

**TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, January 8, 2014**

- 1. 6:30 PM - CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
 - a. Public: 12/18/2013
 - b. Non-public: 12/18/2013
- 5. AGENDA OVERVIEW**
- 6. CONSENT AGENDA**
 - a. 14 – 001 Donation for Fire Department
 - b. 14 – 002 Donation for Vet’s Park: \$200
 - c. 14 – 003 Donation to Police Department RAD program: \$150
 - d. 14 – 005 Donation to Adopt-a-Family Program \$1,590
- 7. TOWN ADMINISTRATOR’S REPORT**
- 8. PUBLIC INPUT: 15 Minutes**
- 9. NOMINATIONS AND APPOINTMENTS**
- 10. SCHEDULED APPOINTMENTS**
 - a. Public Hearing on change to Parking Ordinance
 - b. Kayla White about her Hackett Hill Project
 - c. Dan Tatem re Stantec
- 11. 15 MINUTE RECESS**
- 12. OLD BUSINESS**
 - a. 13 – 119 Town Budgets / Warrant Articles
 - b. 13 – 099 Discussion of Mandatory Recycling Ordinance
- 13. NEW BUSINESS**
 - a. 14 – 004 Discussion of Fire Station #1 Expansion
- 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**

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

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, December 18, 2013

CALL TO ORDER

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

ROLL CALL – ATTENDANCE

Chairman James Sullivan, Nancy Comai, Donald Winterton, David Ross (6:40 p.m.), James Levesque, Todd Lizotte, Adam Jennings, Dr. Dean E. Shankle, Jr. (Town Administrator)

Missed: Susan Orr, Robert Duhaime

PLEDGE OF ALLEGIANCE

NOMINATIONS AND APPOINTMENTS

Swearing in of Police Officers

Chief Bartlett: This is the beginning of a new officer's career, something they will never forget. I'm proud to be here for 2 reasons. It's always good to bring in new faces and make them part of the community and this is special because I worked with this officer's father on the Manchester Police Department for many years. Jeff Czarnec is a resident of Manchester and is a 2006 Central High; he served in the Marine Corps until 2010. He was in Iraq in 2008 and deployed again in 2010 to the Mediterranean Sea, providing relief effort for hurricane victims in Haiti. He was enrolled in the Liberal Arts Program at Golden West Community College in Huntington Beach, CA and is a 2012 graduate of Hesser College with an Associate's Degree in Criminal Justice. He was most recently with the Hillsborough Department of Corrections as a field training officer.

Swearing in of officer Czarnec and badge pinning.

J. Sullivan: On behalf of Hooksett Town Council, we congratulate you and welcome you to the town of Hooksett. Thank you for your service and please stay safe.

APPROVAL OF MINUTES

a. Public: 12/11/2013

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

b. Non-public: 12/11/2013

***T. Lizotte motioned to approve non-public minutes. Seconded by J. Levesque.
Vote unanimously in favor.***

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

a. 13 – 121 Donations to Family Services

N. Comai motioned to accept consent agenda. Seconded by T. Lizotte.

D. Winterton: I'd like to thank the citizens of Hooksett that demonstrated their generosity to the town.

Vote unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

- Reminder that tax bills are due December 26 and the tax clerk's office will be open until 4:30pm on Christmas Eve
- After Christmas and New Year's there is a budget workshop on January 4 at 9:00 am
- I'd like to wish everyone a Merry Christmas, Happy Holidays and Happy New Year.

D. Ross: I will not be able to attend the January 4 meeting.

J. Sullivan: Please give any thoughts you might have to Dr. Shankle before then. I'd also like to mention that former Councilor Grace Pomeroy died last week at the age of 94. She served on the council for 6

years and was a member of the Historical Society for many years. She was key in naming the Old Bridge the Lilac Bridge. Also, we received a note from Troop 292 – there is an Eagle Scout program on 12/28 at 4:00pm at the Hooksett Public Library. His name is Colin Burns, and he came here to present his project on the sign at Donati Field.

PUBLIC INPUT

None

SCHEDULED APPOINTMENTS

a. Robert McGuigan re: POW/MIA Memorial Chair

R. McGuigan: On behalf of Rolling Thunder I am here to educate the public on POW and MIA issues and there have been 92,000 unaccounted for. We make people aware and work with the government to get a resolution for families of the missing. Several years ago there was an initiative at a race track where a chair was painted black in honor of the POW's and MIA's. All major stadiums in Mass. have had a chair of honor installed. It is left blank in honor of the missing. The city of Manchester installed one in Merchants Auto stadium; Goffstown has one in their town office, Auburn has a memorial bench in the town common area. I'm here to ask the town of Hooksett to sponsor a POW/MIA chair. The chair could have some meaning and symbolism to the town, flanked by flags and accompanied by a letter or plaque explaining what it is and why it's there. We are willing to work with the town on any questions you might have. A company in Maine that builds stadium seating has made custom POW/MIA chairs to be installed in public venues and stadiums. That chair can be donated if needed. Once the town installs it, it can be referenced many times such as Veteran's Day, Memorial Day, etc.

D. Ross: I think it's commendable and I appreciate your efforts. I think it's something that deserves memorializing.

D. Ross motioned to honor POW's/MIA's and allow the Town Administrator to find a prominent spot for this memorial chair. Seconded by D. Winterton.

A. Jennings: This is similar to what we did in the army to remember those killed in action.

R. McGuigan: You can put in a bench which is a polished, granite bench. We would have liked to have done something with the town at the Veteran's Park memorial. You don't have to limit yourselves to just a chair.

D. Ross: A chair and a location will have to be chosen. I would be inclined to include in the motion that the town cover the cost.

D. Winterton: I concur and I would ask the Town Administrator if there is a place in Veteran's Park for something like this.

J. Sullivan: We have a Hooksett soldier, Omar Nadeau, who has been listed since WWII as MIA so this would be more than appropriate. He is memorialized at the Henri-Chappelle cemetery in Belgium.

R. McGuigan: We would like to invite all the veteran groups and make this event as big as we can.

Vote unanimously in favor.

J. Sullivan: Dr. Shankle will be in contact with you once we have some more details.

OLD BUSINESS

None

NEW BUSINESS

a. 13 – 122 Snow Melt Purchase Order

Leo Lessard, Director Public Works

Matthew Scott, NH Ice Melt representative

Dr. Shankle: We are trying to come up with an alternative to salt that is more efficient, environmentally friendly and will save money in the long run.

L. Lessard: This is a solution that is mixed with salt. Roads can be pre-treated and you can save time at the end of the storm. We tried it with material we had and as of right now, by using it, we saved on 2 call-ins so far. We have saved \$10,000 which is about a 29% savings.

J. Sullivan: Combined cost of \$10,340 with the new process but the cost would have been \$10,000 more.

L. Lessard: \$29,000 combined cost with material and \$8,000 for Magic Salt. We saved on the price of salt and hours for call-ins. Usually it takes 3 hours to salt the whole town. Instead of using 435 tons we would have used 614 tons, so we saved \$21,000.

D. Ross: This sounds good. This chemical has been in use for some time? Any issues?

L. Lessard: I have only used this a couple times but it's more environmentally friendly. There are 9 other towns that this company sells to. I talked to 3 other towns and Keene is saving up to 30%. We are saving right now. Instead of putting down 600 pounds, we have dropped down to 400 and some trucks have dropped down to 300.

M. Scott: This has been in use for 12 years. It's a patented product called "Liquid Magic." NH, RI, CT – all of those DOT's have used it at one time or another. We treat the salt – I have been with Keene for 10 years. We have saved them \$80,000 every year for the last 10 years. The rates he is talking about are accurate, possibly lower. I think we are outpacing what I told him. You aren't seeing all the benefits since you haven't built up a residual, and you've already saved \$4,000. It is more environmentally friendly – it helps the longevity of your equipment, it eats rust. And he is using 1/3 of the material he has in the past.

T. Lizotte: Is this a budget transfer or just an approval for the current budget?

L. Lessard: From the current salt budget.

T. Lizotte: Because it's patented and there is some exclusivity to that, there are not a lot of vendors out there. So we have the only 2 bids that we could ever have.

M. Scott: Some Mass. companies bid on another town but they were not competitive because they are so far away.

D. Ross motioned to waive the rules of the bid process. Seconded by T. Lizotte.

Roll Call

A. Jennings – Yes

N. Comai – Yes

D. Winterton – Yes

D. Ross – Yes

J. Levesque – Yes

T. Lizotte – Yes

J. Sullivan – Yes

Vote unanimously in favor.

T. Lizotte motioned to approve the use of treating material from NH Ice Melt not to exceed contract price of \$42,000. Seconded by D. Winterton.

T. Lizotte: One of the things we look at is that it shows technology driving efficiency so we get more for the tax dollar and I think this is a great thing Leo has brought forward to save the tax payers, so I thank you.

Roll Call

T. Lizotte – Yes

A. Jennings – Yes

N. Comai – Yes
D. Winterton – Yes
D. Ross – Yes
J. Levesque – Yes
J. Sullivan - Yes

Vote unanimously in favor.

b. 13 – 123 Discussion of CMAQ Grant (public hearing last week)

J. Sullivan: We held public hearing last week as required.

T. Lizotte motioned to vote on the public hearing. Seconded by D. Ross.

T. Lizotte: The idea with CMAQ, although I am not in favor of putting lots of sidewalks all over town, I think this one has the ability to link housing to facilities at Donati Park. It allows us to create that link to play areas for kids which is important. I think that is why we should consider it.

D. Ross: My concern is that at the prior hearing we were thinking it was state funds but they are federal HUD funds. I would rather put this off and not vote tonight.

J. Sullivan: Since it's a federal grant, are there any strings attached?

L. Lessard: The only string is we are responsible to plow it.

J. Sullivan: Even if it is a state grant?

L. Lessard: Same thing.

D. Ross: I would prefer to see the grant wording in writing that explains how it needs to be used. I think we need to look at this first before we vote.

L. Lessard: That money was accepted in 2010.

D. Ross: There was another back and forth about lighting, and a curb cut that was not there that the state would be "obligated" to do. How do we make the state do it? I think there are some unanswered questions before we accept this. There are always strings attached when you accept a gift from somebody.

N. Comai: Are there any time constraints if this was to be delayed?

L. Lessard: I don't know. I have to check with the state liaison who is working on this.

N. Comai: I understand Councilor Ross's point but I'm all for going after this money.

L. Lessard: The impact money is already allocated for it and tied up so there is no constraint. It's only the federal money.

N. Comai: One of the thoughts at the heritage meetings was to find ways to have more access. This is the kind of thing where the federal funds of \$300,000 – you can't look the other way with that kind of money.

A. Jennings: How many people will use that sidewalk? That is a long walk. I wonder if we are building bridges to nowhere.

L. Lessard: This is connecting University Heights Apartments to the rest of town. From Post Road, they can come through the woods at University Heights.

D. Winterton: If we didn't have this special meeting, we wouldn't have voted on it until January 8 anyway.

Dr. Shankle: This project was approved long before Leo or I got here. On the survey we just got back, one of the major drivers was people wanted to see more sidewalks. When I think of the Village District, it includes the old Town Hall area and this area and Library. It connects the Old Town Hall, Veteran's Park and the library and we have more growth out there. If you decide not to move forward, we will lose those funds and they will go to somebody else. It makes sense in terms of where the town wants to get – building a community center. If you want to hold off on this, we had a public hearing and if you have specific questions you want answered we can get those, but we need some deadline so we can move forward.

T. Lizotte: Mr. Ross' point is valid. Are there really any hooks in terms of HUD? I know HUD money for developing low income housing where you are locked in, but in regards to this I'm not certain what possible hook there could be.

Dr. Shankle: We have done projects like this and CMAQ has to do with air quality. They try to get people walking instead of driving cars. We need sidewalks to encourage them to walk.

T. Lizotte: This board has approved to get the grant. On the air quality, the hook is we have to maintain the sidewalk.

D. Ross: The question was brought up and not answered correctly at the last meeting. I asked if they were federal funds and it was stated that no, they were state funds. I am hesitant with this since it's a large amount of money. I think we should err on the side of caution. Applying for a grant is one thing, but it's up to us to examine it to make sure we got what we applied for.

Dr. Shankle: He seems to be asking for a review of the CMAQ contract and I did not do that for this meeting.

N. Comai: With \$300,000 in grants plus \$74,000 in impact fees, can you do the project for that amount of money? That is the only thing I can come up with that would be a problem. If you say yes I don't believe there are any strings attached.

L. Lessard: That money was set up years ago based on an estimate from the contractor. When we do final copies and reviews, that will tell us exactly what it will be but we can't spend more than that money. We would improvise on other areas so we don't go over that amount. The state runs it for the feds – I had to get certified for this project last year. It's a tedious process. If I mess up, the feds walk away.

D. Ross motioned to table this vote. There was no second.

D. Ross: The concern I have is that if someone gives me something for nothing, I know it's not. It's not an unreasonable request.

J. Sullivan: Since there is no second we will not table.

J. Levesque: When do the impact fees run out?

L. Lessard: You (Council) allocated this money last year so it's already there.

Dr. Shankle: It's committed to this project, but if we don't use it then it goes back.

J. Sullivan: We need to be careful on how we follow up on past decisions. If we didn't have this meeting, we would not vote on this until January 8. For future reference, if we are getting federal grant money, we need to make sure there are no caveats on that. It has been referenced in the Village District that residents want more sidewalks. If this project was approved today, when would you start it?

L. Lessard: Hopefully start construction in spring, but we are working on designs now. We are using the impact money for that.

J. Sullivan: If there is a delay, you can continue the design process?

L. Lessard: It shouldn't affect anything.

T. Lizotte: If you design it and find there are strings attached, you would lose impact fees. How big is this contract? Can we look it up right now?

T. Lizotte removed the motion to vote on the public hearing.

5 MINUTE RECESS

J. Sullivan: Dr. Shankle got more information regarding our questions about the CMAQ grant. There is another potential sidewalk project that connects from this area to Donati. That is handled a different way?

L. Lessard: I want CMAQ to do that too, but I want to get this done first. It will link Donati to the other side of town hall. I think we allocated impact money for that sidewalk already.

Dr. Shankle: In terms of state vs. federal money – the contract we have is with state of NH DOT. Our relationship is with the state.

N. Comai: This would provide jobs and economic stimulus to have a contract of this size go through.

J. Sullivan: Mr. Duhaime mentioned there was a question regarding providing a curb cut to a property on the corner. Did you look into that?

L. Lessard: I talked to the engineering firm and they will do a study and figure it out for us when they get to that point.

D. Ross: It points out that plans have to be submitted to them and it doesn't include the curb cut. The time line in starting the project is 3 months from Dec. 6 and completed in 2 years so I don't see the rush. If this is considered an alteration, that could cause them to pull out.

L. Lessard: They have a set of plans from 2008 but now they are designing the real plans. There are some things that have to go through the engineering process.

D. Ross: That is my concern; the way I read that, if you change what they have been told they can say no and there is plenty of time there. There are 3 months from Dec. 6 to start and substantial completion within 2 years. I think it's proper to do due diligence on our part with regard to the curb cut.

N. Comai: What are we asking him to do? Continue with the design to send it to be approved?

D. Ross: I am asking for more time. I don't think there is any rush on this.

J. Sullivan: What would a 2-week hold do for us?

D. Ross: give us more time to understand what this is. I am not comfortable with what I read and what is proposed. I think it's a good idea. The point is I feel rushed and I don't want to make a decision unnecessarily. We don't need to do it tonight.

J. Sullivan: Is it going up the hill, on the left or right?

L. Lessard: On the right hand side, the Cigna side.

N. Comai motioned to accept the recommendation of the Town Administrator who has concurred with the DPW director to accept the \$300,000 to keep this project moving forward. Seconded by T. Lizotte.

T. Lizotte: The issue was "hooks" and the contract was for federal funds. We are stating that the contract is with NH DOT not the feds. This curb cut issue; let's say you don't put it in. What is the cost of putting it in after the fact?

L. Lessard: It's a state road and needs a driveway permit from the state. It shouldn't be a problem if it's documented but we don't know that yet.

N. Comai: When they bring it to the state with the curb cut in it they will be able to yea or nay it and all the hooks would be revealed.

D. Ross: If we say no, then we've said no. I'm obligated to say no right now. I wish somebody would table this – there is no rush.

J. Levesque: He needs to get the plans developed so we can submit them to the state. This motion will allow him to keep working.

Dr. Shankle: I you want to stop the project, you can. I'm not clear on if we wait for 2 weeks, what do you want the staff to do to clarify your questions?

D. Ross: The plan referenced in the grant document is the plan. Right now the plan as proposed in the application didn't include a curb cut. It has to be there before we accept the money. It says in the grant application.

J. Sullivan: We didn't know about the curb cut.

L. Lessard: When he gets the driveway permit from the state, his contractor will put a wheel chair ramp in and put the curb cut in. It's not an issue here. It's up to the state anyway.

J. Sullivan: We are promising something we have no authority to do since it's state property.

A. Jennings: When did it become state property? Didn't somebody give up land for that?

L. Lessard: The state gave the town of Hooksett Main St. and took that land. It was a swap.

T. Lizotte: The state has that property – is there a document that represents that road?

L. Lessard: There should be. When they do the research they will find it.

D. Winterton: The cost for finding that is coming out of the grant?

L. Lessard: From our impact fees.

D. Winterton: Is there enough?

L. Lessard: No, they are only \$48,000 out of \$74,000. If we go above and beyond then we send to the state for approval. If they say no, we have to pay for it.

J. Levesque: This curb cut – is that on Cigna's property?

L. Levesque: It is the resident on the corner.

J. Sullivan: There is a bank of bushes and the sign for the strawberry festival. It's past the granite wall.

L. Lessard: It is 75'-150' past Main St.

J. Levesque: Why is this issue with us if he has to apply with the state? Did we promise it?

L. Lessard: Yes, but we can't promise something on state property.

Dr. Shankle: If people here gave him the impression of a curb cut, we should fight for it for him. If we can't win, do we not build the sidewalk? I think we build it anyway.

N. Comai: That is the point. We put it in the design for them to yea or nay. We won't know what the final cost will be until after the final design is done. It's OK where we are with things.

J. Sullivan: If Mr. Duhaime hadn't brought this up and we proceeded and after the project was complete, the resident wanting the curb cut is asking for it, what would you do? Apply to the state and if it's approved, you would put a cut in the curb and then we would be done with it.

D. Ross: If the state denies it we have a resident that can't develop property because of the lack of the curb cut. It could end up costing the town more than the \$300,000. I think the rush is wrong.

J. Sullivan: We need to make sure that the Planning Board is not promising things they have no authority to promise, even with the best intentions. That is something we need to caution the Planning Board on because the Council will end up dealing with that.

L. Lessard: This is hearsay; third party hearsay. One of the steps in the design process is to have a meeting with Council to explain how it's going to be done and let the abutters know. There will be a public meeting before it goes too far anyway.

J. Sullivan: I would encourage staff to find the document that explains the curb cut.

Roll Call

J. Levesque – Yes

T. Lizotte – Yes

A. Jennings – Yes

N. Comai – Yes

D. Winterton – Yes

D. Ross – Abstain due to not enough information to make an educated vote.

J. Sullivan – Yes

Vote in favor.

c. 13 – 124 Parking Ordinance Discussion

Captain Daigle, Hooksett Police Department

Dr. Shankle: All you can do tonight is say you want to support this recommendation.

Cpt. Daigle: In reviewing the parking ordinance 00-28, I would like to change two sections of administrative enforcement of parking violations. I am proposing we go from \$10 to \$20 and the other is for disability place. This has not been changed since 1997. I am proposing going from \$50 to \$100 for the first fine and from \$75 to \$200 after 7 days. On the issue of disability place, the actual violation is \$250 plus penalty, so nearly \$300. We are proposing the top end of \$200. That money goes to the town and we don't think it's an exorbitant amount to ask for this.

J. Levesque: After 7 days the amount changes from \$75 to \$200. I don't understand. Is that if they don't pay the fine in the first 7 days?

Capt. Daigle: Yes. All fine schedules in our IMC database double after 7 days. We have to use a separate billing system if they don't double. We thought we would bring that in line with the software. It is still less money than if we issue a state summons.

D. Winterton: How many of these parking violations do we give out?

Capt. Daigle: The disability is less than 24 per year. Parking violations – biggest one is parking in fire lanes and the winter parking ban.

N. Comai: I know they do this in other towns so I concur.

Dr. Shankle: You can tell us you want us to move forward and staff will put together what we need to do to make the changes.

J. Levesque motioned to accept the recommendation to change the violation fine amount for "Disability Place" parking from \$50 to \$100. After 7 days the fine amount would change from \$75 to \$200; also change the violation fine amount after 7 days for "Night Parking Prohibited" from \$10 to \$20 according to Town Charter section 3.6. Seconded by D. Ross.

J. Sullivan: Thank you. We will invite you back when we vote on the adoption.

d. 13 – 125 Discuss possible changes to Council Rules of Procedure

J. Sullivan: This came up at the last meeting regarding me presenting the library with a certificate. We want to make sure the Council Rules reflected this change.

N. Comai motioned to change the Council rules as follows: To add section 11a titled "Community Outreach" to state that the Council Chair has the authority to act on the Council's behalf to present and/or sign letters of achievement for community outreach to include but not limited to Town of Hooksett departments, businesses, residents and volunteer or membership groups if such signing is required between scheduled Council meetings. Seconded by T. Lizotte.

J. Sullivan: And I would hope that the chair would indicate they have done so at the next meeting.

Vote unanimously in favor.

SUB-COMMITTEE REPORTS

A. Jennings: Nothing to report

N. Comai: Nothing to report

J. Sullivan: Nothing to report

D. Winterton: The Planning Board met Monday. We did not have a quorum so we adjourned early. Stantec is not here tonight because we thought it would be better to present at Planning Board first. The HYAA subcommittee has not met since last meeting. We got good coverage in the *Union Leader* and there has been more discussion on the award. Police negotiations are ongoing.

D. Ross: Nothing to report

J. Levesque: Board of Assessors met today and it was mostly housekeeping. There was a list of people whose assessment went down and they paid the first part of the year, so it covered the second part. Some money needs to be returned and we needed a motion to return the money – we can't give them a credit. Robie's asked for a tax abatement for 2013 and it was granted.

T. Lizotte: The budget meeting last week dealt with school budget. It's approximately \$2M higher than last year. Default is \$140,000 below their budget. I suggested they try to pull budget down to default and last night's decision affected the default and could increase \$360,000 plus transportation costs. There is going to be some flux. We meet again tomorrow.

PUBLIC INPUT

M. Miville, 42 Main St.

M. Miville: The school administration, as a result of yesterday's decisions, proposed their operating budget for next FY will be an additional \$134,000 or \$138,000 not \$360,000. Current students that stay in Manchester will not be added in. They have requested an addendum - there is \$194,000 for additional transportation to Pinkerton as a result of that and a guidance counselor to facilitate transfer of students. Transportation was not involved in the default budget number.

Last week I discussed about the disparity of stipends. I never requested a consideration for any committee stipends. I don't know if there is an RSA stating that the Budget Committee can't be compensated, but this is a major board and committee that is not compensated. I would officially ask for consideration. I haven't spoken to the Budget Committee but it is the purview of the Town Council to consider stipends. The Budget Committee members are overseeing a \$45M budget - \$29M in schools

and \$16M in town. We have as many meetings as other boards in town. I won't mention any numbers, which is up to your consideration.

J. Sullivan: It's my understanding that the administration is looking into that based on the discussion last week.

M. Miville: I haven't looked at RSA 32.

T. Lizotte: In regards to my \$360,000 – \$134,000 was on the budget side however default allows predictions of a catastrophic event. They have the ability to say the difference is \$600/student and can be added to the default budget. My assumption is they would do that as it's in their best interest.

D. Winterton: I would like to offer the Council's congratulations to the men's soccer team of SNHU. They are the national champions of Division II. They play in Hooksett. I'd also like to offer encouragement to UNH who play in the semi-finals in N. Dakota. I know Councilor Comai shares my good wishes as her nephew is a member of that team. The championship game will be on Jan. 4. Good luck to UNH!

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 8:22pm. Seconded by T. Lizotte.

Roll call

D. Ross - Yes
J. Levesque – Yes
T. Lizotte – Yes
A. Jennings – Yes
N. Comai - Yes
D. Winterton – Yes
J. Sullivan - Yes

Vote unanimously in favor.

***J. Levesque motioned to exit non-public at 9:35pm. Seconded by T. Lizotte.
Vote unanimously in favor.***

***N. Comai motioned to seal the non-public minutes of 12/18/13. Seconded by J. Levesque.
Vote unanimously in favor.***

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

Respectfully submitted,

Tiffany Verney
Recording Clerk

AGENDA NO. 14-001

DATE: 1/8/14

Staff Report
Acceptance of Donation from John Paradise
January 8, 2014

Background: Per RSA 31:95-e for such amount less than \$5,000. Council shall post notice in the agenda and shall include notice in the minutes of a Council meeting in which such moneys or donations are discussed.

Issue: To accept the donation of \$50.00 from John Paradise

Discussion: John Paradise donated \$50.00 to Hooksett Fire-Rescue Department as a way of saying thanks for finding the money he lost here at the Safety center while pulling a permit.

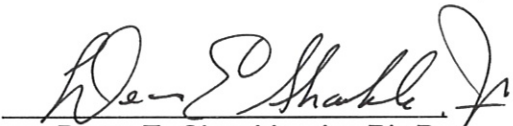
Fiscal Impact: The donation is a gift to the Hooksett Fire-Rescue Department.

Recommendation: Motion to accept donation of \$50.00 under RSA 31:95-e.

Prepared by: Fire Chief Michael Williams



Town Administrator Recommendation:


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

**Staff Report
Acceptance of Donations
January 8, 2104**

AGENDA NO. 14-003

DATE: 1/8/14

Background: Per RSA 31:95-b, III (b) for such amount less than \$5,000. Council shall post notice in the agenda and shall include notice in the minutes of a Council meeting in which such moneys are discussed.

Issue: To accept a donation of \$150.00 donated to the Hooksett Police Department R.A.D. Program. (Rape Aggression Defense Class)

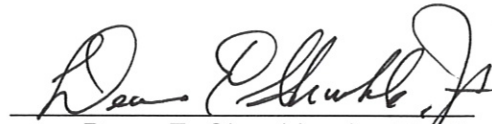
Discussion: Donations were received from Peggy Byrnes, Jodi Naughton and Margaret Leary who attended the R.A.D. Training Classes. (Rape Aggression Defense Class)

Fiscal Impact: The donation is a gift to the Hooksett Police Department R.A.D. Program (Rape Aggression Defense Class) for a total amount of \$150.00, no fiscal impact.

Recommendation: Motion to accept the donation of \$150.00 under RSA 31:95-b, III (b).

Prepared by: Francine Swafford, Executive Assistant

Town Administrator Recommendation: Concur.


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

AGENDA NO. 14-005
DATE: 01-08-14

**Staff Report
Adopt-A-Family Donation
Prepared December 19, 2013
For January 08, 2014 Council Meeting**

Background:

Per RSA 31:95-b, III (b) for such amount less than \$5,000.00 Council shall post notice in the agenda and shall include notice in the minutes of a Council meeting in which such monies are discussed.

Issue:

To accept donations of gift cards and a check to be used for the 2013 Adopt-A-Family program.

Discussion:

The Hooksett community has generously donated \$1,590.00 in gift cards to the Hooksett Family Services 2013 Adopt-A-Family program. These gift cards will be distributed to families in need. Macy Industries also donated \$350.00 to the Adopt-A-Family program for children in need.

Fiscal Impact:

Hooksett families in need will benefit from these very generous donations.

Recommendation:

Motion to accept donations from the Hooksett community of gift cards totaling \$1,590.00 a check in the amount of \$350.00 under RSA 31:95-b, III (b).

Prepared by:

Joy Buzzell, Family Services Director

Town Administrator Recommendation: Concur



Dean E Shankle, Jr.
Town Administrator

**PROPOSED AMENDED
ADMINISTRATIVE ENFORCEMENT OF PARKING VIOLATIONS
ORDINANCE # 00-28**

The Town of Hooksett ordains that, pursuant to the authority granted under Chapter 231:132-a of the New Hampshire Revised Statutes annotated, and sections 3.6 of the Hooksett Town Charter, the following ordinance is hereby enacted in the Town of Hooksett:

SECTION 1

The purpose of this ordinance is to utilize a system for the administrative enforcement of parking violations and collection of penalties, to be utilized prior to the service of a formal summons and complaint. This system will be administered by the police department. The system will include opportunities for persons who do not wish to contest parking violations to pay such penalties by mail. The system may also provide for a schedule of enhanced penalties the longer such penalties remain unpaid; provided, however, that the penalty for any separate parking offense shall in no case exceed the maximum penalty for a violation in accordance with State Statutes.

SECTION 2

The administrative system shall include a written notice of violation containing a description of the parking offense and any applicable schedule of penalties. Affixed to the vehicle at the time of offense, the notice shall be deemed adequate service of process on the vehicle owner.

SECTION 3

If this administrative enforcement system is unsuccessful at resolving alleged parking violations, a summons shall be issued as in the case of other violations of the Motor Vehicle Code, Title XXI, of the New Hampshire Revised Statutes Annotated, to include the use of the procedure for plea by mail set forth in Chapter 502-A:19b of the State Statutes.

SECTION 4

This ordinance shall become effective upon passage.

**ADMINISTRATIVE ENFORCEMENT
OF PARKING VIOLATIONS**

SCHEDULE OF PENALTIES

Violation	Fine	Fine after 7 Days
Expired Meter	\$3.00	\$6.00
Overtime Parking	\$10.00	\$20.00
Disability Place	\$50.00 \$100.00	\$75.00 \$200.00

No Parking Zone	\$10.00	\$20.00
Night Parking Prohibited	\$10.00	\$15.00 \$20.00
Snow Emergency	\$25.00	\$50.00
Fire Lane	\$15.00	\$30.00
Tow Zone	\$15.00	\$30.00

ADOPTED: 01/22/97

**TOWN OF HOOKSETT
PUBLIC HEARING NOTICE**

The Hooksett Town Council will be holding a public hearing on Wednesday, January 8, 2014 @ 6:30pm at the Hooksett Town Hall Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to amend Town Ordinance #00-28 Administrative Enforcement of Parking Violations: "Disability Place" initial fine from \$50.00 to \$100.00 and fine after 7 days from \$75.00 to \$200.00 **AND** "Night Parking Prohibited" fine after 7 days to \$20.00. Copies of the proposed amended ordinance can be found on the web at www.hooksett.org on the Administration page, in the Town Clerk's office or in the Administration Department. This notice is per Chapter 231:132-a of the NH Revised Statutes annotated, and section 3.6 of the Hooksett Town Charter. Questions should be directed to the Administration Department 603-485-8472.

AGENDA NO. 13-099

DATE: 1/8/14

**Staff Report
Mandatory Recycling
January 8, 2013**

Background:

In May of 2013, Hooksett residents voted to move forward to explore mandatory recycling through a warrant article.

Discussion:

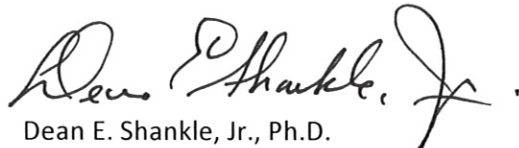
In an effort to increase recycling both at the curb and at the facility, I feel that we should move towards mandatory recycling for those residents who are not participating or who could be doing a better job. We will continue to send out our letters, which offer reminders of what can and can't be recycled. For those residents who refuse to recycle we will send "instructional" letters to them first, warnings second, and ultimately (I think) the loss of collection or dump privileges for a determined amount of time. The goal is not to punish but to educate. I realize no one likes to be told what to do, but if everyone refuses to recycle it will cost the Town money that is saved on disposal fees.

Recommendation:

I recommend that the Town move forward with mandatory recycling. I have attached a of list local communities that have mandatory recycling and how they enforce it.

Prepared by: Diane Boyce

Town Administrator Recommendation: I think that in the Enforcement section there should be an alternate penalty for 3rd, and subsequent, violations.


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

Recycling and Transfer Department Ordinance

This Policy is created to establish control of solid waste in the Town of Hooksett, implementing rules and regulations for the operation of the Transfer and Recycling Center (Center), curbside collection of trash and recycling, and setting of fees for the use of the facility. Control and regulation of solid waste will serve the public interest, protect health and safety of Town residents and conserve our natural resources.

SECTION 1 DEFINITIONS AND WORD USAGE

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

ACCEPTABLE WASTE – Household garbage, trash, rubbish and refuse originating within the boundaries of the Town, normally collected or disposed of as a result of residential pickups or deliveries.

AUTOMATED COLLECTION – shall mean a method of collecting refuse and recycling through the use of mechanical collection equipment and special carts issued for the storage and collection of rubbish and recyclables.

AUTOMATED COLLECTION CART – shall mean a specially designed cart with wheels, approved by the Town of Hooksett to be used for the storage of acceptable refuse or recyclables in the automated collection operation.

COMMERCIAL – Commercial entities doing business in the Town of Hooksett including but not limited to contractors, multifamily dwellings of more than four (4) units, commercial establishments of any size .

CONSTRUCTION DEBRIS – Non-putrescible waste building materials and rubble

CURB LINE – shall mean the area directly behind or adjacent to the curb; in the absence of a curb, the area adjacent to the edge of pavement or road.

CURBSIDE COLLECTION – shall mean the pickup of acceptable trash and recyclables at certain residences in the Town

CUSTOMER – shall mean any resident who delivers waste to the facility or receives trash and or recycling service from the Town

DEMOLITION WASTE – See Construction Debris

DESIGNATED COLLECTION POINT – shall mean the place where the automated cart shall be placed for service, as determined by the Recycling and Transfer Department.

EXTRA REFUSE – shall mean any refuse placed on, or around automated collection cart in excess capacity of the automated cart.

HAZARDOUS WASTE – shall mean any material which has been identified as hazardous waste by the New Hampshire Department of Environmental Services. Such wastes include, but are not limited to, those which are ignitable, irritants, or strong sensitizers, or which generate pressure through decomposition, heat, or other means. Such term also encompasses any solid, semisolid, liquid or contained gaseous waste, or any combination of these wastes which, because of either quantity, concentration, or physical, chemical or infectious characteristics may: a) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating reversible illness; and/or b) pose a present or potential threat to humans or the environment when improperly treated, stored, transported, disposed of, or otherwise mismanaged.

HOUSEHOLD HAZARDOUS WASTE – hazardous waste generated from non-commercial usage by persons in their living abodes.

INFECTIOUS WASTE - Any waste which, because of its infectious nature, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

MANDATORY – Officially required.

METAL GOODS (METAL). Metal goods include household appliances, air conditioners, aluminum lawn chairs, aluminum windows, outside grills, hot water tanks, and other metallic items that can be readily recycled and marketed.

MOTOR VEHICLE WASTE – Used motor oil, motor vehicle batteries, antifreeze, and tires from motorized vehicles.

MULTI-FAMILY RESIDENTIAL PROPERTY – shall mean more than one (1) but not more than four (4) dwelling units in a building.

RECYCLABLE – Any item within the town recycling program which can be recycled with the intent of reusing that item.

RECYCLING – The collection, storage processing, and redistribution of separated solid waste as to return material to the marketplace.

REFUSE – Any solid waste product which is composed wholly or partly of such materials as garbage, swill, sweepings, cleanings, trash, rubbish, litter, industrial solid wastes, organic wastes, and domestic solid wastes.

RESIDENT – a person who is domiciled or has a place of abode in the Town of Hooksett and who has, through all of his or her actions, demonstrated a current intent to designate that place of abode as his or her principal place of physical presence for the indefinite future to the exclusion of all others.

RESIDENTIAL PROPERTY – shall mean a single-family or multi-family housing building that consists of four (4) or fewer dwelling units.

SOLID WASTE – Any matter consisting of putrescible material, refuse, and other discarded or abandoned material. It includes solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations and from community activities. For the purposes of this Ordinance, it does not include hazardous waste as defined in RSA147A:2 or infectious waste as defined in this Section.

USER FEE – A charge, usually by a municipality, to users of a service.

YARD WASTE – Leaves, grass clippings, weeds, hedge clippings, garden waste, and twigs.

SECTION II

CURBSIDE AUTOMATED COLLECTION

It shall be **required** for curbside collection in the Town of Hooksett that all designated recyclable materials will be separated from the solid waste stream and disposed of in the approved recycling containers, either at the curb-side, in the mobile recycling trailer or at the Recycling and Transfer Center. The reason for separation is to help control the costs associated with the disposal and management of solid waste by diverting as many recyclables from the solid waste stream as possible. The listing of acceptable materials will be available at the Recycling and Transfer Center, or online at www.hooksett.org under the Recycling and Transfer Department.

- a. The purpose of this section is to establish minimum standards for the storage, collection, transportation and disposal of solid waste and recycling, utilizing an automated collection program to promote the health, safety, and welfare of the Town's residents, employees and environment, and to minimize the amount of trash generated in the Town.
- b. The Superintendent shall have the direct responsibility for the administration of this section subject to the direction and control of the Town Administrator and the Town Council.
- c. The Town will provide curbside collection of residential solid waste from public schools, municipal buildings, single family dwellings, multi-family dwellings (not more than 4 units)
- d. Two automated collection carts, one for trash, one for recycling, and instructions for use will be distributed for residents who receive collection services from the Town. Additional recycling carts may be issued in certain circumstances, upon recommendation of the Superintendent, determination will be made on a case by case situation by the Recycling and Transfer Advisory Committee.

- e. It will be the resident's responsibility to assure that automated collection carts are placed in the appropriate location designated by the Town, by 7:00 am on collection day. The Superintendent or his/her designee shall have the authority to review and approve or disapprove placement of the collection carts. Alternative sites may be necessary to safeguard public safety and minimize risk of damage to public or private property during the collection process.
- f. It is the resident's responsibility to remove the automated cart from the curb line by the end of the collection day.
- g. It is prohibited to overload automated carts in a manner that is likely to cause damage to the collection vehicle, the automated cart or to create a litter condition or to impede collection. It shall be an infraction to place or deposit any refuse whatsoever in or around an automated cart owned or provided for the use of another customer without that customer's approval.
- h. The Town shall not be responsible for collection if there are any infractions of any section of this policy, or if there are any circumstances that are beyond the control of the Town. Infractions or circumstances include, but are not limited to, automated cart overload, unacceptable materials, improperly loaded automated cart, blocked access, automated cart inaccessibility, improper carts or dangerous situations.
- i. Automated Carts:
 - 1. All automated carts are the property of the Town of Hooksett and are not to be removed from the property even in the event of a change in ownership or resident status. All automated carts will be assigned to a street address and have an imprinted number for identification purposes. One cart shall be used for trash and one cart for mixed recyclables.
 - 2. Any repairs to the containers will be performed by the Town. The property owner/customer shall contact the Recycling and Transfer office to report damage and request a repair. Containers damaged beyond repair will be replaced by the Town. If the containers are subject to neglect or other preventable damage as determined by the Superintendent, the Superintendent will require a charge for the replacement. The property owners are the ultimate party responsible for all damages or removed containers by tenants. The owner shall pay the cost of \$50.00 for any replacement containers. The owner should work to educate the household members on the proper use and maintenance of the containers.
 - 3. All trash and recyclables shall be placed into the appropriate containers so that the lid can be securely shut. No trash or recyclables placed on the ground or in any unapproved containers shall be picked-up by the town. The containers shall not be overfilled or arranged in any manner that will prevent the lid from remaining closed at all times to prevent water from filling the container, and access by animals. In the event of overflow, residents may bring the extra material to the facility or must wait till the next scheduled collection day.

j. Placement of Carts

It shall be the duty of each customer to place the carts as follows:

1. Within two (2) feet of the curb line or where directed by the Town.
2. At least five (5) feet away from all objects such as fences, mailboxes, and utility poles, and clear of overhanging vegetation, utility wires, etc. to allow for the unimpeded operation of collection vehicles.
3. So that the automated cart handle is facing the dwelling unit.
4. At least two (2) feet from the other cart.
5. At least ten (10) feet away from parked vehicles.

k. Approved Materials for Automated Curbside Collection

1. All approved recyclables shall be placed in the containers loose. No plastic bags should be recycled or used to contain recyclable material. The complete list of acceptable recyclables will be prepared by the Superintendent and distributed to all residents. The list shall be available on the website at www.hooksett.org or at the Recycling and Transfer Department. The list may be modified given market conditions or other factors. Recyclable materials, such as cereal boxes, and cardboard boxes should be flattened so that the recycling container does not become overfilled too quickly during a given collection week. All recyclable items shall be empty
2. All household trash must be bagged before placing into the trash container. All materials must be separated and placed into the appropriate container for the automated curbside program.
3. ONLY recyclables and household trash will be collected at the curb. All other material for disposal must be brought to the Recycling and Transfer Center at 210 West River Rd.

ENFORCEMENT

Section II Collection

It is the intention of the Department to educate residents as to the value of recycling and the appropriate procedures for doing so. If, however, a resident or tenant violates any provision of this section (Section II) it may result in the issuance of notices, warnings and possible loss of services.

First Violation – A courtesy notice will be issued. If the violation is the disposal of any unacceptable material, the cost of disposal (user fee) may be incurred.

Second Violation – A written warning will be issued. If the violation is the disposal of any unacceptable material the cost of the disposal (user fee) will be incurred.

Third Violation – A third violation will result in the loss of collection privileges, for an amount of time determined by the Superintendent, with approval by the Town Administrator. The violator shall have the right to appeal to the Town Council.

SECTION III

CONDOMINIUMS

Condominiums will be required to provide for the collection and disposal of domestic trash within their communities. The Town will reimburse tonnage at a maximum of 31 pounds per unit per week at the Town budgeted rate (for trash disposal), paid semi-annually, upon submission and verification of paid invoices by the condominium association. The Town may rescind or amend this section at any time.

SECTION IV

RECYCLING AND TRANSFER CENTER

The Center is operated and maintained in accordance with RSA 149-M:17 solely to receive, transport, and dispose of authorized solid waste generated within the geographical boundaries of the Town.

These regulations have been recommended by the Recycling and Transfer Advisory Committee and adopted by the Town Council pursuant to the authority granted the Council by RSA 149-M:17, II and 31:39, I (f). These regulations are intended to:

1. Prevent unauthorized entrance into and/or use of the Center;
2. Prohibit the disposal of illegal and/or unacceptable waste;
3. Control the disposal of authorized solid waste to facilitate compliance with operating standards, improve efficiency and productivity, require recycling and reuse of our resources, and maximize the life of the Center; and
4. Establish permit procedures.

The Superintendent of the Center is authorized to promulgate additional regulations subject to the approval of the Town Council which may include, but are not limited to, the following subjects:

1. Separation of solid wastes and other materials;
2. Inspection procedures;

3. Hours of operation; and
4. Establishing fees.

USE OF CENTER

It is **mandatory**, that residents, who use the facility to drop off material, will separate all designated recyclable materials from the solid waste stream and dispose of them in the approved recycling containers. The reason for separation is to help control the costs associated with the disposal and management of solid waste by diverting as many recyclables from the solid waste stream as possible. The listing of acceptable materials will be available at the Recycling and Transfer Center, or online at www.hooksett.org under the Recycling and Transfer Department.

- A. Permit Required.
Permits will be issued for all residents who use the facility if the vehicle is registered in Hooksett. Residents who do not have a registered vehicle must show proof of residency in the way of a tax bill or license with Hooksett address.
- B. Removal of material
No material shall be removed from the Center without authorization.
- C. Designated Areas
Solid waste shall be disposed of only in the designated areas.
- D. Unauthorized Entry
No person shall enter or attempt to enter the Center at times other than during the posted operating hours.
- E. Acceptable Solid Waste
Solid waste which is allowed to be received at the Center includes refuse, recycling, construction debris and demolition waste, motor vehicle waste, yard waste, residential brush, appliances, and scrap metal. User fees may apply. See website at www.hooksett.org or call facility 669-5198.
 1. Clean demolition, wood, sheetrock(kept separate), asphalt shingles (kept separate)
 2. Furniture
 3. Metal items and appliances will be accepted. Appliances with freon will be kept separately
 4. Yard Waste (grass clippings, garden waste, leaves and branches no larger than 3" in diameter) must be brought to the designated area (compost pile). Yard waste brought in plastic bags must be emptied.
 5. Some household hazardous wastes may be brought to the facility. Residents need to contact the facility to determine if it can be accepted.
- F. Unacceptable Solid Waste
Materials which will not be accepted at the Center shall include, but not be limited to, the following:
 1. Hazardous waste. Hazardous waste or material which the Town considers to be detrimental to the operation of the Center or which require special handling or disposal procedures.

2. Other. Infectious, pathological and biological waste, radioactive materials, oil sludge, hazardous refuse of any kind, or other substances which are now or are hereafter considered harmful, inflammable, hazardous, or toxic, or which would pose a threat to health or safety, or which may cause damage to or adversely affect the operation of the Center.
 3. Tires on rims.
- G. Stumps and Logs. Also branches greater than three inches in diameter or three feet in length.

ENFORCEMENT

Use of Recycling and Transfer Facility

It is the intention of the Department to educate residents as to the value of recycling and the appropriate procedures for doing so. If, however, a resident, tenant or Hooksett Commercial Business violates any provision of this section (Section IV) it may result in the issuance of notices, warnings and possible loss of privileges at the facility.

AGENDA NO. 14-004
DATE: 1/8/14

Staff Report
Fire Station # 1 expansion utilizing public safety impact fees
January 8, 2014

Background: Hooksett Fire-Rescue is looking for approval to expend public safety impact fees to develop architectural plans and construction estimates to expand our current Fire Station #1 which is located across from Robie's country store. Public safety impact fees can be utilized to design new or existing public safety buildings as outlined in the attachment.

Issue: Fire station # 1 was built 20 years ago. We are looking to expand the interior rear section of the apparatus bays to better accommodate our firefighters. Currently the Fire officer sleeps in the front office portion of the building, which would be converted into just an office; we would construct a new bunkrooms, dayroom, weight room, storage room, and training room to accommodate both male and female firefighters. Currently this facility does not accommodate both male and female firefighters appropriately.

Discussion: The discussion would be to allow us to move forward with getting architectural drawings and construction estimates on what the entire project would cost. Once these figures are determined, we would bring them back to this body for approval to continue with the project.

Fiscal Impact: These design/estimate costs will be paid with our public safety impact fees already collected, which currently has a balance of \$416,661.88 as of 12-11-13.

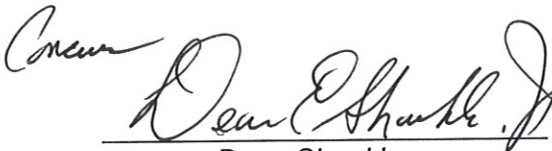
Three proposals collected:

SMP Architecture	\$9,800.00
JRT-AIA Architect	\$14,900.00
CMK Architecture	\$1,900.00

Recommendation: Motion to approve SMP Architecture for the Conceptual design services and estimating in the amount of \$9,800.00

Prepared by: Fire Chief Michael Williams 

Town Administrator Recommendation:



Dean Shankle
Town Administrator

Where developer contributions have already been made in advance of impact fees, it may be appropriate to waive all or part of the public safety impact fees otherwise due by an amount that reflects the value of the contribution. The Hooksett impact fee ordinance contains provisions that allow the Planning Board to consider waiver requests for all or part of an impact fee assessment and accept in lieu of a cash payment, a contribution of real property or facility improvements of equivalent value and utility to the public. The related contribution must be for capital costs of the same kind as that for which the impact fee has been assessed. The Planning Board would need to consider such waiver requests on a case-by-case basis within the terms provided in the ordinance, which also requires review and consent of the waiver by the Town Council.

F. Utilization of Impact Fees

Under RSA 674: 21, V, impact fees may be used to fund the capital needs generated by new development in one of two ways: (1) it can accumulate impact fees to pay for anticipated capital needs in the future that are related to the demands of new development; or (2) it can use impact fees to recoup the cost of prior capital investments that it made in anticipation of such growth. The actual amount of impact fees received by the Town will be a function of the rate of growth. In most cases, there will be some need to advance public funds for the creation of new capital facilities, as impact fee accumulations may not be adequate to construct an entire facility when it is needed.

In the case of public safety capital improvements, there are a number of capital expenditures that could be supported, in whole or in part, by impact fee assessments. These include, but are not necessarily limited to:

- Acquisition of land for public safety facilities
- Design of new or expanded public safety buildings
- Construction and equipping of such buildings
- Acquisition of new capital equipment, vehicles or apparatus (except replacements)
- Payment of debt service on the above expenditures

Because there is remaining capacity in the police department portion of the Public Safety Building, police department impact fee collections could be used to offset remaining debt service on that facility. The fees could also be utilized to purchase new cruisers (not simply replacement vehicles) that are required by the department as more officers are added to the force.

For Fire-Rescue services, the likely use of impact fees will be to offset the construction and equipping of several new fire stations and related apparatus. The impact fees collected should be applied to the development costs of the new stations, and to new capital equipment that is added to the inventory beyond the apparatus need that has been attributed to existing or base year needs (i.e., a second ladder truck or Quint).



December 23, 2013

Hooksett NH Fire-Rescue
C/o Chief Michael Williams
15 Legends Drive
Hooksett, NH 03106

RE: Station One; Interior renovation conceptual design

Chief Williams,

It was great to meet you last week and tour Station One. Following that discussion I am enclosing our proposal for conceptual design services for the renovations to the station. I have also included some information on our firm as well as a few previous projects. Certainly if you want, or need, anything more just let me know.

Thank-you for the opportunity to work with you once again, Hope you have a great Christmas.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason LaCombe', written over a faint, larger version of the same signature.

Jason LaCombe • AIA
Principal • SMP Architecture

Encl.



Client Information

Hooksett Fire-Rescue
15 Legends Drive
Hooksett NH 03106
Attn: Chief Michael Williams
Phone: 603-623-7272
Email: Mwilliams@hooksetffire.org

Project Location

Station 1
Riverside Street
Hooksett, NH

Project understanding

We understand your intent is to renovate the interior of station 1 to accommodate 3 bunk rooms, a fitness room, a day room and potentially a small meeting room. The goal is to achieve this without adding on to the existing facility, but reworking existing, underutilized space.

We propose to complete this in 2 small phases of work, the first phase, as included herein, includes documenting existing conditions, developing options for floor plan layouts, working with you to refine the options to one final design and assembling a construction budget to complete the work. Once completed and authorized to proceed we will assemble a second proposal to develop the permit and construction documents for the project.

Proposed Fees:

SMP services	\$ 8,600
<u>Construction estimating</u>	<u>\$ 1,200</u>
Total Fee	\$ 9,800

The above fee is a fixed amount for this scope of services and includes reimbursable expenses for travel and printing.

Conceptual Design Services

Anticipated timeframe: 3 to 5 weeks

Specific Scope:

- SMP will measure and photo document the existing conditions of the building;
- We will produce CAD backgrounds of the building from which future work will be based.
- We will develop floor plan options for your review and consideration; We anticipate 2 review meetings during the course of work;
- We will develop a project narrative and work with an independent estimator to produce a budget for the construction of the project.

Project Deliverables:

- Existing conditions drawing(s);
- Conceptual renovation floor plan;
- Project budget.



Work Not Included in this Proposal:

- Permitting and Regulatory applications, meetings, hearings etc.
- Town Council meetings, presentations, etc.
- Construction Documentation such as enlarged floor plans, interior elevations, wall sections, specifications beyond deliverables noted,
- Interior Design and presentations;
- Surveying, Civil, Structural, Electrical, Mechanical, Plumbing and Fire Protection Engineering;
- Septic Design, Geo-Tech Consultants, Wetlands and/or Environmental Assessments;
- Archeological Study and NHSP0 Historic 106 Review;
- LEED Building Design Consultant or Building Systems Commissioning;
- Acoustical Engineering or Security Systems Design;
- Hazardous Material Assessments;
- Construction Administration activities, IBC Special Inspections, and record drawings.

Signature

This proposal, with the attached Terms and Conditions is a firm offer and is good for **30 days**. If the Scope of Services, Schedule, and Fee meet with your approval, please sign below and return one copy to:

SMP Architecture
30 South Main Street, Building 2
Concord NH 03301

This signed agreement will constitute the complete agreement and will act as notice to proceed.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jason LaCombe', written over a horizontal line.

Jason LaCombe • AIA
Principal • SMP Architecture

Approved for Hooksett Fire-Rescue

Date

Print name



JRT•AIA ARCHITECT

741 Upper Straw Road • Hopkinton, NH 03229-2041 • 603.223.9938 • jrtaia@aol.com
Architecture • Interior Design • Planning • Certified Construction Specifier
Code Consultant • Third Party Plan Reviews • Accessibility Reviews and Inspections
www.aianh.org/users/jrt-aia-architect

December 24, 2013

Town of Hooksett
Attn: Mr. Michael Williams, Fire Chief
15 Legends Drive
Hooksett, NH 03106

**RE: Fire Station No. 1 Renovations
Hooksett, New Hampshire**

Dear Chief Williams:

It is a pleasure to offer my professional services in the above captioned matter for a fixed fee of Fourteen Thousand Nine Hundred Dollars (\$14,900.00) for architectural and required engineering design, drafting and other "traditional" services as defined in AIA Standard Form of Agreement between Owner and Architect.

The scope of the proposed renovations is to provide three (3) bunkrooms and other related work following, in general, the sketch (attached) you provided to me at our meeting on December 18, 2013. The scope assumes the existing electrical service/generator is of sufficient capacity for the renovation and that the FACP and sprinkler system can be expanded to accommodate the renovation. The proposed fixed fee is derived as follows:

Field measurement of existing conditions:	\$500.00
(this fee is waived if the Town can provide existing drawings)	
Preliminary (Schematic) Design:	\$2,400.00
Provide a maximum of three (3) alternative options for review.	
Construction Documents:	\$5,500.00
Drawings and specifications of the selected option as required for bidding, permitting and construction, including, as required, structural, fire protection, mechanical, electrical and plumbing engineering.	
Bidding assistance:	\$500.00
Contract Administration:	\$6,000.00
Review of contractor's submittals, requests for payment, requests for information, change order requests and a maximum of six (6) on-site project meetings, two (2) of which will include mechanical and/or electrical personnel.	

Fees for additional services shall be at current hourly rates of the discipline(s) involved.
Rates as of this date are:

Architectural/Administrative	\$ 150.00
Structural	\$ 100.00
Fire Protection	\$ 125.00
Mechanical/Plumbing	\$ 125.00
Electrical	\$ 100.00

All fees are plus reimbursable expenses as listed below:

Blue/black line prints	\$ 1.00 per square foot
Photocopies/printing	\$.25 each b/w; \$3.00 each color
Color digital photos	\$ 5.00 each (8x10)
Plots	\$ 10.00 each (24x36)
All the above at actual cost for third party services	
Travel	\$.55 per mile plus tolls
Actual cost of other transportation, meals and accommodations	
Postage/delivery services	Actual cost

Should this agreement remain in effect for more than twelve (12) months, the hourly fees and reimbursable expense rates shall be subject to review and change with written notice and at the sole discretion of **JRT • AIA ARCHITECT**.

Invoices are submitted monthly based on accrued time and expenses incurred. Payment is due and payable within thirty (30) calendar days from the date of each invoice. Accounts not paid within thirty (30) days will incur interest at the rate of one and one-half percent (1.5%) per month (18% APR).

Failure to make payment in accordance with this agreement shall be considered substantial nonperformance and cause for suspension of services and/or termination of this agreement, upon written notice, at the sole discretion of **JRT • AIA ARCHITECT**. Unless payment in full, including accrued interest, is received within seven (7) days of the date of notice, this agreement shall be deemed in default and suspension/termination shall take effect without further notice. In the event of suspension/termination for late or non-payment, **JRT • AIA ARCHITECT** shall have no liability for delays or damages due to such suspension/termination. In the event of default, **JRT • AIA ARCHITECT** shall be entitled to reimbursement of attorney's fees and costs of collection.

Any claim, dispute or other matter in question arising from or related to this agreement shall be subject to mediation as a condition precedent to arbitration or the institution of legal or equitable proceedings by either party. Requests for mediation shall be made in writing. Mediation shall not prevent either party from proceeding per applicable law to comply with filing deadlines or other actions to protect their legal rights. All costs of

Fire Station No. 1 Renovations
Hooksett, New Hampshire

December 24, 2013

mediation shall be shared equally by all parties. Agreements reached in mediation shall be enforceable as settlement agreements in law.

Either party to this agreement shall have the right to terminate the agreement upon written notice. All accrued fees and expenses incurred by **JRT • AIA ARCHITECT** to the date of receipt of termination notice shall be due and payable as indicated above. In the event of termination **JRT • AIA ARCHITECT** shall have no liability for delays or damages due to such termination.

All parties to this agreement bind themselves, their agents, successors, assigns and legal representatives to this agreement. Neither party shall assign this agreement without written consent of the other party.

This agreement represents the entire and integrated agreement between **JRT • AIA ARCHITECT** and the entity identified herein and supersedes all prior negotiations, representations or agreements, either written or oral. This agreement may be amended only by written instrument signed by all parties. This agreement shall be governed by the laws of the State of New Hampshire.

If this agreement is acceptable, please sign one copy and return for my records.

Very truly yours,

Jerry R. Tepe

Digitally signed by Jerry R. Tepe
DN: cn=Jerry R. Tepe, o, ou,
email=jrtaia@aol.com, c=US
Date: 2013.12.24 13:39:04 -05'00'

Jerry R. Tepe, FAIA

JRT • AIA ARCHITECT

c:\proposal\hooksett fire station #1\agreement.docx

Acceptance of Conditions and Authorization to Proceed

By: _____
(Please type or print name and title)

For: _____
(Please type or print name of company, partnership or other legal entity)

By signing this agreement, it is stipulated that the signatory has the authority to bind the identified entity to the terms and conditions contained herein.

Signature: _____ Date: _____



December 27, 2013

Michael Williams, Fire Chief
Town of Hooksett Fire Department
15 Legends Drive
Hooksett, NH 03106

Re: Architectural Design Services –
Hooksett Fire Station 1

Dear Chief Williams,

We are a Manchester based firm and have been in practice since 1984 as CMK Architects, P.A.

I have attached some meeting notes of our discussion last Monday; please feel free to send me any edits or additions.

CMK Architects has been working for decades with municipalities evaluating their facilities and future needs. We can offer the specific fire station experience, the ability to design within budget, knowledge of the program and design solutions and a proven record during construction of protecting the owner's interest. We value participation with our clients in order to deliver an end product tailored to their needs and believe that the owner should receive the value indicated within the contract documents.

Our specific fire station projects include:

Thornton's Ferry South Fire Station

The Merrimack Thornton's Ferry Station is a solution to increasing development in the south end of Merrimack including a large outlet mall and anticipated traffic issues with the opening of the new airport access road. The facility contains 13,440 sq. ft with 4 two bays two deep drive thru apparatus bays. The bays are arranged in sets of two separated by ancillary spaces that will allow frequent runs vehicles such as the ambulance to leave the bay and not affect the temperature of the other two bays. The station will also include living quarters and administration space. The committee felt brick was too commercial for their town so it was designed with Cement board clapboards with a stone band for durability. Project cost is budgeted at 2.6 million with the preliminary design completed. Presently the project is awaiting bond approval.

Chief Michael Currier

Merrimack Fire Department

Merrimack, NH

(603) 424-3690

It appears you will need two phases of architectural services:

Phase I Preliminary plans and cost estimate to allow discussion with town officials and approval to proceed

Phase II Complete bidding documents to allow competitive bidding of the project

Our fee for Phase I would be \$1,900.00 inclusive of all reimbursable expenses. Please note that this fee does not include any engineers at this point in the project or presentation time to town officials or public meetings.

Deliverables will be floor plans drawn to scale indicating room sizes, doors and windows of the approximately 20' x 45' area.

CORZILIUS MATUSZEWSKI KRAUSE ARCHITECTS, P.A.

Thank you again for this opportunity to provide information about our firm and a fee proposal.

If there are any questions please do not hesitate to call (603) 627-6878 or e-mail me at ckrause@cmkarchitects.com.

Sincerely yours,

A handwritten signature in black ink that reads "Chip Krause". The signature is written in a cursive, flowing style.

Chip Krause
Architect

Encl.: Meeting Notes
Proposal: 13: Hooksett station one

