

**TOWN COUNCIL AGENDA  
Regular Meeting  
Wednesday, December 17, 2014**

1. 6:30 PM - CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. SPECIAL RECOGNITIONS
5. APPROVAL OF MINUTES
  - a. Public: December 10, 2014
  - b. Non-public: December 10, 2014
6. AGENDA OVERVIEW
7. PUBLIC HEARINGS
8. CONSENT AGENDA
  - a. \$1,400 Gift Cards from American Legion Donation to Family Services
  - b. Kathie Northrup, donation of town reports to Heritage Commission
  - c. Rob Duhaime brick donation
9. TOWN ADMINISTRATOR'S REPORT
10. PUBLIC INPUT: 15 Minutes
11. NOMINATIONS AND APPOINTMENTS
12. SCHEDULED APPOINTMENTS
  - a. Economic Development Advisory Committee
13. 15 MINUTE RECESS
14. OLD BUSINESS
  - a. 14 – 101 2014 Budget Overview, CIP Discussion and Review of Various Budgets.
  - b. 14 – 066 Lilac (Village) Bridge discussion
15. NEW BUSINESS
  - a. 14 – 102 DPW Environmental Snow Melt
  - b. 14 – 103 Police Department new guns
  - c. 14 – 104 Suggested Charter Changes regarding annual audit
16. SUB-COMMITTEE REPORTS
17. PUBLIC INPUT
18. 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.

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

## 19. 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.

AGENDA NO. consent  
DATE: 12/17/2014

**Staff Report  
Adopt-A-Family Donation  
December 17, 2014**

**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 a donation from the Hooksett American Legion to be used for the 2014 Hooksett Holiday Assistance program.

**Discussion:**

The Hooksett American Legion has generously donated \$1,400.00 in gift cards to the Hooksett Family Services 2014 Hooksett Holiday Assistance program. These gift cards are \$25.00 a piece to stores including Walmart, Target, and Kohl's. These cards will be distributed to teenagers in need.

**Fiscal Impact:**

This is the fourth year that the Hooksett American Legion has provided Family Services with this very generous holiday donation to benefit the teenagers in need at Christmas time.


**Recommendation:**

Motion to accept a donation from the Hooksett American Legion in gift cards to Walmart, Target, and Kohl's totaling \$1,400.00 under RSA 31:95-b, III (b).

**Prepared by:**

Joy Buzzell, Family Services Director

**Town Administrator Recommendation:** *consent*

  
\_\_\_\_\_  
Dean E Shankle, Jr.  
Town Administrator

**Dean Shankle**

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**From:** Kathryn Rosengren  
**Sent:** Tuesday, December 09, 2014 10:47 AM  
**To:** Dean Shankle  
**Subject:** FW: donation, old town reports

**AGENDA NO.** Consent  
**DATE:** 12/17/2014

She later corrected this saying there are 34 reports

*Katie Rosengren*

Project Coordinator  
Administration Department  
Town of Hooksett, NH  
35 Main Street  
Hooksett, NH 03106  
TEL: (603) 485-8472  
FAX: (603) 485-2439



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**From:** Kathie Northrup [mailto:kathien24@myfairpoint.net]  
**Sent:** Thursday, December 04, 2014 1:02 PM  
**To:** Dean Shankle  
**Cc:** Kathryn Rosengren  
**Subject:** donation, old town reports

Dean, would you please ask the council to accept, on behalf of the Hooksett Heritage Commission, my donation to the commission of thirty (30) original town reports from the years 1961-2012 (not one for every year).

Kathie Northrup  
24 Berry Hill Road  
Hooksett, NH

AGENDA NO. consent

DATE: 12/17/2014

Hello Dean. I've confirmed with Rob Duhaime that he would like to donate some old bricks to the town (either Heritage Commission or Town Hall Preservation Committee if we need a more definite recipient) for possible use in future projects. Leo agrees that a stockpile of old, used bricks would be a good thing to have. He also says he has room at DPW to store them.

These bricks are assumed to have been a part of the Prescott Inn, circa 1794. It would be wonderful to hold on to these. Altho this was before Hooksett was Hooksett, presumably they were made locally. I may have mentioned it before, but we got some bricks to make a hearth for the stove at Head School. It's a great story to tell when people visit—that these bricks come from a 1794 inn, the oldest remaining inn in town, etc.

*D. Schull*

**Staff Report**  
**Environmentally Snow Melt**  
**December 17, 2014**

AGENDA NO. 14-102  
DATE: 12/17/14

**Background:**

The Town used on an average of 3600 tons of salt last year. This gets applied usually three times per average storm and on snow dustings without any accumulation we could go out at least six times. This environmentally safe chemical will be added to the salt.

**Issue:**

Last season we put down 3600 tons of salt. With the additive we could possible save 20 to 30 percent of salt depending on how we install it. The price for this is \$18.00 per ton, last year we paid \$19.00 per ton. The department will get a \$1.00 of last year's price.

**Discussion:**

Last year was the first year we used the additive. The council approved up to \$40,000.00 for the additive. The department spent about \$39,000.00 on additive before I stopped using it. During the time it was used the department was up to a 22% savings. What happened is the rains from late December and into January came in, with this the department had to treat many times during the storms which kept washing out and reapply. This hurt us very much; this is why I stopped the process. I did not stop because it wasn't working I only stopped for we were getting way over budget and I had to cut corners. Even though we had stopped we still had a savings of about 11%. This year I plan on doing is having the salt treated and still have a sand mix which we can use during any rain storms to save the liquid mixed salt.

There was one storm last year that the state of NH DOT had stopped treating the interstate for they lost control of the ice and stopped during the night and called the trucks back in the next day which was a Saturday to treat the interstate with the help of the sun. Not one truck of Hooksett was called in that Saturday for the salt additive worked very well and our streets were black. This was a big savings. The material does work very well.

As anything new there is a trial and era, we learned some things last year and I am sure we will learn more this year if the department is able to use it.

The city of Keen has used this process for many years and has all good to say about it. I was on the phone with Keen last season a few times for advice and knowledge.

**Fiscal Impact:**

Last season when I came before you I stated that we could save the Town up to 30% in cost of salt. On a \$140,000.00 salt budget we could save \$42,000.00, and save on the overtime of the crews along with fuel and wear and tear on the vehicles. I still feel this way even though we have already gone through approximately 250 ton in this last few storms to date.

**Recommendation:**

I would like to have the Council approve a purchase order for the \$40,000.00 to use as we treat the incoming salt, which is at \$18.00 per ton to treat. This would

give the department a PO for the season to work off of. With the savings I do not think we will use the entire amount. I would recommend that the council go with N H ice melt for the \$18.00 per ton. If the cost of the salt and liquid match we will still have a large savings on overtime, fuel and wear and tear on the vehicles. There is only two companies at this time that are equivalent in this process in the area. one is NH Ice Melt at \$18.00 per ton the other is Granite State Magic Salt at \$21.00 per ton. I recommend that the Council approve for NH Ice Melt.

**Prepared by:** Leo Lessard, Public Works Director

**Town Administrator Recommendation:** *over*



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



ICE & SNOW MANAGEMENT

www.gsmagicsalt.com

Phone: (603) 279-9008 Fax: (603) 279-9052  
P.O. Box 1135 • Meredith, NH 03253

**WINTER SERVICES PROPOSAL**

Name: Town of Hooksett

Hm #: \_\_\_\_\_ Wk #: 668-2019

Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: 210 West River Rd.  
Hooksett NH 03106

**Comments:** Town of Hooksett - public works Dept  
Attn: Leo Lessard  
llessard@hooksett.org

**Winter Services**

JACKPILE Treating - treat Park SALT  
with ICE O' COME MAGIC  
for 2014-2015 \$ 21. / ton  
labor and materials included

www.realgreenic.com

**REALGREEN**

**LAWN CARE**

PROFESSIONAL TURF SERVICES

Licensed Turf Pesticide/  
Fertilizer Specialist

e-mail: info@realgreenic.com



Winter Service Total \$ \_\_\_\_\_

**Customer Acceptance**

Payment Terms: Net 10 Days. Delinquent accounts carry interest at 2% per month. Service will NOT continue unless previous application has been paid in full.

Cancellation Terms: This agreement will be in effect for an initial period of one year but the customer has the option to contract for a period of up to two years. Either party may cancel the agreement with just cause during such term upon 30 days written notice to either party. Just cause is defined as either party failure to comply with the terms and conditions of this service agreement.

**Your Winter Service Specialist**

By: [Signature]

Title: OWNER Date: 12/5/14

**Customer Authorized Signature**

By: \_\_\_\_\_

Date: \_\_\_\_\_





**ICE B'GONE MAGIC.**

**Safer For People, Plants, Pets & Our Planet**

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15 King Street  
Auburn, NH 03032  
Ph 603.222.2292  
Fax 603.792.0229

email:office@nhicemelt.com  
www.IBGMagic.com

## **Proposal**

**12/4/14**

Leo Lessard  
Public Works Director  
Town Of Hooksett  
210 West River Rd  
Hooksett, NH 03106

With additional rebates from our manufacturer, we are pleased to lower your price this season.

**Winter 2014-2015 – Stockpile treating with Ice B' Gone Magic liquid.**

**\$18. Per ton. (materials and labor included).**

Sincerely,

Matthew Scott  
NH Ice Melt

HOME IBG MAGIC GRANULAR IBG MAGIC LIQUID DEALERS IN THE PRESS

You are here: Home / IBG Magic Liquid

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## Ice B'Gone Magic Liquid

IBG Magic Liquid saves money, time and labor. This patented formula may be applied to your salt or ours. IBG Magic Liquid can be sprayed onto regular rock salt, transforming it into IBG Magic Solid, a highly effective ice melting product. By applying IBG Magic Liquid directly onto paved surfaces, ice and snow will not bond, black ice is eliminated, will not degrade or corrode vehicles, and slip and falls are reduced.

### What is Ice B'Gone Magic Liquid?

IBG Magic Liquid is a highly effective liquid de-icing agent made from a patented blend of magnesium chloride combined with an agricultural by-product of the distilling process (i.e. grain and/or sugar based) and is protected under U.S. patent #4,676,918. No other liquid ice melter can make this claim.

IBG Magic Liquid is non-toxic, bio-degradable and has a corrosion index lower than distilled water. IBG Magic Liquid can be applied directly to paved surfaces in advance of a winter storm, or can be sprayed onto regular rock salt, transforming it into IBG Magic Solid, a highly effective ice melting product.

IBG Magic Solid is regular rock salt that has been



treated with the liquid IBG Magic Liquid.

IBG Magic Solid is safe to use on concrete, is non-corrosive, does not harm curbside grassed areas or plants, and continues to melt ice to below -35F°.

The benefits and results of treating your salt stockpiles or your sand/salt stockpiles with IBG Magic Liquid are amazing.

## Features and Benefits of Ice B'Gone Magic Liquid

IBG Magic Liquid is a proprietary formula of magnesium chloride combined with an agricultural by-product of the distilling process (i.e. grain and/or sugar based) and is protected under U.S. patent #4,676,918. No other liquid ice melter can make this claim.

IBG Magic Liquid can be applied directly to paved surfaces in advance of a winter storm and the following results will occur:

- Black ice is eliminated.
- Because of its residual effect, snow and ice will not bond to paved surfaces.
- It melts faster.
- It works longer.
- It is environmentally friendlier.
- It is less corrosive than distilled water.
- It is DEC approved.
- It is safe for concrete parking structures.
- It even neutralizes rust!

IBG Magic Liquid saves money, time and labor.

## Application Methods for Ice B'Gone Magic Liquid

### Anti-Icing

IBG Magic Liquid is used extensively on the New York State Thruway system and the Garden State Parkway (New Jersey) as an anti-icing agent.

IBG Magic Liquid is applied using a spray tank system with a spray bar. There are two types of spray patterns which are used, depending on traffic flow and desired effect.

When correctly applied prior to the snow or ice storm event, IBG Magic Liquid prevents snow and



ice from bonding to the pavement.

Plowing removes all packed snow and ice. Black ice cannot form, as long as there is no major run off.

IBG Magic Liquid will not harm vehicles or any type of pavement and is environmentally much friendlier than traditional methods and materials.

*These significant benefits* must be considered only in terms of the substantial commitment to training crews, use of precise temperature monitoring equipment, and careful application.

Our tank/spray system easily converts from anti-icing to de-icing.

### De-Icing

Ordinary rock salt is transformed when treated with IBG Magic Liquid. Hard pack and bonded ice are quickly eliminated from paved surfaces. Watch a video of Magic -0 being applied to rock salt.

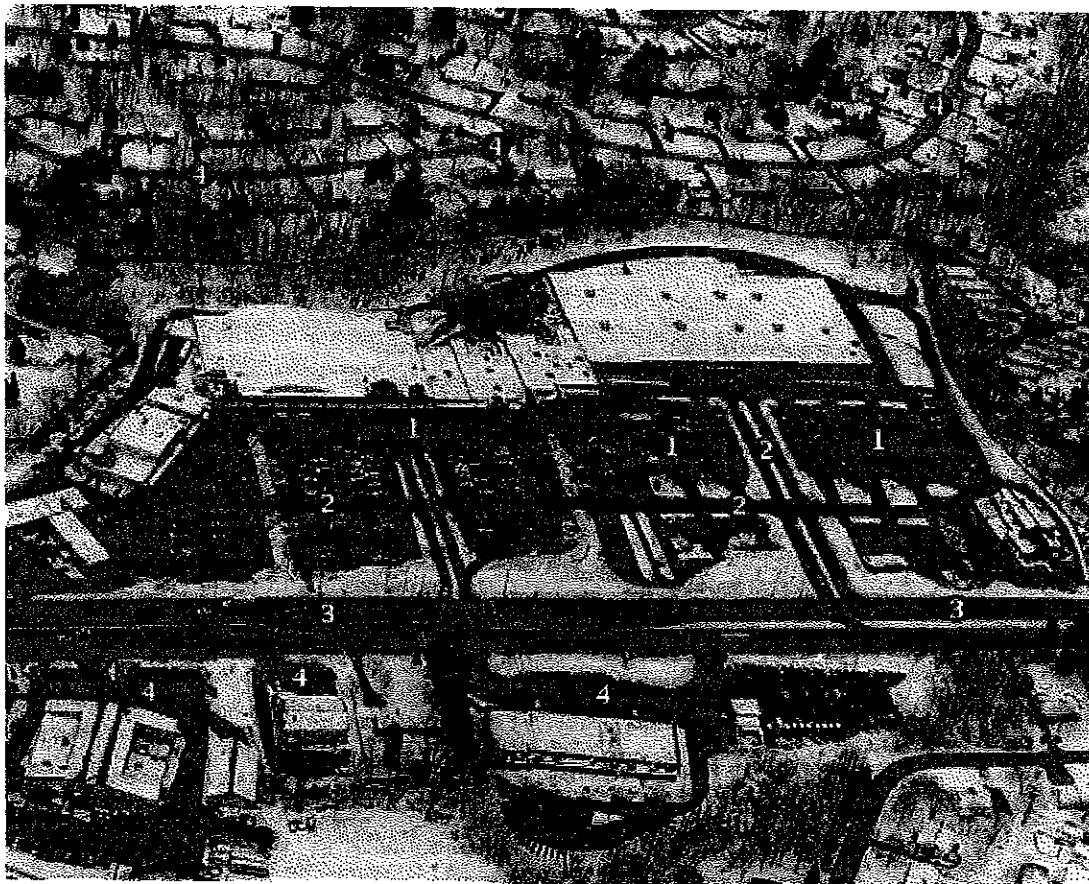
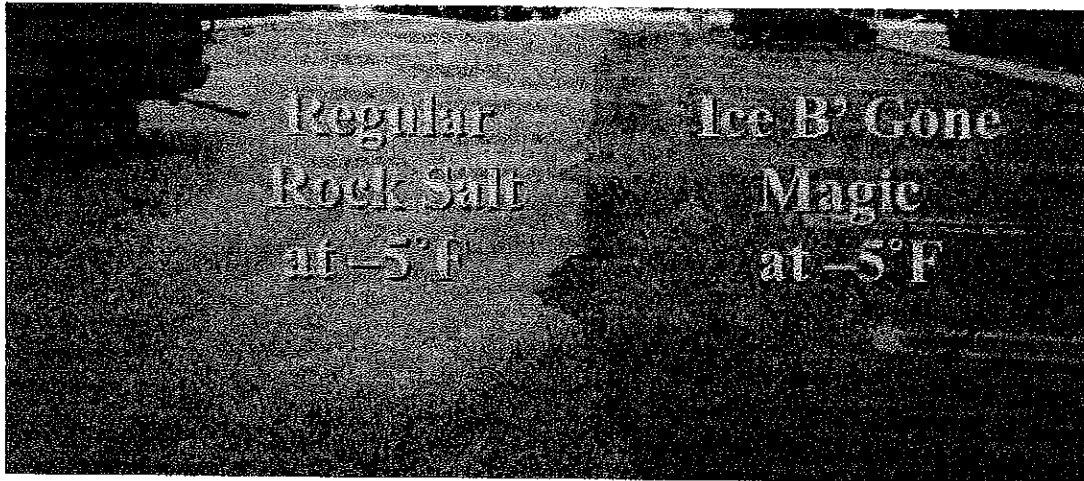
Even though rock salt eventually dissolves in the melting process, the IBG Magic Liquid remains in the pavement surface and will prevent black ice from forming.

This will continue until it is diluted by run-off or precipitation. The treatment process is accomplished by pre-treating stockpiles of rock salt or salt/sand or all sand.

- **Application Rates:** Between 8 gallons/ton for all rock salt and up to 10 gallons/tons for all sand stockpiles. Rates will vary for mixed stockpiles depending on the sand/salt ratio.
- **General Procedures:** We bring our tank and spray unit to your stockpile. You will provide a loader and operator to turn the stockpile as the IBG Magic Liquid is being applied. This is required to ensure uniform treatment of the entire stockpile.
- **Application Time:** Estimated 30 minutes for a 25 ton pile (typical tri-axle truckload), start to finish.

The following photographs illustrate the anti-icing and de-icing effects and differences between IBG Magic Granular / IBG Magic Liquid applications with regular salt and salt with sand mixtures. Saving you time, money and labor costs, see why IBG Magic Granular /IBG Magic Liquid are the most efficient snow management products on the market.





The picture above is described in the following:

**Location:** Kohl's Shopping Center, Route 9, Wappingers Falls, New York  
(Approximately 75 miles North of New York City)

**Date:** January 18, 2001

**Conditions:** Two days after a 5" snow storm.

**Remarks:** Kohl's took over the defunct Caldor's chain in the summer of 2000. As the part of the remodeling project the entire parking lot was resealed and restriped. Snow removal contractor

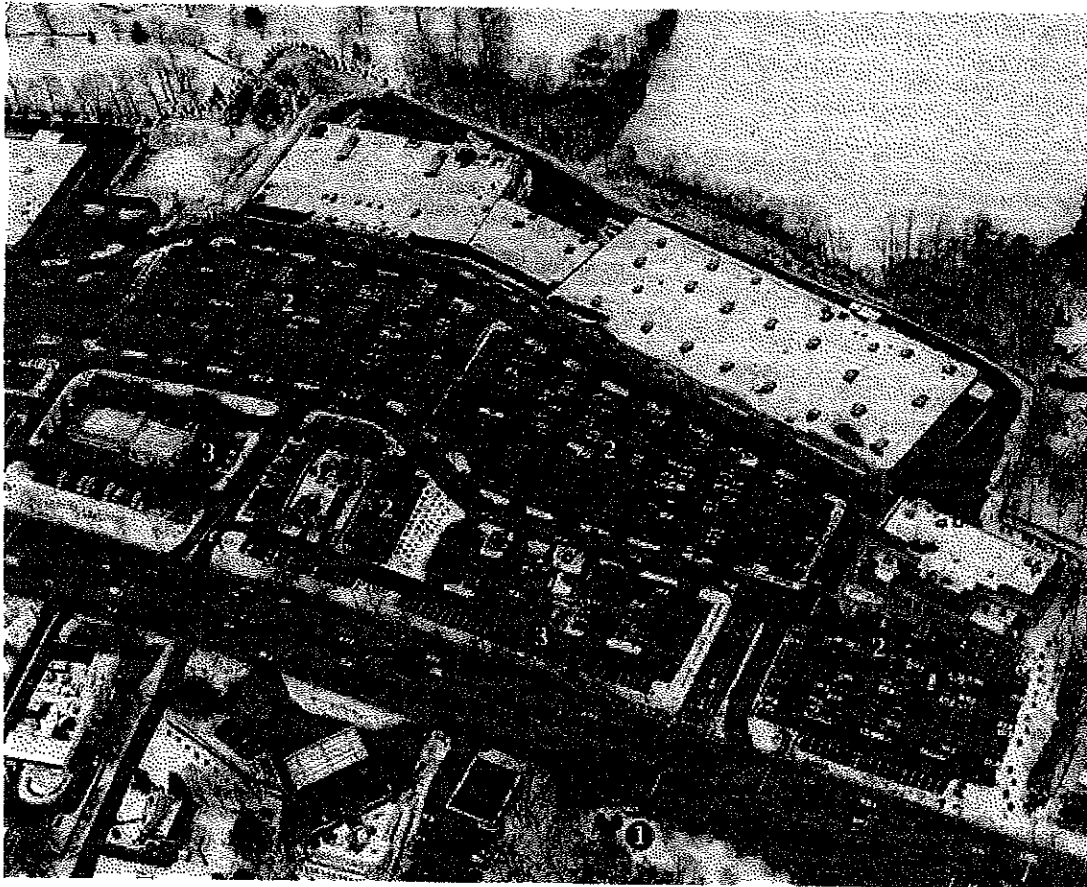
at this site uses traditional sand and salt applications.

1. Notice the amount of sand remaining in the parking areas. No stripes or lines are visible. Sand will remain until removed in the spring.

2. The purpose of sand is to provide traction. However, cars traveling on the access roads have pushed the sand onto the curbside and into the corners. Therefore the heaviest traffic areas have little or no sand – where traction is needed most!

3. Route 9 is maintained by New York State DOT, which uses rock salt treated with liquid IBG Magic Liquid. Notice that the lane markers are clearly visible.

4. Town roads (upper picture) and other parking areas are all treated with typical salt/sand, all except the lower right hand parking area.



*The picture above is described in the following:*

**Location:** Post Road Plaza, Route 9, Poughkeepsie, New York

**Date:** January 18, 2001

**Conditions:** Two days after a 5-inch snowstorm.

**Remarks:** Parking lot was re-striped in the spring of 1996. The snow removal contractor at this site uses a combination of direct liquid application of IBG Magic Liquid on the access and ring roads, and treated bulk IBG Magic Granular on the parking areas. No sand whatsoever is used at this site.

1. Car traffic carries IBG Magic Liquid around the site and even onto the adjoining road.
2. IBG Magic Granular (bulk rock salt treated with IBG Magic Liquid) is used in the Post Road Plaza parking areas. Note: This is a four seasons account. Spring clean-up costs are drastically reduced.)
3. At the left of the picture, this property uses a different snow removal contractor. the center of the picture, this property also uses a different snow removal contractor. Notice how local traffic tracks IBG Magic Liquid on to this property.



**Location:** Residential Street, Boston, MA suburbs

**Date:** February 18, 2003

**Remarks:** Snow contractor applying IBG Magic during a storm.

A 200 gallon portable spray tank system is mounted into the back of a ¾ ton pickup with a spray bar for roadway applications.

#### **Pre-Wetting**

IBG Magic Liquid is an effective on-board pre-wetting agent for rock salt or salt/sand or all sand. It is safer on concrete than traditional Ice Melters, and reduces damage to curbside grassed areas or plants, and continues to melt ice to below -35F.

- **Application Rates:** Varies depending on your system and requires some experimentation to properly monitor applications.
- **General Procedures:** IBG Magic Liquid can be used in any on-board system. However,

because of its viscosity, all filters and screens must be removed from your system; otherwise clogging may occur. It is completely safe to handle and unlike typical on-board liquid chemicals, it will not corrode or degrade mechanical or electrical components on your vehicle or equipment.



*The picture above is described in the following:*

**Location:** Residential Street, Boston, MA suburbs

**Date:** February 18, 2003

**Conditions:** ½ inch of snow has fallen with another 2 inches forecasted. IBG Magic Liquid has been applied which keeps the snow from bonding to the pavement.

**Remarks:** The IBG Magic Liquid is starting to “travel” which is evident at the top right of area sprayed. The IBG Magic Liquid is starting to travel to the right beyond the sprayed area. This travel is why the volume needed to cover area is minimal in both cost and material. The contractor uses only a few gallons as opposed to a few tons of salt. 1 gallon of IBG Magic will cover 1000 to 2000 sq. ft. depending on weather.

#### **Available for Distribution**

IBG Magic Liquid is available for purchase in several different ways.

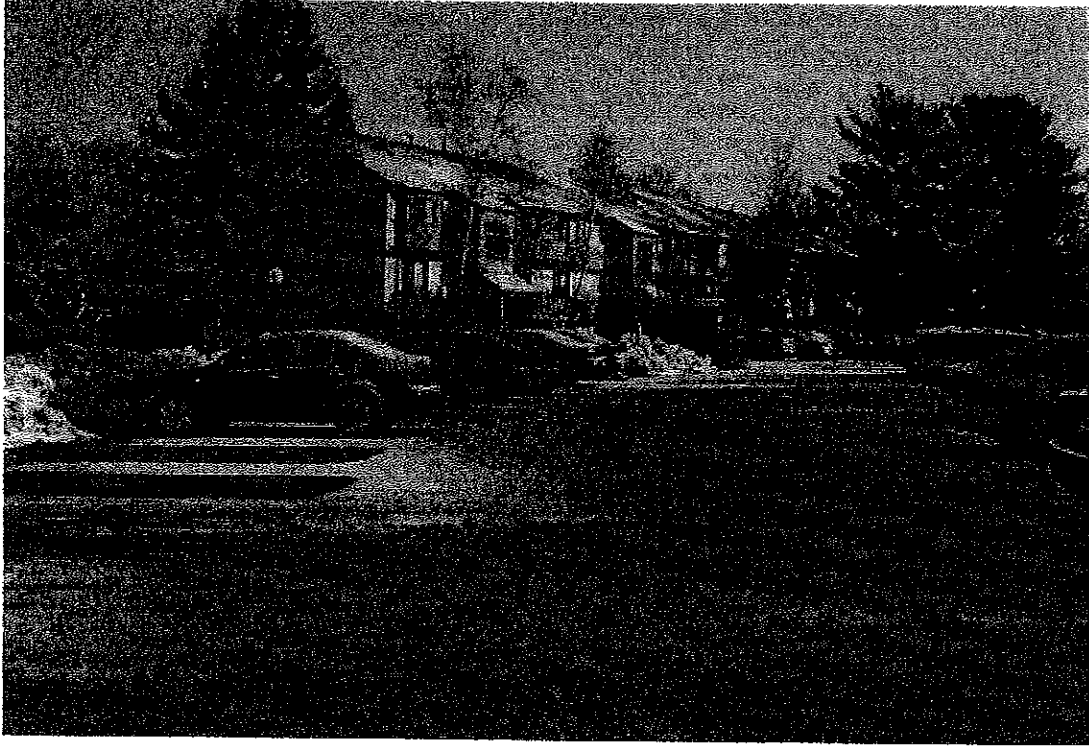
**Pre-Treating of Stockpiles:** Our spray tank unit comes to you. You provide loader and operator.

**Bulk:** IBG Magic Liquid is most economically shipped in semi-trailer tankers (4500 gallons), although smaller quantities are also available. We deliver to your tank.



## Material Safety Data Sheet Ice B'Gone Magic Liquid

[Click here to download a Material Safety Data Sheet.](#) To view the material Safety Data Sheet, you will need Adobe Acrobat Reader. [Click here to download Adobe Acrobat Reader.](#)



*The picture above is described in the following:*

**Location:** Condominium Complex. Ashland, Massachusetts.

**Date:** January 10, 2003 9:00 AM

**Conditions:** Light dusting of snow has fallen. Surface temperature 10° F. Snow contractor has applied sand/salt mix.

1. Due to the cold temperature the sand/salt mix has little or no effect on this dusting of snow. Notice the cars to the left and the dumpster area. The sun is shining on these areas and still no melting is evident.
2. The possibility of a slip and fall is very high as people start to walk to their vehicles.
3. The contractor did his job by spreading sand/salt mix. The contractor will bill his customer for this application of material which did not produce favorable results.
4. The sand will be an added expense to clean up in the spring.

**Staff Report**  
**Purchase of New Firearms**  
**December 17, 2014**

**Background:** The Hooksett Police Department has a strong need for weapons that are in pristine working order so officers can protect themselves and the public while performing their duties.

**Issue:** Currently the Hooksett Police Department carries a Glock model 23 .40 Caliber pistol. These weapons are coming up on fifteen years old and in the opinion of the Chief of Police should be replaced with newer weapons.

**Discussion:** The Hooksett Police Department would like to capitalize on the current value of its weapons for trade in value purposes. Additionally, the trade in value of the "High Capacity" magazines for the older Glocks will provide better value for weapon upgrade costs. The Hooksett Police Department is looking to purchase 30 Sig Saur P320 40 Caliber pistols (Priced at \$428.00 each) and 30 Level 3 duty holsters as well as 15 additional magazines. In turn, Atlantic Tactical, a single source retailer, ideal for this type of trade in exchange for Sig Saur weapons, will provide optimum value for the department's 35 Glock 23 pistol (each valued at \$265.00) and 31 "high capacity" magazines.

**Fiscal Impact:** The Hooksett Police Department would like to spend a total of \$7,456.50 from its drug forfeiture account thus having a zero fiscal impact on the Town.

**Recommendation:** Motion to allow the Chief Bartlett to purchase new Sig Saur P320 weapons and the necessary equipment at a total cost of \$7456.50 to be expended from the Department's drug forfeiture account thus having a zero fiscal impact on the Town.

**Prepared by:** Chief Peter Bartlett

**Town Administrator Recommendation:** *concur*



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

AGENDA NO. 14-104  
DATE: 12-17-2014

Hooksett Town Charter

Sec. 10.8. Charter Amendments

Amendments to this Charter may be initiated either by the Council or by initiative petition, public hearing, and voter election pursuant to New Hampshire RSA 49-B:5.

# TITLE III

## TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

### CHAPTER 49-B

#### HOME RULE--MUNICIPAL CHARTERS

#### Amendment of Municipal Charter

##### Section 49-B:5

[RSA 49-B:5 effective until September 30, 2014; see also RSA 49-B:5 set out below.]

##### **49-B:5 Charter Amendments, Procedure. --**

I. The municipal officers may determine that amendments to the municipal charter are necessary and, by order, provide for notice and hearing on them in the same manner as provided in RSA 49-B:5, IV(a). Within 7 days after the hearing, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election or, in the case of municipalities with biennial elections, at the next regular state biennial election held not less than 60 days after the order is passed; or they may order a special election to be held not less than 60 days from the date of the order for the purpose of voting on the proposed amendments.

(a) Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject.

(b) Alternative statements of a single amendment are prohibited.

II. On the written petition of a number of voters equal to at least 20 percent of the number of votes cast in a municipality at the last regular municipal election, but in no case less than 10 voters, the municipal officers shall, by order, provide that proposed amendments to the municipal charter be placed on a ballot in accordance with the procedures set out below.

(a) Each amendment shall be limited to a single subject but more than one section of the charter may be amended as long as it is germane to that subject.

(b) Alternative statements of a single amendment are prohibited.

II-a. The following procedure shall be used in the alternative method set out in paragraph II:

(a) Any 5 voters of the municipality may file with the municipal clerk an affidavit stating that they shall constitute a petitioners' committee. Such affidavit shall be signed by the members of such committee and an additional 20 voters of the municipality and shall include:

(1) The language of the proposed amendment.

(2) The names and addresses of the committee members.

(3) The address to which all notices to the committee are to be sent.

(b) The petitioners' committee, or voters of the municipality designated by the committee, may circulate the petition and file it in proper form.

(c) Promptly after the affidavit is filed by the petitioners' committee, the clerk shall file a certified copy of the affidavit, including the proposed amendment, for review of the proposed amendment in accordance with RSA 49-B:5-a. Promptly after receiving approval of the proposed amendment from the state officials under RSA 49-B:5-a, the clerk shall issue petition blanks to the committee.

III. The petition forms shall carry the following legend in bold lettering at the top of each form on the

face thereof.

Municipality of \_\_\_\_\_

"Each of the undersigned voters respectfully requests the municipal officers to provide for the amendment of the municipal charter as set out below." No more than one subject may be included in a petition. Except as provided in RSA 49-B:5, II-a, in all other respects the form, content and procedures governing amendment petitions shall be the same as provided for charter revision and adoption petitions under RSA 49-B:3 including procedures relating to filing, sufficiency and amendments.

IV. (a) Within 10 days of receipt of a report that a petition is sufficient, the municipal officers shall by order provide for a public hearing on the proposed amendment. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them.

(b) Within 7 days after the public hearing, the municipal officers or the committee appointed by them shall file with the municipal clerk a report containing the final draft of the proposed amendment and a written opinion by an attorney admitted to the bar of this state that the proposed amendment is not in conflict with the general laws or the constitution. In the case of a committee report, a copy shall be filed with the municipal officers.

(c) Within 7 days after the hearing, the municipal officers shall order the proposed amendment to be placed on the ballot at the next regular municipal election or, in the case of municipalities with biennial elections, at the next regular municipal election or, in the case of municipalities with biennial elections, at the next regular state biennial election, if such election is held not less than 60 days nor more than 365 days thereafter. Otherwise, the municipal officers shall order a special election to be held not less than 60 days from the date of the order for the purpose of voting on the proposed amendments.

**Source.** 1979, 241:1. 1988, 223:4, 5. 1991, 304:13. 1992, 96:2, 3. 1995, 53:2. 2005, 38:1. 2008, 230:1, 2, eff. Aug. 19, 2008.

**Staff Report**  
**Charter Change Sec 5.9**  
**December 17, 2014**

**Background:** The Town's Charter states in Sec. 5.9 Independent Audit,

Independent compliance and financial audits shall be made of all accounts of the Town at least annually and more frequently if deemed necessary by the Council. Such audits shall be conducted in accordance with auditing standards generally accepted in the United States and other such procedures which may be necessary under the circumstances by certified public accountants experienced in municipal accounting. The results of such audits shall be made public. At least once every five years the Council shall request that such audits be made by Certified Public Accountants other than those involved in such audits during any of the previous four years. An annual report of the Town's business for the preceding year shall be made available to the public not later than sixty days after the close of the fiscal year.

**Discussion:** This sentence "At least once every five years the Council shall request that such audits be made by Certified Public Accountants other than those involved in such audits during any of the previous four years" is very confusing. I believe its intent is to change auditing firms every five years, but it actually says a firm can't audit for more than four years.

**Government Finance Officers Associations (GFOA) Best Practice Recommends:** "Governmental entities should enter into multiyear agreements of at least five years in duration when obtaining the services of independent auditors. Such agreements allow for greater continuity and help to minimize the potential for disruption in connection with the independent audit. Multiyear agreements can also help to reduce audit costs by allowing auditors to recover certain "startup" costs over several years, rather than over a single year."

**Fiscal Impact:**

**Recommendation:** Removing the sentence, "At least once every five years the Council shall request that such audits be made by Certified Public Accountants other than those involved in such audits during any of the previous four years." and replacing it with "Council shall request a new auditing firm perform an Independent Audit of the Town every five (5) years."

**Prepared by:** Christine Soucie, Finance Director

**Town Administrator Recommendation:** Concur



Dr. Dean E. Shankle  
Town Administrator

**Staff Report**  
**Charter Change Sec 5.9 & 5.9**  
**December 10, 2014**

**Background:**

**The Town's Charter states in Sec. 5.9 Independent Audit,**

Independent compliance and financial audits shall be made of all accounts of the Town at least annually and more frequently if deemed necessary by the Council. Such audits shall be conducted in accordance with auditing standards generally accepted in the United States and other such procedures which may be necessary under the circumstances by certified public accountants experienced in municipal accounting. The results of such audits shall be made public. At least once every five years the Council shall request that such audits be made by Certified Public Accountants other than those involved in such audits during any of the previous four years. An annual report of the Town's business for the preceding year shall be made available to the public not later than sixty days after the close of the fiscal year.

**The Town's Charter states in Sec. 9.1 Town Report.**

"Each year the Town Administrator shall prepare a town report which shall include: (1) a statement of the past year's financial activities and a comparative statement of the previous and present budgets; and (2) a review of all major Council actions, including a summary of ordinances enacted; (3) Town vitals statistics and (4) annual reports of Town boards and departments. There shall be a section, which presents any actions, which are in progress or pending before Town boards, or departments and the Town Council. The effected date of the report shall be at the end of the fiscal year and the report shall be made available to the voters of the town no later than (60) days after the close of the fiscal year."

**Discussion:** I believe the last sentence in Sec 5.9 is unclear and by simply removing it from this Section and adding a the requirement for the prior years audited financial statements to be included into the Town Report, in Section 9.1 is more understandable. Currently the Town does include the prior year's audited statements in the Town report.

**Fiscal Impact:**

**Recommendation:** Remove last sentence in Section 5.9 "An annual report of the Town's business for the preceding year shall be made available to the public not later than sixty days after the close of the fiscal year." And add new requirement to Section 9.1 for prior year's audited financial statements.

**Prepared by:** Christine Soucie, Finance Director

**Town Administrator Recommendation:** Concur



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Dr. Dean E. Shankle  
Town Administrator