizotte: If there are 132 calls and that equates to 160 hours, that 160 x 18 should be reflected in the budget so there needs to be a labor line not just OT line. The only reason I added ancillary things, I'm not certain the budget captures all the equipment expenses (maintenance, medical supplies, etc.). If it's not, that's OK; I just want it to be clear.

J. Sullivan: You want all costs associated with the ambulance (benefits, OT, repairs, etc.) to run a stand-alone ambulance service?

T. Lizotte: Get as close as you can, acknowledging that certain things may need more time to be vetted.

Dr. Shankle: The time that the firefighters are on an ambulance call, that is what we do now and those costs are being covered and we still have \$250,000. If you didn't have firefighters you'd have people sitting there waiting for an ambulance call. We are capturing that and we have \$250,000. If we look at the fees, what do you want us to raise them to?

T. Lizotte: You're saying it only cost \$6300 in labor costs in July to run the ambulance service?

Dr. Shankle: Finance director is nodding yes.

J. Sullivan: If we took the 132 calls and divide that into the April figures of \$5600, which is very low.

Dr. Shankle: Yes I think we can provide the info in 2 weeks.

***Vote unanimously in favor.***

***Vote unanimously in favor.***

D. Winterton: Is it possible to run this report as ambulance fully funded and charge for fire calls?

Dr. Shankle: That would be a great exercise for the committee to do.

J. Sullivan: We will have a report and look at possible increased fees. Now the committee – is it revolving throughout departments – or should we focus on this task?

***A. Jennings motioned for a department review subcommittee be formed starting with safety and working their way through other departments as instructed by Town Administrator. Seconded by T. Lizotte.***

***Vote unanimously in favor.***

S. Orr: I think you need consistency with the same people who have been there from meeting to meeting.

J. Sullivan: We have 5 people and we need 3. I'm going to appoint Mr. Lizotte, Mr. Jennings and Ms. Orr as the committee with Mr. Duhaime as alternate and Administration and each department as ad hoc advisors.

Dr. Shankle: Can I ask that you have a specific charge in mind when you go in to be clear to the department heads?

J. Sullivan: The committee will establish that.

T. Lizotte: We are limited as we have to go through the Town Administrator and we can't go direct.

J. Sullivan: We request that the committee bring the charge to Council at our next meeting.

b. Finance Director re quarterly finance report

Christine Soucie, Finance director

C. Soucie: Third quarter ended 3/31/14; total operating budget we are at 72% - consistent with last 3 years. In the current year ('13-'14) we had increases in NH retirement and the revaluation. '12-'13 was a level year and '11-'12 had the last year of Safety Center and Petersbrook. Revenue – 85% collected; smaller budget amount due to no exit 10 bond release. We anticipate funds to return from Family Services, Police, and Recycle & Transfer. DPW is area of concern. Administration is 86% spent which is where it's supposed to be. This includes legal services that were moved over from police which helped that budget. We had a lot of expenses regarding IT/computer areas this year. Fire rescue is trending

where they are supposed to be. Historically, they keep pace with their budget. Police is about where they've been previously – they normally return at the end of the year.

R. Duhaime: The Little Angels settlement went through Administration?

C. Soucie: Yes, it was a legal settlement. DPW had a tough 3<sup>rd</sup> quarter (Jan to March). Salt and sand line was over by \$140,000. They had high OT costs and because of that they are not going to be paving the second half of the year. We are watching them weekly to make sure they stay on budget and it looks like it will. Vehicle maintenance is an area all departments are struggling with. We haven't put a lot of new vehicles in the system and maintenance is getting more expensive. Recycle & Transfer is 62% spent and trending on track over prior years. We anticipate they will return funds. Because we've defaulted the last couple of years, tipping fees haven't corrected itself, but going forward we'll get some good numbers to compare budget to actuals to.

J. Sullivan: You indicate paving will be deferred 6 months on our schedule. Is it possible that if we have funds available from police and Recycle & Transfer, we can authorize those funds be transferred to highway to get roads paved?

Dr. Shankle: We are looking at that but the budget committee did put \$50,000 in paving over and above what you approved so they have a bit more money anyway.

C. Soucie: Revenues – we are seeing good numbers in motor vehicle registration (79% spent) and we anticipate exceeding again. The average car is 11 years old so people will be replacing their vehicles. Interest and penalties comes from liening properties and that doesn't happen until April so these numbers are not accurate as of today. I anticipate meeting budget expectation. Building permits – at 122% collected. Some large projects (Kohls renovation and rest area) brought in a lot of electrical permits. State revenue is 94% collected – on track. (I think meals and rooms is increasing in 2 years). Other revenues collected are over budget.

J. Levesque: Construction monitoring – is that what DPW is taking over from Stantec?

C. Soucie: Yes. It's over what we anticipated collected.

T. Lizotte: Any projection on return of budget?

C. Soucie: I haven't looked at all the budgets but I anticipate we will be returning.

T. Lizotte: We didn't offset taxes last year or the year before.

C. Soucie: I anticipate the fund balance to go up. Overage from revenues will increase fund balance and underspent will increase the balance. I anticipate we should have money available to apply to the tax rate. Anything over the goal would automatically go to the tax rate.

J. Sullivan: We can schedule that discussion on tax relief for our last meeting in June.

T. Lizotte: I'm not into encumbering so we want to make sure if we are over 7%, I'd like the board to consider offsetting taxes.

C. Soucie: That might be a little premature as we haven't run all June expenses so it might be best to do it in July. Encumbrances have to be addressed in June. Applying money to the tax base can be discussed in July or August.

R. Duhaime: Regarding the meals tax – is that itemized separately?

C. Soucie: Meals and rooms is based on population not traffic.

Dr. Shankle: We are looking at things we talked about doing last year but we've held off because of the default budget. I asked departments to look at things to increase efficiencies. Software modules are going to be needed. We will look at encumbrances individually.

## 5 MINUTE RECESS

### OLD BUSINESS

#### a. 14-041 Property Liability Contract Proposals

Dr. Shankle: Reminder that the consultant came in and went over 3 proposals. We did some tweaking and now we have a recommendation.

C. Soucie: Workers comp/unemployment – Primex was the lowest and they are known to be proactive and offer a lot of services. They would expect the town to participate in the Best Doctors Program and TAD which we do. Best Doctors is a group that works closely with the insurance company, but the employee makes the ultimate decision on going to their primary or the best doctor.

***J. Sullivan motioned to authorize the Town Administrator to enter into 1-year contract with Primex for Unemployment and Workers Comp Insurance. Seconded by T. Lizotte.***

S. Orr: Did you mention posting training for employees as well?

C. Soucie: Yes, Primex would provide training on preventing workplace accidents, as well as offering the Best Doctors Program.

S. Orr: Is there a requirement that the town attends a minimum number of trainings?

C. Soucie: No.

R. Duhaime: We can get a discount on multiyear policies. There were different bundles.

C. Soucie: Yes, but I recommend not bundling. These are all one-year contracts because we aren't bundling.

### Roll Call

S. Orr – Yes

A. Jennings – Yes

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

J. Levesque – Yes

T. Lizotte – Yes

J. Sullivan – Yes

### ***Vote unanimously in favor.***

C. Soucie: For property liability I recommend Travelers at \$219,275. We are working with Davis and Towle and Travelers on deductibles. They lowered the employment related practice deductible from \$50,000 to \$15,000 that starts when a claim is filed from the town and we won't submit a claim unless we get a lawsuit from an employee. Last 5 years, we averaged 2/year (including the police department) so excluding that we'd be at about 1/year. Even though \$219,000 is \$10,000 less than the next quote, \$30,000 gets eaten up on the deductible. Travelers' loss control would provide services to town. They would review our employee related practices and work with the town to see if there were any changes that could help mitigate some of these losses. Their legal staff would also be available for inquiries. I recommend signing a one-year contract with Travelers.

***T. Lizotte motioned to sign a one-year contract with Travelers. Seconded by S. Orr.***

D. Winterton: Is the \$30,000 in deductibles being kept in a separate account in anticipation of use?

C. Soucie: No because if we have \$300,000 budgeted and pay \$219,000 in premiums, we have \$81,000 in excess to cover the deductibles.

**Roll Call**

T. Lizotte – Yes

S. Orr – Yes

A. Jennings – Yes

N. Comai – Yes

R. Duhaime – Abstained due to conflict as Davis & Towle is his current insurance provider

D. Winterton – Yes

J. Levesque – Yes

J. Sullivan – Yes

***Vote unanimously in favor.***

b. 14-042 Discussion Other Ordinances Town Charter/Town Council Rules of Procedure  
J. Sullivan: There was an issue regarding how to adopt ordinances and it was suggested to change rules of procedure (section 12).

***T. Lizotte motioned to adopt new Town Council Rules and Procedures sections 12 A and B, covering the procedures concerning the adoptions of ordinances pursuant to section 3.6 of the Town Charter. Seconded by R. Duhaime.***

***Vote unanimously in favor.***

c. 14-043 Discussion on Results of Town Elections: MS-2  
***N. Comai motioned to authorize the Town Council to sign the 2014-2015 MS-2 Report of Appropriations Actually Voted with a total of \$17,402,094. Seconded by A. Jennings.***

***Vote unanimously in favor.***

**NEW BUSINESS**

a. 14-045 Town Council 2014-2015 schedule  
***R. Duhaime motioned to approve the Town Council 2014-2015 schedule. Seconded by J. Levesque.***

S. Orr: Can I verify that it's still the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays.

D. Fitzpatrick: Yes, except the items in blue.

S. Orr: What is the workshop on the 30<sup>th</sup>?

Dr. Shankle: I'd like to get a feel for things you'd like to talk about (things that take a longer time) when we're not pressed for time with other items.

***Vote unanimously in favor.***

**SUB-COMMITTEE REPORTS**

T. Lizotte: Nothing to report.

J. Levesque: Transfer Committee – Diane is getting bids on a small truck; disappointed she can't get the same arm assembly so the parts we have won't fit. Discussed rules for disposing of items at the site (cardboard, etc.) to govern what goes on at the site. She will be bringing changes to the policy to Council.

D. Winterton: Planning met and had a long discussion about the Scarpetti land on the other side of the river. They will come to Council at some point. SNHU came with proposals on the CB Sullivan buildings on Alice Ave to make one building offices that are part of the online program and the other building for band/chorus to practice. It was rejected - waivers for one year were voted down by a close margin. I think they will be back on the agenda soon as the engineering firm didn't have answers to a lot of questions. Development in Manchester off Smyth Rd. - 80 home parcel going in behind Fox Hollow that will exit on Smyth Rd. close to Mammoth. That has regional impact with Hooksett so we are able to attend meetings as abutters. We may attend some Planning Board meetings in Manchester for that. Dr. Shankle, JoAnne

Duffy and I attended a meeting at Manchester Chamber of Commerce on public/private development. It was a 3-person board with developers Steve Dupree and Dick Anagnost and Sen. Boutin. Developers said it's good to come to a town that gives you answers right away. They are happy we are employing a town engineer and liked that everyone is on the same page.

J. Sullivan: Heritage Commission met – Heritage Day was successful and had good turnout. Old Town Hall was opened up to see tin ceiling. We are selling t-shirts and coffee travel mugs as fundraisers. We will have Family Feud June 12 – funds going to town Hall.

Dr. Shankle: Items for purchase are in Town Clerk's office.

J. Sullivan: Looking at the placement of POW chair. Old Town Hall is meeting on Monday to discuss what the committee wants the architect to do.

N. Comai: Municipal Retention Policy Committee will come to Council in the next 3 meetings with an updated policy including feedback from department heads. They have made a tremendous amount of progress in a short amount of time. Kudos to Todd Rainier and the rest of the committee.

S. Orr: Nothing to report.

R. Duhaime: Memorial Day parade was nicely attended. The grass was well manicured and was the nicest the park has looked that I can remember which makes the town look good. It seems to get larger every year and weather was great.

A. Jennings: Parks and Rec met - HYAA reported spring sports opening day on May 10 was a success; football registration is open; update to recreation 5 year plan workshop is set for July 15 at 7 pm in place of regular meeting.

#### **PUBLIC INPUT**

None

#### **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.

***J. Sullivan motioned to enter non-public session at 9:20pm. Seconded by T. Lizotte.***

#### **Roll call**

J. Levesque – Yes

T. Lizotte - Yes

S. Orr - Yes

A. Jennings – Yes

N. Comai - Yes

R. Duhaime - Yes

D. Winterton – Yes

J. Sullivan - Yes

***Vote unanimously in favor.***

**5 minute recess.**

***J. Sullivan motioned to extend the meeting at 9:30pm to 9:40pm. Seconded by T. Lizotte.  
Vote unanimously in favor.***

***S. Orr motioned to exit non-public at 9:40pm. Seconded by T. Lizotte.  
Vote unanimously in favor.***

***S. Orr motioned to seal the non-public minutes of 5/28/14. Seconded by D. Winterton.  
Vote unanimously in favor.***

***S. Orr motioned to adjourn at 9:40pm. Seconded by A. Jennings.  
Vote unanimously in favor.***

Respectfully Submitted,

Tiffany Verney

*Nominations & Appointments*

**AGENDA NO.**

**DATE:** 6/11/14

**TOWN OF HOOKSETT**  
**AVAILABLE APPOINTED POSITIONS FOR FISCAL YEAR 2014-2015**

**CONSERVATION COMMISSION**

- (2) Full Members, exp. 6/2017
- (1) Alternate Member, exp. 6/2017

**ECONOMIC DEVELOPMENT COMMITTEE**

- (3) Full Members

**HERITAGE COMMISSION**

- (2) Full Members, exp. 6/2016
- (1) Alternate Member, exp. 6/2017
- (1) Alternate Member, exp. 6/2015

**PARKS & RECREATION ADVISORY BOARD**

- (2) Full Members, exp. 6/2017

**PLANNING BOARD**

- (2) Full Members, exp. 6/2017
- (1) Alternate Member, exp. 6/2017
- (1) Alternate Member, exp. 6/2016

**RECYCLING & TRANSFER ADVISORY COMMITTEE**

- (2) Full Members, exp. 6/2017

**SOUTHERN NH PLANNING COMMISSION**

- (1) Full Member, exp. 6/2018

**TOWN HALL PRESERVATION COMMITTEE**

- (4) Full Members

**ZONING BOARD OF ADJUSTMENT**

- (2) Full Members, exp. 6/2017
- (1) Alternate Member, exp. 6/2017

These are unpaid volunteer positions. If interested in being nominated for an appointed position, please fill out the volunteer application form and send it to:

Town of Hooksett, Administration Department, 35 Main Street, Hooksett, NH 03106.

Nominations will be on the June 11, 2014 Town Council agenda





# Town of Hooksett

## APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: August 9, 2012

Name: Steven M. Couture Phone: 603-485-8028

Address: 6 Pleasant Street Unit C8

Email Address: stevedeb4@comcast.net

Signature: Steven M. Couture -signed via email submittal

\*\*\*\*\*

**Return completed form to:** Town of Hooksett, 35 Main Street, Hooksett NH 03106,

Attn: Evelyn F. Horn, Administrative Assistant or email to [ehorn@hooksett.org](mailto:ehorn@hooksett.org).

\*\*\*\*\*

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

### **BOARDS, COMMISSIONS & COMMITTEES**

- Conservation Commission
- Economic Development Study Committee
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board
- Police Commission (Requires at least 5 years residency and copies of MV and Criminal Records)
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify.)

How long have you been a resident of Hooksett?

1971 (with a break for college and military service)

Why are you seeking this position?

To continue my service to Hooksett

Do you have any specific goals or objectives?

Science based environmental management

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

1999-Present

Environmental Program Manager - NH Department of Environmental Services

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

None

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

University of New Hampshire

BS: Environmental Conservation

Master Public Administration

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

Conservation Commission: 1999-Present

High School Committee: 2008; 2011-2012



# Town of Hooksett

## APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: December 30<sup>th</sup> 2013  
Name: MUAMER DURAKOVIC Phone: 603-540-9979  
Address: 124 MAMMOTH RD #18, HOOKSETT, NH 03106  
Email Address: Durakovic87@gmail.com  
Signature: Muamer Durakovic

\*\*\*\*\*

**Return completed form to:** Town of Hooksett, 35 Main Street, Hooksett NH 03106,  
Attn: Administration Department or email to [krosengren@hooksett.org](mailto:krosengren@hooksett.org)

\*\*\*\*\*

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

### BOARDS, COMMISSIONS & COMMITTEES

- Conservation Commission
- Economic Development Study Committee
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify)

How long have you been a resident of Hooksett?

November 2008 - Present

Why are you seeking this position?

I want to get involved and help out my community and to network since I am a recent graduate from SNHU, M.S. in International Business.

Do you have any specific goals or objectives?

Make Hooksett a town for other towns to look at and try to copy us and our ideas.

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

I've lived in four different countries with all kinds of different cultures. I understand people and have been an influential public figure in the Bosnian community for the past 10 years.

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

None

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

M.S. in International Business from SNHU 2013  
Coordinator at a high school in Amsterdam, Holland  
Internship in international trade and customs in Ankara, Turkey.

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

N/A



# Town of Hooksett

## APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: January 8<sup>th</sup>, 2011  
Name: Ivan Gult Phone: (603) 361-5577  
Address: 19 Virginia Court, Hooksett, NH 03106  
Email Address: ivan.gult.19@yahoo.com  
Signature: *Ivan Gult*

\*\*\*\*\*  
**Return completed form to:** Town of Hooksett, 35 Main Street, Hooksett NH 03106,  
Attn: Administration Department or email to [krosengren@hooksett.org](mailto:krosengren@hooksett.org)  
\*\*\*\*\*

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

### BOARDS, COMMISSIONS & COMMITTEES

- Conservation Commission
- Economic Development Study Committee
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify)

How long have you been a resident of Hooksett?

- About 7 years

Why are you seeking this position?

- I currently volunteer at eme, and I enjoy helping. I like Hooksett very much, and would like to help as much as I can. With more time in my

Do you have any specific goals or objectives?

- Help as much as I can help more, as I can schedule this spring,

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

- I am a team-player. I am easy to work with. I am a good multi-tasker, communicate well with others. I am not afraid to talk in public or <sup>with</sup> people. I don't know I have many other little skills I can

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

- None at the moment

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

- I am a student at St. Anselm College, I volunteer at eme Hospital (off-site) and I do a lot of work at my church

use to help such as being fluent in English, Ukrainian and Russian as well as good computer skills

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

- None



# Town of Hooksett

## APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: MAY 27, 2014  
Name: FRANK R. KOTOWSKI Phone: 603-485-9579  
Address: 21 PLEASANT ST., HOOKSETT, N.H. - 03106  
Email Address: frkotowski@comcast.net  
Signature: Frank R. Kotowski

\*\*\*\*\*

**Return completed form to:** Town of Hooksett, 35 Main Street, Hooksett NH 03106,  
Attn: Administration Department or email to [krosengren@hooksett.org](mailto:krosengren@hooksett.org)

\*\*\*\*\*

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

### BOARDS, COMMISSIONS & COMMITTEES

- Conservation Commission
- Economic Development Study Committee *4th term*
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board *Re appointment for a full term*
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify)

How long have you been a resident of Hooksett?

SINCE 1977 SAME LOCATION

Why are you seeking this position?

TO CONTINUE PROVIDING INPUT THAT ASSISTS THE TOWN WITH MAINTAINING & PRESERVING PROPERTY VALUES & BUILDING STANDARDS

Do you have any specific goals or objectives?

TO WORK HARMONIOUSLY WITH OTHER MEMBERS

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

PAST TIME ON THE BOARD, 3 TERM STATE REPRESENTATIVE

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

NONE

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

KIWANIS CLUB, ACTIVE MEMBER SINCE INCEPTION

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

FORMER TOWN COUNCILOR  
CURRENT STATE REPRESENTATIVE  
PAST P+R ADVISORY BOARD  
CURRENT PLANNING BOARD LIASON TO CONS COMM.

ENOUGH SAID!





# Town of Hooksett

## APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted:

\_\_\_\_\_ 6/4/14 \_\_\_\_\_

Name: Sean McDonald Phone: 603-540-2703

Address: 13 Springwood Dr

Email Address: seanmcdonald30@hotmail.com

Signature: Sean McDonald SM

\*\*\*\*\*

**Return completed form to:** Town of Hooksett, 35 Main Street, Hooksett NH 03106,

Attn: Administration Department or email to [krosengren@hooksett.org](mailto:krosengren@hooksett.org).

\*\*\*\*\*

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

### **BOARDS, COMMISSIONS & COMMITTEES**

- Conservation Commission
- Economic Development Study Committee
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify.)

How long have you been a resident of Hooksett?

6-Years

Why are you seeking this position?  
Board Member for Transfer Recycling Board

Do you have any specific goals or objectives?

To improve waste removal in town, and find ways to increase recycle rates

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

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

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

Please list any current/prior Town board membership and the dates of service:  
Transfer/Recycle Board Member 2012-2014



# Town of Hooksett

## APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: May 27, 2014  
Name: Michael J. Simoneau Phone: Cell: 603-703-6631  
Address: 369 Hackett Hill Rd. Hooksett, NH  
Email Address: mjsimoneau@gmail.com  
Signature: Michael J. Simoneau

\*\*\*\*\*

**Return completed form to:** Town of Hooksett, 35 Main Street, Hooksett NH 03106,

Attn: Administration Department or email to [krosengren@hooksett.org](mailto:krosengren@hooksett.org)

\*\*\*\*\*

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

### BOARDS, COMMISSIONS & COMMITTEES

- Conservation Commission
- Economic Development Study Committee
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify)

How long have you been a resident of Hooksett?

Seven years.

Why are you seeking this position?

Hoping to serve another term on the ZBA.

Do you have any specific goals or objectives?

To continue to be a contributing member of the Hooksett ZBA.

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

30+ years in banking, mostly with real-estate and commercial lending.

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

None.

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

I am currently a ZBA member.

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

None.

Thank you.  
Michael Simoneau



# Town of Hooksett

## APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: 08/21/2012 For reappointment 05/27/2014

Name: JoCarol (Gau) Woodburn Phone: 603-232-0864

Address: 24 Farrwood Dr, Hooksett, NH 03106

Email Address: jocarolg@gmail.com

Signature: JoCarol Woodburn

\*\*\*\*\*

**Return completed form to:** Town of Hooksett, 35 Main Street, Hooksett NH 03106,  
Attn: Evelyn F. Horn, Administrative Assistant or email to [ehorn@hooksett.org](mailto:ehorn@hooksett.org).

\*\*\*\*\*

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

### BOARDS, COMMISSIONS & COMMITTEES

- Conservation Commission
- Economic Development Study Committee
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board
- Police Commission (Requires at least 5 years residency and copies of MV and Criminal Records)
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify.)

How long have you been a resident of Hooksett?

Moved to Hooksett in 2011 and bought a house in March 2012.

Why are you seeking this position?

I have a life-long interest in wildlife, nature, and conservation. I would like to volunteer my time for conservation efforts that will benefit the community.

Do you have any specific goals or objectives?

Since March 2013, I have served as the project manager for the Clay Pond stewardship plan under Steve Couture. We have published an RFP, reviewed submissions, and selected an environmental firm to partner with on this project. I look forward to continuing in this role and seeing this project through fruition. I also assist with other projects and attend monthly ConsCom meetings.

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

I have a Bachelor of Science degree in Journalism from University of North Texas. I have worked in software development for many years as a business analyst, manager, and project manager. I currently have a consulting firm that specializes in technical writing, content development, and project management.

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

None

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

I have been a volunteer and fund-raiser for many years. I am an Associate Fellow with the Society for Technical Communication. I have volunteered in schools and was Commander of the JROTC Base-Ops (parent organization) for nearly 4 years. I am a long-time member of the National Wildlife Federation.

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

Conservation Commission, Sept 2013 to present, alternate member

RESIDENTIAL AND BUSINESS BURGLARY, ROBBERY AND PANIC ALARMS  
ORDINANCE # 00-27

The Town of Hooksett ordains that, pursuant to the authority granted under Section 3.6 of the Hooksett Town Charter, the following Ordinance is hereby enacted in the Town of Hooksett:

SECTION 1: Purpose.  
PURPOSE

THE PURPOSE of this Ordinance is to encourage security alarm users and alarm businesses ~~(sales, installation, customer service and/or monitoring) to maintain the operational reliability and the proper emergency responses to false alarms.~~ to assume increased responsibility for maintaining the mechanical reliability and the proper use of alarm systems, to prevent unnecessary police emergency response to false alarms and thereby to protect the emergency response capability of the Town from misuse.

A. —

B.A. This ~~Ordinance- Ordinance~~ governs burglary, robbery ~~medical alarm systems, and panic systems,~~ requires permits, establishes fees, ~~provides for penalties for violations, establishes a system of administration, and sets conditions for suspension or loss of permit.~~ provides for discontinuation of police response to alarms and provides for punishment of violations.

SECTION 2: Definitions.  
DEFINITIONS

~~IN THIS ORDINANCE:~~

As used in this chapter, the following terms shall have the meanings indicated:

**ALARM BUSINESS**

The business by any individual partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.

**ALARM SYSTEM**

Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry, fire, medical emergency or other activity requiring urgent attention and to which police, fire, or medical personnel are expected to respond.

**ALARM USERS**

The person, firm, partnership, association, corporation, company or organization of any kind which owns, controls or occupies any building, structure or facility wherein an alarm system is maintained.

~~ALARM ADMINISTRATOR means a person or persons designated by the Chief of Police to administer, control and review alarm application, permits and false alarm notifications.~~

~~ALARM NOTIFICATION means a notification intended to summon the police, which is designed either to be initiated purposely by a person or by an alarm system that responds to a stimulus characteristic of unauthorized intrusion. Multiple false alarm notifications in a 24 hour period of time shall be counted as only one false alarm notification, when documentation is provided by the permit holder's alarm maintenance company that the alarm notifications were not as a cause of operator error.~~

~~ALARM SITE means a single premise or location served by an alarm system or systems.~~

~~ALARM SYSTEM means a device or system that emits, transmits or relays a signal intended to summon, or that would reasonably be expected to summon police services of the town, including but not limited to local alarms. Alarm system does not include;~~

- ~~1. an alarm installed on a vehicle, unless the vehicle is permanently located at a site or is an occupied structure in accordance with RSA 635:1;~~
- ~~2. an alarm designed to alert only the inhabitants of a premises that does not have a local alarm;~~
- ~~3. an alarm installed in conveyances;~~
- ~~4. alarms installed in publicly owned property;~~
- ~~5. any alarm owned, operated or leased by any Federal, State, County or Local Government agency; and~~
- ~~6. fire alarms.~~

#### **AUTOMATIC DIALING DEVICE**

~~A device, which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by code signal an emergency message indicating a need for emergency response. Such a device is an alarm system.~~

~~AUTOMATIC TELEPHONE DIALING ALARM SYSTEM means the automatic dialing device or an automatic telephone dialing alarm system shall include any system which, upon being activated, automatically transmits by telephone or telephone line to the police department a recorded message or code signal indicating a need for emergency response; or a system which, upon activation, connects to an answering service whose function it is to transmit to the police department dispatcher a need for emergency response. These types of alarms are not permitted.~~

~~CHIEF means the Chief of Police or an authorized representative.~~

~~FALSE ALARM NOTIFICATION (F.A.N.) means an alarm notification to the police department, when the responding officer finds no evidence of a criminal offense or attempted criminal offense. Excluded from this definition are:~~

- ~~1. alarms occurring during electrical storms, hurricane, tornado, blizzards and acts of God; or,~~
- ~~2. the intermittent disruption or disruption of the telephone circuits beyond the control of the alarm company and/or alarm user; or,~~
- ~~3. electrical power disruption or failure; or,~~
- ~~4. alarms caused by a failure of the equipment at the communications center,~~
- ~~5. other extraordinary circumstances not reasonably subject to control by the permit holder.~~



~~FISCAL YEAR shall mean the period of JULY 1—JUNE 30.~~

~~LOCAL ALARM means an alarm system that emits a signal at an alarm site that is audible from the exterior of a structure.~~

**BURGLARY ALARM SYSTEM**

An alarm system signaling an entry, or attempted entry into the area protected by the system.

**CENTRAL ALARM COMPANY**

An alarm business that interconnects an alarm system to its own trunk lines and then calls the Hooksett Emergency Dispatch using a human being instead of an automatic dialing device.

**FALSE ALARMS**

An alarm signal, eliciting a response by police, fire or medical personnel when a situation requiring a response does not in fact exist, but does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user.

**HOOKSETT POLICE DISPATCH**

The Town facility used to receive emergency and general information from the public to be dispatched to the Police and or emergency services.

**INTERCONNECT**

To connect an alarm system including an automatic dialing device to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

**MEDICAL ALARM SYSTEM**

An alarm system signaling a medical condition needing immediate emergency response for an occupant of the area protected by the system.

**PERMIT HOLDER**

~~means the~~ The person designated in the application ~~as required in Section 3, subsection (B)(1)~~ who is responsible for responding to alarms and giving access to the site, and who is responsible for proper maintenance and operation of the alarm system and payment of fees.

**POLICE CHIEF**

The head of the Hooksett Police Department or his/her designee.

**PRIMARY TRUNK LINE**

A telephone line serving the Hooksett Emergency Dispatch that is designated to receive emergency calls.

**ROBBERY ALARM SYSTEM**

An alarm system signaling a robbery or attempted robbery.

**SOUND EMISSION CUTOFF FEATURE**

A feature of an alarm system which will cause an audible alarm to stop emitting sound.

**SYSTEM RECOVER OPERATIVE**

When the alarm system is capable of eliciting a response by police, fire, or medical personnel.

~~PERSON means an individual, corporation, partnership, association, organization or similar entity.~~

**SECTION 3: Permit required.**

~~PERMIT REQUIRED; APPLICATION; FEE; TRANSFERABILITY;  
FALSE STATEMENTS~~

- ~~A. Every alarm user interconnecting an automatic dialing device to the Hooksett Police Dispatch shall have an alarm user's permit for each system from the Police Chief.~~
- ~~B. A yearly permit fee, established by the Town Council, shall be \$25.00 per permit. A permit fee of \$25.00, established by the Town Council, shall be charged for an initial alarm permit registration **only**. The \$25.00 fee will not be charged for the yearly alarm permit renewals.~~
- ~~C. An application form signed and approved by the Chief will serve as a permit.~~
  - ~~A. A person commits an offense if he operates or causes to be operated an alarm system without a valid permit issued by the Chief. A separate permit is required for each alarm system. (Optional medical or duress (panic) activation devices whether stationary or portable will be considered as part of a burglary system, and will be covered under a burglary permit which is in good standing).~~
  - ~~B. Each permit applicant must include the following information:
    - ~~1. the name, address and telephone numbers of the person who will be the permit holder and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed;~~
    - ~~2. the classification of the alarm site as residential, commercial or apartment;~~
    - ~~3. for each alarm system located at the alarm site, the purpose of the alarm system, i.e. burglary or robbery;~~
    - ~~4. the date of installation or maintenance of the alarm system, whichever is applicable; and~~
    - ~~5. any other information required by the Chief that is necessary for the enforcement of this Ordinance.~~~~
  - ~~C. Upon receipt of a completed application form, the Alarm Administrator will conduct the necessary checks to verify compliance with this Ordinance and will submit the application to the Chief for signature. An application form signed and approved by the Chief will serve as a permit.~~
  - ~~D. The Chief shall issue an alarm permit to an applicant who has met the requirements of subsections (B),(C),(D) unless the applicant has:
    - ~~1. failed to pay fine(s) assessed under Section 13, or,~~
    - ~~2. had an alarm permit for the alarm site revoked, and the violation causing the revocation has not been corrected.~~~~

~~E. Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue or revocation of a permit.~~

~~F. An alarm permit cannot be transferred to another person. A permit holder shall inform the Chief of any change that alters any information listed on the permit application within five business days.~~

~~G. Any fine(s) owned by an applicant must be paid before any permit may be issued or renewed.~~

### ~~SECTION 3.1~~

#### ~~ALARM SYSTEMS IN APARTMENT COMPLEXES~~

~~A. The owner or property manager of an apartment complex shall obtain a master alarm permit from the Chief if any alarm system is operated in any residential unit on the premises, when the alarm system is furnished by the apartment complex owner as an amenity.~~

~~B. A tenant of an apartment complex shall obtain an alarm permit from the Chief before operating or causing the operation of an alarm system in the tenant's residential unit if the alarm system is not one or a part of one furnished by the property owner or manager as an amenity.~~

~~For master alarm systems provided by the apartment complex owner as an amenity, the master alarm permit holder is responsible for false alarm notifications emitted from all occupied or unoccupied residential units, and nonresidential areas including, but not limited to common tenant areas, office, storage, and equipment areas. Tenants shall be responsible for false alarm notifications emitted from an alarm system that is separate from or not provided by the apartment complex owner.~~

### ~~SECTION 4 Permit Duration and Renewal.~~

#### ~~PERMIT DURATION AND RENEWAL~~

~~A permit expires annually on June 30, and must be renewed for a new year period by submitting an updated application to the Chief. It is the responsibility of the permit holder to submit an application prior to the permit expiration date. **Permits may be renewed anytime during the month of June for the upcoming year.** Failure to renew will be classified as use of non-permitted alarm system and, though the police will continue to respond, citations and penalties shall be assessed without waiver. **Original permits issued between April 1, June 30 of each year will be valid until June 30 of the following year.**~~

### ~~SECTION 5: Fines for excessive false alarms.~~

#### ~~PROPER ALARM SYSTEMS OPERATION AND MAINTENANCE~~

~~A. A permit holder or person in control of an alarm system shall:~~

- ~~1. maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm notifications;~~
- ~~2. respond or cause his representative to appear at the systems location within a reasonable period of time when notified by the town to deactivate a malfunctioning alarm system, to provide access to the premises, or to provide security for the premises; and~~
- ~~3. not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.~~

~~B. All alarm systems will have an automatic reset which silences the annunciation within 15 minutes after activation and which will not sound again as a result of the same event that resulted in the original activation.~~

- ~~3. Fines will be assessed by the Police Chief to the alarm user for excessive false alarms during any twelve-month period beginning on January 01 of each year as follows:~~

- ~~(1) Third false alarm: \$75.~~
- ~~(2) Fourth false alarm: \$100.~~
- ~~(3) Fifth false alarm: \$150.~~
- ~~(4) Sixth false alarm: \$200.~~
- ~~(5) Any additional false alarms: \$300.~~

~~B. The alarm owner or occupant of a building serviced by an alarm will be notified of a false alarm either in person by responding police personnel, written notice, or regular mail. If the fine has not been received within 30 days of notice and there is no appeal pending on the validity of the alarm, the Police Chief may initiate the no-response or disconnect process and may also initiate the enforcement of penalties.~~

~~C. The Police Chief has the right to waive any or all false alarm assessments if he or she determines it to be in the best interest of the Town of Hooksett.~~

#### **SECTION 6: No-response or disconnect order for excessive false alarms. REPORTING OF ALARM SIGNALS**

~~A permit holder or person in control of an alarm system shall not contract or retain an alarm company who is not properly approved by the Chief.~~

~~A. The Police Chief or his/her designee may order no-response and/or disconnect after six false alarms in a calendar year or failure to pay a fine within 30 days. The Police Chief will advise the alarm user that there may be no emergency response, if serviced by a central alarm company or the Town of Hooksett may disconnect the alarm system if interconnected to the Hooksett Police Dispatch. If a disconnect or no-response is initiated, reinstatement can be made by the Police Chief or his/her designee upon payment of fines or penalties and/or a finding that a reasonable effort has been made to correct the false alarms.~~

- B. The Police Chief or his /her designee may also order an alarm disconnect or no emergency response for any other reason deemed in the best interest of the Town and public safety.

**SECTION 7: Hearing.**

**~~INDIRECT ALARM REPORTING~~**

~~A person who is engaged in the business of relaying alarm notifications to the town shall:~~

- ~~1. report alarms only over special trunk lines or other communication facilities designated by the Chief, and~~
- ~~2. communicate alarm notifications to the town in a manner and form determined by the Chief.~~

1. The alarm user has the right to a hearing before any disconnect or no-response order goes into effect. A hearing must be requested within 10 days of a notice to disconnect, notice of no response, or notice of a false alarm. Failure to contest the determination in the required time period results in a conclusive presumption that the alarm was false and/or the notice to disconnect or no-response is valid.

2. The hearing shall be before the Chief of Police. The alarm user shall have the right to present written and oral evidence subject to the right of cross-examination. The Chief will arbitrate whether or not the alarms are false and take appropriate action.

**SECTION 8: Reinstatement of Permit.**

A person whose alarm permit has been revoked may be issued a new permit if the person pays or otherwise resolves, all fees assessed against the permit holder under this Ordinance, and submits certification from a professional alarm company, stating that the alarm system has been inspected and maintained by, or with the direct supervision and approval of the alarm company.

**~~DIRECT ALARM REPORTING; AUTOMATIC ALARM NOTIFICATIONS~~**

~~The Hooksett Police Department will only be accepting direct alarms into the communications center through alarm companies that have obtained approval from the Chief to install such direct monitoring equipment. Fees for use of such alarm services will be negotiated by permit applicants/holders and service providers, except that service providers will not charge fees to a local Government agency, which is in keeping with current practice. In turn, alarm companies will not be charged any fees by the Town of Hooksett for housing the necessary direct alarm reporting equipment in the communications center, which is in keeping with current practice.~~

**SECTION 9: Use of Revenues.**

## ~~AUTOMATIC TELEPHONE DIALING ALARM SYSTEMS PROHIBITED~~

- ~~A. It shall be unlawful for any person, natural or corporate, to sell, offer for sale, install, maintain, lease, operate or assist in the operation of an automatic telephone dialing alarm system over any telephone lines exclusively used by the public to directly request service from the police department.~~
- ~~B. The Chief, when he has knowledge of the unlawful maintenance of an automatic telephone dialing alarm system, installed or operated in violation of this section, shall, in writing, order the owner, operator or lessee to disconnect and cease operation of the system within seventy-two (72) hours from receipt of the order.~~
- ~~C. Any automatic telephone dialing system installed unlawfully, as set forth in this section prior to the effective date of this Ordinance, shall be removed within thirty (30) days of the effective date of this Ordinance.~~
- ~~A. All revenues generated from this chapter will go to the general fund of the Town of Hooksett.~~

## SECTION 10: Violations and Penalties.

### ~~ALARM SYSTEM OPERATING INSTRUCTIONS~~

~~A person in control of an alarm system shall maintain at each alarm site a complete set of written operating instructions for each alarm system. Special codes, combinations, or passwords should not be included in these instructions.~~

~~Violation of this chapter shall be punishable upon conviction by a fine of not more than \$500, plus any fines due to the Town.~~

## SECTION 11

### ~~ALARM DISPATCH RECORDS~~

- ~~A. The officer responding to a dispatch resulting from a burglary, robbery, panic or trouble alarm notification shall record, in the regular reporting format, such information as necessary to permit the Chief to maintain records, including but not limited to the following information:~~

- ~~1. identification of the permit holder,~~
- ~~2. identification of the alarm site,~~
- ~~3. arrival time and dispatch received time,~~
- ~~4. time of day, date,~~
- ~~5. weather conditions,~~
- ~~6. area and/or sub-area of premise involved,~~
- ~~7. name of permit holder's representative on premises,~~
- ~~8. if any permit holder's representative fails or refuses to respond the name(s) of the individuals contacted shall be noted in the departmental computer in the comment field under the call for service.~~

- ~~B. The responding police officer shall indicate if the notification was caused by a criminal offense, an attempted criminal offense, or a false alarm.~~

~~C. In the case of an assumed false alarm, (when a permit holder representative fails or refuses to respond) the responding police officer shall leave notice at the alarm site that the police department has responded to a false alarm notification. The Notice must include the following information:~~

- ~~1. the date and time of police response to the false alarm notification,~~
- ~~2. the identification number of the responding police officer,~~
- ~~3. a statement urging the permit holder to ensure the alarm system is properly operated and maintained in order to avoid service fees.~~

## ~~SECTION 12~~

### ~~SYSTEM PERFORMANCE REVIEWS~~

~~If there is reason to believe that an alarm system is not being used or maintained in a manner that insures proper operation and suppresses false alarms, the Chief may require a conference with an alarm permit holder and the individual or association responsible for maintenance of the alarm system to review the circumstances of each false alarm.~~

## ~~SECTION 13~~

### ~~FALSE ALARM NOTIFICATION~~

~~A. The holder of an alarm permit or the person in control of an alarm system shall be subject to warning, fines and suspension or loss of permit depending on the number of false alarm notifications emitted from an alarm system within a fiscal year. Any alarm owned, operated or leased by any Federal, State, County or Local Government agency will not be subject to fines, suspension or loss of permit. The type of action taken is based upon the following schedule of false alarm notifications:~~

- ~~1. 1st - No Action~~
- ~~2. 2nd - Written notice of potential future fines~~
- ~~3. 3rd - \$25.00 service charge~~

~~4. The activation of 4 or more false alarms within a fiscal year shall be handled according to the following schedule:~~

~~a. The fourth false alarm shall result in a \$100.00 service charge/reinstatement fee which shall be considered a bill owned by the permit holder to the Town of Hooksett) and revocation of the permit holder's permit in the following manner:~~

- ~~1) The permit holder shall be given ten (10) calendar days advance written notification that the permit holder's permit will be revoked. The written notice shall set forth the reasons for such revocation.~~
- ~~2) The notice shall specify the specific date of revocation, and that any response by the Hooksett Police Department to alarms that occur at the premises described in the permit after the date of revocation will result in an assessment of an additional \$100.00, in addition to any other fees incurred under the Section 13 schedule.~~

~~3) Reinstatement of the permit will be made upon receipt of a letter from an alarm company stating that the alarm system has been repaired, explaining what was done to correct the problem and that the alarm system is operating properly; and upon receipt of the \$100.00 service charge/reinstatement fee mentioned in Section 13, subsection (4)(a) above; and upon receipt of all fees owed to the Town of Hooksett under Section 13, subsection (4)(a)(2) above and any other sections of this Ordinance.~~

~~b. The fifth false alarm shall result in a written notification to the permit holder that upon activation of the next false alarm the permit holder's permit will be revoked. The fifth false alarm will be billed a \$150.00 service charge, which shall be considered a bill owned by the permit holder to the Town of Hooksett.~~

~~c. The sixth false alarm shall result in revocation of the permit holder's permit in the manner described in Section 13, subsection (4)(a) above except that the false alarm will be billed a \$300.00 service charge (which includes a \$50.00 reinstatement fee) and shall be considered a bill owned by the permit holder to the Town of Hooksett.~~

~~Any false alarm notification above the sixth shall result in revocation of the permit holder's permit in the manner describe in Section 13, subsection (4)(a) above except that the false alarm will be billed a \$500.00 service charge which includes a \$50.00 reinstatement fee) and shall be considered a bill owned by the permit holder to the Town of Hooksett.~~

~~Additionally, the Chief may deny the renewal of a permit holder's permit, for a location which has received six or more false alarm notifications within the fiscal year, in the manner described in Section 14.~~

~~B. Any person who operates a newly installed system will not be subject to False Alarm Notifications Action during the 30 days following the system completion provided a permit application is received by the Chief. The completion date shall be certified by a person where the system is professionally installed, or the date of the purchase receipt for self-installed systems.~~

~~C. Any person operating a non-permitted alarm system will be subject to a citation and assessment of a \$100.00 fee for each alarm without benefit of the notifications provided for in Section 13. Subsequent submittal of an alarm permit application shall have all previously received alarms counted in accumulating the notification total.~~

~~D. Alarm activations, caused by actual criminal offense or with evidence of a criminal attempt, shall not be counted, nor False Alarm Notifications accumulated.~~

#### ~~SECTION 14 REVOCATION OR LOSS OF ALARM PERMIT~~

~~A. The Chief shall revoke an alarm permit if it is determined that:~~

- ~~1. there is a false statement of a material in the application for a permit;~~
- ~~2. the permit holder has violated Section 5,6,7,8 or 9,12; or~~



- ~~3. the permit holder has failed to make payment within 60 days of a fine(s) assessed under Section 13; or~~
- ~~4. six or more false alarm notifications have been emitted from the alarm site within a twelve-month fiscal year period.~~

~~B. A person commits an offense if he operates an alarm system during the period in which his alarm is revoked.~~

#### ~~SECTION 15~~

#### ~~APPEAL FROM DENIAL OR REVOCATION OF A PERMIT~~

~~A. If the Chief denies the issuance or renewal of a permit or revokes a permit, he shall send written notice of his action and a statement of the right to an appeal by certified mail, return receipt requested, to both the applicant or permit holder and the applicable alarm installing or service company.~~

- ~~1. The applicant or permit holder may appeal the decision of the Chief to the Hooksett Police Commission by filing a written request for a review, setting forth the reasons for the appeal, within ten calendar days after receipt of the notice from the Chief.~~
- ~~2. Filing of a request for appeal shall stay the action by the Chief of revoking a permit until the Hooksett Police Commission has completed its review. If a request for appeal is not made within the ten calendar day period, the action of the Chief is final.~~
- ~~3. Any review ordered under Section 12 requires the attendance of both permit holder and applicable alarm company.~~
- ~~4. Any request for any waiver applicable under Section 2 (False Alarm Notifications, subsequent (5) or any request for waiver of fees, or any request for waiver of any False Alarm Notifications Action, must be made to the Hooksett Police Commission by the permit holder.~~
- ~~5. The Hooksett Police Commission shall be the sole authority in the final determination of any waiver request of any kind not specifically exempted elsewhere within this Ordinance.~~

~~B. Permit holders shall be entitled to a hearing, if requested within thirty days of receipt of notice of a sustained revocation of permit or False Alarm Notifications Action Taken. Hearing shall be conducted by the Hooksett Police Commission.~~

~~C. The Hooksett Police Commission shall conduct a formal hearing and consider the evidence by any interested person(s). The Commission shall make its decision on the basis of a preponderance of the evidence presented at the hearing. The Commission must render a decision within ten (10) calendar days after the hearing. The Commission shall affirm, reverse or modify the action of the Chief. The decision of the Commission may be appealed to the Hooksett Town Council.~~

#### ~~SECTION 16~~

#### ~~REINSTATEMENT OF PERMIT~~

~~A person whose alarm permit has been revoked may be issued a new permit if the person pays or otherwise resolves, all fees assessed against the permit holder under this Ordinance, and submits certification from a professional alarm company, stating that the alarm system has been inspected and maintained by, or with the direct supervision and approval of the alarm company.~~

~~SECTION 17  
PROTECTION OF CERTAIN BUSINESSES~~

~~Any business or any individual, partnership, corporation or other entity engaged in selling, leasing, maintaining, servicing, repairing, altering, replacing, moving of any firearms, explosives, or ammunition (including but not limited to all Federal Licensed dealers), shall, prior to causing such items to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed in or on any building, structure or facility, be required to install and maintain Underwriters' Laboratory approved burglar alarm system covering all accessible access points or a combination of interior devices, including but not limited to photoelectric, ultrasonic, microwave, proximity and sound devices.~~

~~A. The method of alarm transmission must be a direct wire or a supervised line to an underwriters' Laboratory approved central station or a method of transmission to an Underwriters' Laboratory approved central station approved by the Chief, and in keeping with industry standards.~~

~~B. Any business who manufactures, sells, stores, or trades in any controlled substance which is defined under the classification of Schedules I-IV of the Controlled Substance Act (Title II, Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513), shall be required to install and maintain an Underwriters' Laboratory approved burglar alarm system covering all accessible access points or a combination of interior devices, including but not limited to photoelectric, ultrasonic, microwave, proximity and sound devices.~~

~~1. The method of alarm transmission must be a direct wire or a supervised line to an Underwriters' Laboratory approved central station or a method of transmission to an Underwriters' Laboratory approved central station approved by the Chief, and in keeping with industry standards.~~

~~C. All financial institutions who operate under the provisions of the Bank Protection Act of 1968 (12 U.S.C., Section 1882) operating within the town limits of Hooksett shall be required to at a minimum install and maintain Underwriters' Laboratory approved burglar alarm system covering all accessible access points or a combination of interior devices, including by not limited to photoelectric, ultrasonic, microwave, proximity and sound devices. The method of alarm transmission must be a direct wire or a supervised line to an Underwriters' Laboratory approved central station or a proprietary system approved by the Chief, and in keeping with industry standards.~~

~~D. Any business operating under the definitions of Section 17 subsection (A), (B), (C), must be in compliance with ninety (90) days from the effective date of this Ordinance.~~

~~SECTION 18  
LIABILITY OF TOWN LIMITED~~

~~A. The police department of the town shall take every reasonable precaution to assure that the alarm notification received by the police department are given appropriate attention and are acted upon with dispatch.~~

~~B. Nevertheless, the police department, the Town of Hooksett or any of its officers or agents, shall not be liable for any defects in operation of alarm devices, for any failure or neglect to respond appropriately upon receipt of an alarm notification, nor for the failure or neglect of any person in connection with the installation and operation of alarm devices or their components, the transmission of alarm signals, or the relaying of such signals and notifications. In the event the police department finds it necessary to disconnect an alarm device, the police department, the Town of Hooksett or any of its officers or agents, shall incur no liability by such action.~~

~~-~~  
**SECTION 19**  
**SEVERABILITY**

~~-~~  
If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

~~-~~  
ADOPTED: 01/24/96

**PROPOSED**

**AGENDA NO.** 14-038  
**DATE:** 6/11/14

**PAWNBROKERS AND SECONDHAND DEALERS**

**Ordinance 2014-1**

The Town of Hooksett ordains that, pursuant to the authority granted under Section 3.6 of the Hooksett Town Charter, the following Ordinance is hereby enacted in the Town of Hooksett.

**SECTION 1**

**LEGISLATIVE AUTHORITY; PURPOSE.**

By authority of New Hampshire Revised Statutes Annotated Chapters 322 and 398, all as amended, the Hooksett Town Council adopts the following provision for the purpose of regulating the transaction of items which have commonly been subject to theft and illicit transfer. The purpose of this chapter is to discourage the transaction of stolen goods, assist in the investigation of any illicit transfer and associated criminal activity, and the recovery of stolen property to the rightful owner.

**SECTION 2**

**LICENSE REQUIRED.**

No person, firm or corporation shall engage in the business of a secondhand dealer or pawnbroker as herein defined within the Town of Hooksett without first being licensed pursuant to this chapter as adopted by the Town Council.

**SECTION 3**

**DEFINITIONS.**

As used in this chapter, the following words or phrases shall have the meanings set forth below unless expressly indicated.

**PAWNBROKER**

Any person, firm, partnership or corporation engaged in the lending of money secured by taking possession of jewelry, apparel, tools, electronics, household goods, or any other personal property, with interest charged thereon, with the right to sell the personal property if it is not redeemed. A person, firm, partnership, or corporation shall be deemed a pawnbroker whether the transaction takes the form of a loan by the pawnbroker secured by the property, or a sale to the pawnbroker with the right to repurchase within a specified amount of time.

## **SECONDHAND DEALER**

Any person, firm, partnership or corporation whose business is in the retail buying, selling, buyback, exchanging, dealing in or dealing with secondhand articles, including, but not limited to, jewelry, watches, diamonds, precious stones, gems, gold, silver, platinum, precious metals, coins, stamps, musical instruments and equipment, cameras, furs, home and audio stereo equipment, televisions, VCRs, DVD players, multimedia devices, digital equipment, video game systems, equipment and accessories, tools, computers and computer equipment, firearms, electronic navigation systems, automobile accessories and collectables, excepting furniture and books. "Secondhand dealer" does not mean purchases made from private residences by citizens not engaged in a secondhand-dealer-type business.

## **SECTION 4**

### **LICENSING AUTHORITY.**

The Town of Hooksett may license such persons as it deems suitable to be pawnbrokers or secondhand dealers within the Town. All licenses so granted shall contain a clause that the person so licensed agrees to abide by and be subject to all provisions of this chapter as it may be from time to time amended.

## **SECTION 5**

### **LICENSE REQUIRED; APPLICATION REQUIREMENTS.**

No person, firm, partnership or corporation shall operate, conduct or engage in business as a pawnbroker or secondhand dealer unless such person, firm, partnership or corporation obtains a license from the Town of Hooksett, in accordance with New Hampshire Revised Statutes Annotated Chapters 47, 322 and 398, respectively.

- A. Application for such licenses shall be made to the Town Clerk who may submit them to the Chief of Police and who may cause an investigation to be made into the fitness of the applicant to engage in the business of a pawnbroker or secondhand dealer, and report his findings to the Town Clerk before such license is acted upon.
- B. The license shall be issued for a specific location and is not transferable to any other person, firm, partnership or corporation.
- C. Upon approval by the Town Council, a fee of \$250 shall be paid by the applicant to the Town Clerk prior to the issuance of the license. Effective upon date of approval, and annually on January 1 thereafter, an application fee of \$250 shall accompany each

license application. Said license shall expire on December 31, unless sooner revoked or expired and shall neither be assigned nor transferred.

- D. Prior to issuance of a license, a criminal record check may be completed upon every owner, manager, and/or employee of a pawnshop or secondhand dealer. The applicant shall be required to provide a certified copy of a complete criminal record of each individual with the license application. The certified copy shall be obtained from the Criminal Records Division of the State Police, Department of Safety of the State of New Hampshire, and/or from the appropriate out-of-state agency or agencies if not a resident of New Hampshire for the ten years preceding the application. No license shall be issued to any firm, corporation, owner or person, to include employees, directly or indirectly involved in the purchase of secondhand articles, who or which has been previously convicted within the preceding ten years of any theft related offenses to include but not limited to: theft, burglary, receiving stolen property, or fraud in this state or any state or territory in the United States.
- E. Licensees shall display their current license in a conspicuous place within the business where it may readily be viewed by the general public.
- F. A numbered license shall be issued and continue in full force until December 31 of each year unless revoked prior to this date by the Town Council at any time after notice to the licensee and hearing on the charges preferred.

Any person, firm or partnership or corporation whose business is the retail buying, selling, buy-back, exchanging, dealing in or dealing with furs, fur coats, books, magazines, used furniture, used clothing, or used motor vehicles/motorcycles by legally recognized vehicle dealerships, shall be exempt from the requirements of provisions(C) and (D) above.

*Section 6*

Exclusions.

Specifically excluded from the provisions of this chapter are the following:

- (A) Purchases from private residences by citizens not engaged in a secondhand dealer type business.
- (B) An organization that purchases secondhand goods, whether directly or indirectly, from a not-for-profit organization and does not purchase any secondhand goods from the general public.
- (C) Transactions which take place at yard or garage sales or otherwise on residential property (but not more frequently than 12 days per year).

## Section 7

### TRANSACTION RECORDS.

Every pawnbroker or secondhand dealer shall, upon the acquisition or sale of any aforementioned article, either by purchase, or exchange or pawn or other method shall prepare transaction records electronically as directed by the Chief of Police or his/her designee, and submit records electronically, detailing the proven identity of the seller or the pledger including their name, date of birth, address, type of identification and identification number if there is one. A digital photo of said person shall accompany the electronic filing of the transaction. Only government issued forms of identification will be accepted. No transaction shall occur if the identity of the seller cannot be proven. The record of the transaction shall also contain the month, day, and year when the transaction occurred as well as a full, accurate, and detailed description of each article purchased including brand name and serial number, if any, with the price paid therefor, and cause the record to be signed by the seller in person along with a digital color photograph of the property pursuant to the following requirements:

- (1) **Individually identifiable articles.** Articles which are individually identifiable by a serial number or other applied numbers, letters, characters or markings or other unique features that serve to distinguish it from any other similar article and can be used to establish ownership.
  - a. Each individually identifiable article brought into a second hand/pawn dealer for pawn, sale, barter, trade or other method during a single transaction shall be itemized separately. Articles shall not be grouped together (i.e., five gold rings), but must provide a complete and thorough description of each item to include the following:
    - i. Type of article;
    - ii. Brand name/make/manufacturer (if applicable);
    - iii. Model number (if applicable);
    - iv. Serial number (if applicable);
    - v. Color/finish;
    - vi. Any other identifying marks, writing, engraving, etc.
  - b. A digital photograph(s) shall be taken of each individually identifiable article, sufficiently detailed to allow reasonable identification of the article. The photograph(s) shall capture any identifying numbers, marks, writing, engraving, etc., or any other distinguishing characteristics.
- (2) **Non-individually identifiable articles.** Articles that cannot be distinguished from any other similar articles may be described in groups of similar types of articles, but only within the same transaction.
  - a. Non-individually identifiable article brought into a second hand/pawn dealer for pawn, sale, barter, trade or other method during a single transaction may be grouped and shall include reasonable descriptions of the number and types of items within each group to enable the Police Department to

determine if they may have been stolen during a particular crime. (For example, the licensee receives a video game controller, five video game discs, and numerous items of jewelry. The licensee would have to individually itemize and photograph the video game controller as outlined in division (1) (a) above, as it would be a serially-numbered item. The remaining items shall not be listed as "miscellaneous video games and jewelry." Instead, the licensee shall describe them as follows: "five video game discs to include the following titles..." and "miscellaneous jewelry to include two yellow gold necklaces, one silver necklace, two pairs of silver earrings, one women's yellow gold ring, etc..."")

- b. A digital photograph(s) shall be taken of each group of similar types of articles within the same transaction. The articles may be photographed together but each article shall be visible in the photograph. (For example, given the circumstances outline in division (2)(a) above, the five video game discs would be photographed together, side-by-side, and the jewelry items would be photographed together with each item laid out so as to be individually viewable.

## **Section 8**

### **IDENTIFICATION OF SELLERS REQUIRED; AGE RESTRICTION.**

Every pawnbroker and secondhand dealer shall require every seller or pledger of items to produce a positive photographic identification, and the type of identification used shall be noted on the transaction records. At no time shall a pawnbroker or secondhand dealer accept another person's photographic identification for any transaction. The pawnbroker or secondhand dealer shall attach a photocopy of the identification shown to the transaction record. No pawnbroker or secondhand dealer shall transact business with anyone under 18 years of age, except when said minor is accompanied by a parent or legal guardian who shall sign the transaction record with an accompanying copy of his or her positive photographic identification.

## **Section 9**

### **REPORTING OF TRANSACTIONS.**

Pawnbrokers or secondhand dealers shall prepare and deliver photocopies of all transaction records to the Chief of Police, or his designee, within 48 hours of the end of said dealer's business day on which the transaction occurred. If during any week a pawnbroker or secondhand dealer has not purchased any items, he or she shall make a report of such fact to the Chief of Police, or his designee, on or before 10:00 a.m. of the first business day of the following week.



## **Section 10**

### **INSPECTION OF RECORDS AND PREMISES.**

Pawnbrokers or secondhand dealers shall retain the original transaction records in their possession, which, together with any article which is kept or stored in or upon such premises, may be inspected at any time by a duly authorized police officer.

## **Section 11**

### **TIME RESTRICTIONS.**

Pawnbrokers or secondhand dealers will not sell, encumber by sales contract, or otherwise dispose of or alter an article in its appearance within 14 days of purchase, unless granted permission, in writing, from the Chief of Police, but in any case not within 24 hours of time of purchase. Pawnbrokers or secondhand dealers shall retain on premises all items purchased or pawned during the waiting period and not place such items on the sales floor until the waiting period has expired unless the item is clearly marked as to the sales release date based on the time frames outlined in this section. Pawnbrokers or secondhand dealers shall clearly mark the transaction records of any pawn item repurchased by the original seller and shall submit a copy of the record to the Chief of Police, or his designee, within 48 hours of the transaction.

## **Section 12**

### **REMOVAL OF ARTICLES BY POLICE OFFICERS.**

If the Chief of Police, or his designee, determines that an article is needed for evidence in a criminal investigation, the Police Department shall seize the evidence pursuant to applicable criminal procedures. The pawnbroker or secondhand dealer shall be issued a receipt for the article. Pursuant to RSA 595-A:6, the Police Department shall keep seized articles under the court's direction as long as necessary to permit the article to be used as evidence. At the conclusion of all court proceedings or closure of the police investigation, the Police Department shall notify the original owner, the pawnbroker/secondhand dealer, and any person who may have a lawful interest that the property will be released in 30 calendar days to the original owner if no other claim is placed on the property.

## **Section 13**

### **VIOLATIONS AND PENALTIES; REVOCATION OR SUSPENSION OF LICENSE; NOTICE; SEVERABILITY.**

- A. Any violation of this chapter shall be punishable by a fine not exceeding \$100 per day.
- B. The Town Council may, independently or upon recommendation from the Chief of Police, suspend or revoke said license for any violation of this chapter, or reasons it deems to be in the best interest of the Town of Hooksett, following a hearing. Offenses which may result in the suspension or revocation of said license include, but are not limited to, the following:
  - (1) Violation of any provision of this chapter; or
  - (2) Violation of any statute of the State of New Hampshire or any other state or territory of the United States relating to the licensed business.
- C. Notice of the suspension or revocation will be made, in writing, to the owner(s) of the business within five business days of said hearing.
- D. The provisions of this chapter shall be severable, and if any phrase, clause, sentence or provision of these regulations shall, for any reason, be held invalid or unconstitutional, the validity of the remainder of these regulations shall not be affected thereby.