

**TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, April 9, 2014**

1. **6:30 PM - CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES**
 - a. Public: March 24, 2014
 - b. Non-public: March 24, 2014
5. **AGENDA OVERVIEW**
6. **CONSENT AGENDA**

Acceptance of \$100 donation to Police Department
7. **TOWN ADMINISTRATOR'S REPORT**
8. **PUBLIC INPUT: 15 Minutes**
9. **NOMINATIONS AND APPOINTMENTS**
 - a. Economic Development Committee: Daryl Dreffs
10. **SCHEDULED APPOINTMENTS**
 - a. Tom Walsh for Sign Committee to discuss sign ordinance
11. **15 MINUTE RECESS**
12. **OLD BUSINESS**
 - a. 14 – 028 Discussion of NH Highway Safety Agency Grant, overtime enforcement; \$7,436
 - b. 14 – 029 Discussion of NH Highway Safety Agency Grant, DUI patrols, \$10,003.50
 - c. 14 – 030 Discussion of Mandatory Recycling Ordinance
 - d. 14 – 031 Discussion of Main Street Bridge Project
 - e. 14 – 026 Discussion re: Deliberative session results
13. **NEW BUSINESS**
 - a. 14 – 032 Discussion of use of transfer station by a private business
 - b. 14 – 033 Discussion of Amendment to alarm ordinance
 - c. 14 – 034 Discussion of pawn shop ordinance
14. **SUB-COMMITTEE REPORTS**
15. **PUBLIC INPUT**
16. **NON-PUBLIC SESSION: None**
17. **ADJOURNMENT**

Public Input

1. Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak, however, no person will be allowed to speak for more than 5 minutes.
2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.
4. Council members may request a comment be added to New Business at a subsequent meeting.
5. No one may speak during Public Input except the person acknowledged by the Chair. Direct questions or comments from the audience are not permitted during Public Input.

TOWN COUNCIL MEETING MINUTES
Wednesday, March 26, 2014

CALL TO ORDER

Chair Sullivan called the meeting to order at 6:35 pm.

ROLL CALL – ATTENDANCE

Chairman James Sullivan, Donald Winterton, David Ross, Todd Lizotte, Adam Jennings (arrived at 7:47 pm), Robert Duhaime, James Levesque, Nancy Comai (left at 8:20 pm) , Dr. Dean E. Shankle, Jr. (Town Administrator)

Missed: Susan Orr

PLEDGE OF ALLEGIANCE

a. Youth Achiever of the Month

D. Winterton: This is a real pleasure for me to do this. As the months go by the number of nominations we receive continues to grow and I'm impressed with the names of the people I'm not going to read today. I spent my work career working in the field of cancer. A lot of those stories end sadly. Tonight we give this award to someone whose story ended happily and he beat cancer. But that's not why he is receiving the award. This is given to Matt Lemire because he had courage to identify that something was wrong with his body and to bring it up to his parents and have it treated right away. His courage can be spread to other people, boys and girls, men and women. Follow his lead and tell someone when something is wrong so it can be treated.

Presentation of certificate and pin.

APPROVAL OF MINUTES

a. Public: March 12, 2014

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

b. Non-public: March 12, 2014

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

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

TOWN ADMINISTRATOR'S REPORT

- A lot of time has been spent preparing for the deliberative session, voters' guide; worked on newspaper graphic (in *The Banner* tomorrow); it turned out well and has been a collaborative process.
- Working on making sure audio/visual works for this deliberative session.
- Started doing videos w/departments heads. First one is with finance director giving an overview of the budget as a whole.
- Working with Paul Scarpetti; met with him, his engineer and lawyer, and we are putting together a packet for Town Council to review.
- Improving social media – community development department now has a Facebook page
- I received a letter from the state regarding the Main St bridge project from last meeting; we will put that on next meeting's agenda.
- I also received letter that work has restarted on Route 3; Continental Paving started 3/24.
- Local officials' workshops coming up in Concord on a Saturday; need to preregister.
- I talked to Sid Baines from the sewer commission; they went to mediation and things look good for them to get some money back for the disk issue.
- Sen. Boutin and several other people have been working on Walmart participating in sewer. Legislation passed both houses and is going to the governor for signature. She is doing a public signing on April 21 (Monday), time TBA.
- Jo Ann Duffy was on a panel discussing TIFT districts, and Exit 10 is one of the most successful in the state.

- Jo Ann Duffy and Carolyn Cronin from Community Development are going to be talking to Girl Scouts about town planning.
- Boy scouts had a tour of the fire department last week.
- NH Magazine.com did an article on Diane Boyce called "Turning Trash into Treasure."

N. Comai: I want to recognize you for the wonderful job you are doing with the weekly article in *The Banner*. It shows a wonderful avenue for us to make a weekly statement of what is going on.

J. Sullivan: Council voted to extend the Town Administrator's contract for another year. Details can be found on the website. Deliberative session is April 5 at 9 am at Cawley Middle School. 13 warrant articles to be discussed. Voting is May 13; filing of positions started today and will run through next Friday at 5 pm. Check the website under Town Clerk to find out what positions are open.

Dr. Shankle: Town Clerks office will close auto registrations at 4:30 pm on that Friday, but will be open until 5 pm for people to register for open positions.

PUBLIC INPUT: 15 Minutes

None

NOMINATIONS AND APPOINTMENTS

- a. Health Officer Nomination: Matthew Lavoie

Dr. Shankle: Town Council has to nominate someone to the state and the state will appoint. Matt Lavoie is our Code Enforcement Officer and it's traditional for the Code Enforcement Officer to be the health officer.

J. Levesque motioned to nominate Matthew Lavoie to the state as Health Officer. Seconded by J. Sullivan.

Vote unanimously in favor.

- b. Economic Development Committee: Daryl Dreffs

D. Winterton: At the Economic Development meeting yesterday, it was decided we would hold Ivan Gult for another meeting. Economic Development will invite him to a meeting to become more familiar with him before we recommend him to the Council.

R. Duhaime: I was on the Planning Board with Daryl, and I'm and I'm glad to see him on another board.

R. Duhaime motioned to nominate Daryl Dreffs to the Economic Development Committee. Seconded by D. Winterton.

D. Dreffs: I have lived here 28 years and was on the Planning Board for one term. It was quite an eye opener as to how town government is run. I've attended many Town Council meetings, zoning board meetings, SNHPC and capital budget planning meetings. I was impressed by the amount of time people put in to running the town and I'd like to get back into it.

J. Sullivan: Thank you. We will be appointing at our next meeting.

- c. Economic Development Committee: Ivan Gult

J. Sullivan: We will put this on the agenda for the next meeting, second Wednesday in April. His name is not being considered for nomination to Heritage Commission at this point.

SCHEDULED APPOINTMENTS

- a. Public Hearing: NH Highway Safety Agency Grant, overtime enforcement; \$7,436

J. Sullivan: *The purpose of the public hearing is to accept a New Hampshire Highway Safety Agency grant in the awarded amount of \$7,436.00 to allow for 22 overtime enforcement patrols (traffic) per RSA 31:95-b, III (a). Questions should be directed to the Hooksett Police Department 603-624-1560. The public hearing is now open. Hearing nothing, we will keep this open until our next public input.*

b. Public Hearing: NH Highway Safety Agency Grant, DUI overtime patrols, \$10,003.50
J. Sullivan: *The purpose of the public hearing is to accept a New Hampshire Highway Safety Agency grant in the awarded amount of \$10,003.50 to allow for 18 DWI/DUI overtime patrols per RSA 31:95-b, III (a). Questions should be directed to the Hooksett Police Department 603-624-1560. The public hearing is now open. Hearing nothing, we will keep this open until our next public input.*

c. Public Hearing: Pole License Amendment
J. Sullivan: *Pursuant to RSA 231:161-163, the Town Council of the Town of Hooksett shall hold a public hearing in conjunction with their regularly scheduled meeting on March 26, 2014 which starts at 6:30PM in the Town Council Chambers at the Town Office Building, 35 Main Street., Hooksett, New Hampshire relative to the amending of all presently issued and outstanding pole licenses. This amendment shall seek to add the provisions of RSA 72:23 I, (b), providing for payment of properly assessed real and personal property taxes on Town owned property used by or under the license agreements and/or pole licenses issued to public utilities and other entities servicing the Town of Hooksett. The full text of the proposed pole license change is on file with Assessing Office and via www.hooksett.org for your inspection. Questions should be directed to the Assessing Office at 603-268- 0003. The public hearing is now open.*

Dr. Shankle: PSNH sent something to read into record: *Re: Public Hearing- Public Notice to Amend Pole Licenses Hearing Date: March 26, 2014*

Dear Town Council:

The undersigned is legal counsel to Public Service Company of New Hampshire ("PSNH"). PSNH has received your notice of a public hearing at which the Town of Hooksett will take up the matter of the amendment of existing pole licenses in the Town to include language regarding taxation pursuant to RSA 72:23. This is to advise that, to the extent the proposed amendment seeks to make language changes to the pole licenses of PSNH consistent with the rulings of the New Hampshire Supreme Court in N.E. Tel. & Tel. Co. v. City of Rochester, 144 N.H. 88 (1999) and Verizon New England v. City of Rochester, 151 N.H. 263 (2004), PSNH does not intend to raise a legal objection to the amendment. However, this should not be construed as a waiver of PSNH's rights to protest, seek an abatement of, or otherwise legally challenge as excessive or disproportionate the assessment by the Town of Hooksett of any incremental property tax upon PSNH's use or occupancy of the public right of ways in Hooksett, and PSNH fully reserves all such rights. As PSNH is unable to send a representative to your hearing, PSNH respectfully requests that this letter be included in and made a part of the record of the minutes of the hearing of this matter on March 26, 2014. Thank you. Very Truly Yours, Christopher Allwarden, Senior Counsel. Legal Department.

T. Lizotte: Can you poll the audience for PSNH representatives?

Audience was polled and there were no PSNH representatives present.

Jay Hodes, attorney with Hage Hodes and Todd Haywood, contract assessor

J. Hodes: I am here representing the town of Hooksett. We are proposing an amendment to the pole licenses issued by the town. Could someone make a motion to discuss this newest version of the document because a date got changed and for the record I want to make sure we consider and discuss this amended version?

T. Lizotte motioned to consider the updated document for the official record. Seconded by N. Comai.

T. Lizotte: In the future, any document submitted for consideration should have a date and rev number. There is nothing here to say this is the document; if we do accept this document, I think the Town Administrator should note this is the document for document control.

J. Hodes: The last date in the next to last paragraph is now April 1, 2014.

Dr. Shankle: We have that one, so we are all on the same page.

J. Hodes: The purpose is to make it clear that utilities using the towns' right of way are obligated to pay duly assessed taxes for their use of the right of way. A few years ago there were some Supreme Court cases with Rochester that determined municipalities were authorized to tax utilities when inside the right of way. According to RSA 72:23 the pole license must specify to the utilities that they will be taxed. Our prior version doesn't specify that. You must put them on notice in their pole license if you intend to tax them. Any future pole license will include this language. The Assessing department will determine what the proper amount of taxes is for these companies. PSNH and FairPoint Communications are the 2 primary users. They allow some other companies to attach to their poles. If you tax one entity, you need to tax them all in fairness. Those owners of the poles must give the town notice of who the subtenants of the poles are within 90 days of adoption and update annually so we can provide them with notice of tax bills. This also includes any improvements made to the property.

D. Ross: This is authorizing the town to tax the poles based on what's on them?

J. Hodes: Not the poles. The poles are taxable by state law. This is taxation on the use of the right of way and highways where they have placed their improvements.

D. Ross: Do we have any authority as to what can and cannot be placed on the right of way?

J. Hodes: Utilities need to apply for a license with your DPW and they can analyze the placement of those poles.

D. Ross: What about current poles?

J. Hodes: If it affects public safety, or if you need to repair a road, you can ask them to temporarily move their pole. There are other circumstances where you can make requests and they have to concur.

D. Ross: There have been some cameras installed at intersections around town and no one knows who authorized their placement. That looks like valuable equipment. Who owns it and what is its purpose?

J. Sullivan: DW Highway construction – that is a state road; does the state have a role in that compared to a town right of way?

J. Hodes: Your jurisdiction is over town roads; state controlled roads issue permits by DOT. If there are changes they need to let you know and the Assessing department determines if they can or cannot be taxed.

T. Haywood: These assessments are as of April 1. What exists as of that date is what gets taxed for 2014 so it's important to make a decision quickly because time is of the essence.

T. Lizotte: I think we should keep the hearing open until the end and close it after the second public input.

J. Sullivan: We will conclude this public hearing at the end of the next public input section.

d. Public Hearing: Mandatory Recycling Ordinance

J. Sullivan: *The purpose of the public hearing is to adopt proposed Town Ordinance 2014-1 Recycling and Transfer Department Ordinance. This notice is per Chapter 231:132-a of the NH Revised Statutes annotated, and section 3.6 of the Hooksett Town Charter. The full text of the proposed ordinance is on file with the Town Clerk and via www.hooksett.org for your inspection. Questions should be directed to the Office of the Town Clerk at 485-9534. The public hearing is now open. Hearing nothing, we will keep this open until our next public input. The charter indicates that when a Town Councilor proposes we adopt an ordinance, a public hearing is scheduled, and that is how we got here.*

Diane Boyce, Recycle & Transfer superintendent: The disposal of recyclables costs a lot less than disposal of trash. The disposal fee coming up will be a lot less and the cost for trash will be going up in June. The ease of recycling has increased due to single stream. Every bit of savings adds up to the community. Based on 2012-2013, 3164 tons of trash at our present rates, at an increase of 2% recycling rate per household per week is .62lbs/week/household and we would save \$3200/year. We can run both trash and recycling trucks and save cost of fuel; 4% at 126 tons/year/household/week is 1.24 pounds

(junk mail, magazine, cardboard) and we would save \$6500/year. We could run both trucks for 6 weeks. At 6% (these are very low expectations of people), 1.87 lbs/week we would save \$9600/year which is 2.5 months of running the trash and recycling trucks. Every little bit does add up. Recycling saves energy, water and creates less pollution and more jobs. This ordinance is designed to increase recycling. We would be working with residents beginning with a courtesy letter. If it goes further than that the resident will have the chance to address Council. I believe this is what is best for the town.

Sean McDonald, Solid Waste Committee: To echo Diane, the focus of this argument should be on saving money. We look to Town Council to run the leanest operation in town. We are offering an easy way to save money for a slight inconvenience. I would urge you to support this to save me money.

T. Lizotte: The issue at hand is when we've talked about this in the past, we've been reassured its only 50-100 people and 99% were compliant. National stats – the national average is 34% and we are told we hit 30%. Is there a self-limitation since recyclables are lighter than solid waste? Cities that have great ratios based on tonnage also have composting. As a taxpayer, I'm paying for the service and when we put an ordinance in place for such a broad opportunity for a mistake, I'm concerned people will say they are being targeted. I'm concerned from a compliance standpoint and I still think education is key.

S. McDonald: If you have a furnace with an efficiency setting, wouldn't you want to set it at the highest? It seems like such a minor inconvenience. Do you think that is a reality with the number of people we have in town?

T. Lizotte: The committee doesn't understand that a person could be targeted that does something different than someone else. They might not create much waste or go to the transfer station.

S. McDonald: Can we address it in the future if it becomes a problem and in the meantime, save money?

N. Comai: Diane, if we put this in effect, what is the % you would gain from it? 2%, 4%, 6%...what costs will it impact?

D. Boyce: None. We currently send courtesy letters. If you are worried about being targeted, there would have to be ongoing monitoring. People know that they can be recycling more. We are just looking for a little bit more effort. There are some that can be doing a better job. I don't think there is going to be a cost. The state has a regulation in place that we should be doing 40% and that is attainable if we make the effort.

N. Comai: I'm not sure where the additional 10% is going to come from.

D. Boyce: If we see the trash barrel and never see the recycling barrel, you are going to get a letter and we will work with you. Next step is a warning. We aren't going to rush to judgment, but after a while we are going to send a courtesy letter. We do that now.

J. Sullivan: When you see the recycle barrel not out, that might trigger something. If they have both out, how do you monitor someone using the recycling barrel and comingling in there? How can you tell that trash is not in the recycling barrel?

D. Boyce: There are cameras on the trucks.

J. Sullivan: When that happens, what do they do? Do they make a notation?

D. Boyce: If it's constant, yes.

J. Sullivan: Can you take us through the process of the drivers? If they go to an area where there is a perpetual violator, do they look before emptying?

D. Boyce: We don't have mandatory recycling now so they don't do that but we have stops we are watching.

J. Sullivan: Would you have the authority to not pick up their trash or recycling if you saw something in the wrong barrel?

D. Boyce: The Council thought we should lean toward fines instead of discontinuing trash collection. We do have a lot of people that prefer coming to the facility. If my guy says they never see a barrel out, I send a letter and hopefully they contact us and let us know they are coming to the facility.

J. Sullivan: During your committee discussions, did you come up with ways to promote this?

S. McDonald: Concerns about big brother watching trash were brought up. There are not the resources for that. We aren't going to cancel your trash collection if you do this a couple of times. The board felt that if it was reasonable, we were agreeable to it.

D. Winterton: If someone comingles trash with recycling in the recycling barrel, what's the cost to separate that at the next stop when the truck returns?

D. Boyce: The trucks go directly to Allenstown. They allow a certain percentage of contamination. They aren't penalizing us right now; we have not gotten any notices. We identify it when they see it go in the hopper, they get a courtesy letter and hopefully it doesn't happen again. We're not looking for things, it's just the known stops that we have. On Mondays, we deliver the recycling trailer to Cawley. While he is out there, he will check some of the barrels that we have identified as known violators.

D. Winterton: On Monday you take the big bin to Cawley and he stops and checks garbage of identifiable offenders?

D. Boyce: Correct.

N. Comai: At some point I'd like to ask you to come back to see if we are saving money on our route plans. We've done this for about a year and we can evaluate the routing for more cost savings. This may or may not be the end of this.

D. Boyce: We have looked at that a little bit. We've checked other communities and there are some that have to have them on one side of the road.

N. Comai: Odd days, odd side of the street; even days, even numbered side of the street. It's a matter of advocating and educating.

D. Ross: I haven't seen any hard data since the beginning of recycling, on the amount of money spent on the purchase and maintenance of trucks. Has there been any identifiable savings at this point? Have we saved more than we spent so far?

D. Boyce: We saved one employee by not having 2 people hanging off the back of the truck.

D. Ross: Are there any stats out there to say we are going to save X% by how much more than what we are already doing?

D. Boyce: I don't think there are any stats out there. Our budget is \$100,000, less than a few years ago so we are saving. Having the men on the back of the truck was an enormous cost.

D. Ross: You had money in the reserve fund to spend on vehicles. What is that total amount expended to date compared to what would have happened if we hadn't gone to recycling?

D. Boyce: We would have needed a new truck anyway. If we add in the truck and the fact that we gave barrels guaranteed for 10 years, it has been cost effective.

D. Ross: There is no statistical evidence as far as making it mandatory. How much better will it get?

Dr. Shankle: I can get together with the Finance Director and lay out what the fixed and variable costs have been for the last couple of years.

D. Ross: I'm still awaiting this comparison. Another thing is that this ordinance is so restrictive. If there are any infractions in any section, it puts all this authority in the hands of the director. There is no mechanism for issuing fines. How can you validate evidence? If someone feels they have been unreasonably fined, we could end up with a lawsuit and that would outweigh all the savings we could think about having. The job is to remove the stuff, not micromanaging what people put in the barrels. One attorney showing up at a Council meeting would outweigh any potential savings. When you have certain offenders, do you think this is going to cause them to comply? I don't think so. Some people are belligerent, and in my opinion, when pushed, they will push right back. I think it's unnecessarily heavy handed, intrusive and I think it's a horrible idea.

R. Duhaime: My nature tells me to save and as far as this board is concerned, should entrust her guidance to save and let her handle this. She is only really looking for some teeth to enforce this. She no longer has 2 employees in the back of the trucks. Just the savings in health insurance is huge. The other thing is condo associations – they don't have to recycle now. Instead of giving them a refund on their trash we could save even more money. We should trust Diane with her experience. She is looking to move this along and I think this is something we can move forward on.

T. Lizotte: I agree with you 100% about Diane Boyce. I'm not concerned about that, it's about this becoming a law. We need to make good policy. Regarding the changing the repayment of trash pick-up for condos, if we open that can and find out there are some legal obligations from past Council, we are going to be in a difficult situation. I just want to make a smart policy. On sewer commission, they were talking about composting. I'd rather look at composting and try to work with sewer or be a little more creative. I would rather have a trial period with this penalty. I brought up the evidentiary issue. They come in here to appeal and if there is no physical evidence, I would vote in favor of the resident. We should treat it like you are being written up as a summons.

R. Duhaime: Sustainability. You are supposed to be creating a better town – better environment, better tax base but this falls under that. This is something we have to do whether people like it or not.

T. Lizotte: Regarding the written summons, on average, monthly, how many get sent out?

D. Boyce: I send about 10-15 courtesy letters per month. Once it is in the barrel, we couldn't prove anything but would it flag us to look at that person in the future.

J. Levesque: At the recycle center, we need rules there. There are posted signs and people still ignore that. You have to have some rules down there. If you can't do what you are supposed to do, don't come there.

D. Boyce: I have an ordinance for the facility. If we had a drop off only we could control everything. We do not have a mandatory recycling ordinance at the facility either. If we go away from curbside, we could amend that ordinance at another time.

J. Levesque: I have had barrels since they came out, I've never put them out in front of my house and I haven't gotten a letter yet.

Jodi Pinard, 11 Morningside Dr.: I support this ordinance wholeheartedly. I have to say kudos to Diane. It was a million dollar project and 99% was completed without any complaint. She wants to save money and move the town forward. I don't know why you are debating this. It was voted on by the people that they wanted this to be investigated. I'm sitting before you for those 376 people; do it! I will be told what to do to put money back into the fund balance so you can have money to offset our tax rate because transfer did a mandatory recycling ordinance. You just proposed increasing the budget and rightfully so. How are you going to fund it? Our tax rate is going up and I'm sitting here asking you to help tax payers save money.

Todd Rainier, 1 Veterans Drive: I've been listening to all your arguments tonight and on previous nights. I appreciated everyone's efforts. We all know it will save the town money and I appreciate that this board is very fiscally driven. We haven't gotten into a discussion about what we are doing to the planet for our kids. I watch things more carefully now that I am a parent. What is the legacy we want to leave for our

kids? I've heard concern about a resident coming before this body or a future body when they have been issued a fine. You will know pretty quickly without any evidence if they have or have not been recycling. The resident will give you the evidence. This is an educational thing, not a malicious thing. There was a time when there were no public dumps. This is a rightful progression and I think you are a very progressive board. It will come up again if it does not pass, we have the benefit now of creating a culture of recycling by passing this ordinance. You all agree Diane and her team do a great job and you trust her. All the hard work will be done and the community will have a culture and will be smooth sailing. Composting that I believe you were referring to from sewer commission, is composting solids that come out of the treatment process. The national average at 34%, I'd rather be on the side swinging it toward 100% than 0. The barrels belong to the town. Some towns make residents purchase barrels and have mandatory recycling. They have a third party company come in. The responsibility of the barrels is on the recycling center. They are one in the same; once the barrels are on the curb, they are the responsibility of the transfer station. I wanted to thank you for the progressive job you are doing. I think we are moving in the right direction.

e. Tom Walsh for Sign Committee to discuss sign ordinance

J. Sullivan: Tom Walsh has been called away on an emergency and will be rescheduled to a future meeting date.

5 MINUTE RECESS

OLD BUSINESS

a. 14 – 004 Fire Station 1: Phase two of living space expansion project

Chief Williams: We got the approval to have the architect draw up some plans to increase living quarters to accommodate both male and female firefighters. The rough estimate is around \$400,000. The project has not been put out to bid. It makes 3 bedrooms, moves the weight room into a climate controlled area, and makes a training room where the bunk room is now. It meets all of our needs. I'm here to move on to phase 2 to put this project out to bid. These plans would be more building plans, get a proposal, get bids and come back to you for approval to begin construction. Phase 2 would cost \$23,000 (architectural, structural, mechanical drawings, get out to bid and get it back).

T. Lizotte motioned to approve \$23,000 from Public Safety impact fees to pay for phase 2 of the architect proposal. Seconded by A. Jennings.

D. Ross: Is there an additional \$10,000 for construction?

Chief: That will be put into construction as fees for the manager of the project. That will be in the proposal when we put it out to bid.

T. Lizotte: Do we have \$400,000 in impact fees that can be applied?

Chief: We have \$420,000 as of right now. I anticipate it coming in under \$400,000, but won't know for sure until we put it out to bid.

Dr. Shankle: We have asked the attorney if it qualifies for impact fees, and it does.

T. Lizotte motioned to amend the prior motion to read Fire Rescue impact fees instead of Public Safety impact fees. Seconded by A. Jennings.

Roll Call –

A. Jennings – Yes

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Yes

J. Levesque – Yes

T. Lizotte – Yes

J. Sullivan - Yes

Vote unanimously in favor.

NEW BUSINESS

a. 14 – 026 Discussion re: Deliberative session on Saturday April 5 at 9:00 am.

Don Riley, Moderator, 25 Harvest Dr: I'm here to get a sense of whether or not you feel there is any real issue that is not apparent.

J. Sullivan: Do we perceive any issues the moderator should be aware of?

R. Duhaime: Just selling the budget.

D. Riley: I think you've done an outstanding job of keeping the number of warrant articles down.

J. Sullivan: I think we need to anticipate all possible questions and have clear and concise answers that won't catch us in the headlights.

T. Lizotte: We have open seats, if Town Councilors are running for seats, they won't be able to help out at the election since they are on the ballot.

D. Riley: It's advisable not to, but the RSA only deals with touching the ballot. I think it's a safe option to stay outside the rails.

J. Sullivan: There are 2 district seats and 2 at large seats.

Donna Fitzpatrick, Administration: At large (A. Jennings) is up on 6/30/14; District 3 (J. Levesque) is up on 6/30/14; at large (J. Sullivan) is up on 6/30/14; District 2 (R. Duhaime) is up on 6/30/14.

T. Lizotte: Are you intending on running for your seats?

J. Sullivan: I am.

R. Duhaime: I am.

A. Jennings: I'm waiting to see if my work situation changes.

D. Riley: There are some standard words to make the motion as we are only passing it to the ballot. That will be in your binders at the deliberative session.

J. Sullivan: We have the warrant in front of us.

Article 3 – T. Lizotte motion; D. Winterton second.

Article 4 – R. Duhaime motion; J. Levesque second.

Article 5 – J. Sullivan motion; R. Duhaime second.

Article 6 – D. Ross motion; T. Lizotte second.

Article 7 – D. Winterton motion; T. Lizotte second.

Article 8 – D. Winterton motion; T. Lizotte second.

Article 9 – T. Lizotte motion

Article 10 – S. Orr motion; N. Comai second.

Article 11 – N. Comai motion; T. Lizotte second.

Article 12 – A. Jennings motion; D. Winterton second.

Article 13 – D. Ross motion; J. Sullivan second.

Article 14 – A. Jennings motion; J. Sullivan second.

Article 15 – N. Comai motion; T. Lizotte second.

Article 16 – R. Duhaime motion; J. Levesque second.

D. Riley: I'll be addressing this more prior to the election but there were some electioneering issues at the school district election and we need to stop that head on. It involved material left in the voting booths. That is a violation of state statute subject to a fine of \$1000 if the individual is identified. They swept the booths every 30 minutes. We can do that in May but I prefer to get the word out. When I come back prior to the May election, we'll talk about meeting you at the polls. The more the merrier, but I recognize that

you have full time jobs and need to work. We just need coverage the whole day. I'm going to need to do some research on what has to be on any signage.

D. Winterton: Would it be possible to put it on the town website once you research it?

D. Riley: Yes as well as talking to the electioneering issue as well.

J. Sullivan: For the Council's report and voters' guide, I crafted a letter that somewhat mimics last year's. It talks about reasons for the impact increases, budget process and highlights some new items (police contract, town engineering) and mentions reoccurring money articles that have traditionally appeared. We are trying to present a clear picture of the budget.

D. Winterton: I would remove the words "health insurance" and just say costs.

R. Duhaime: I think it's very transparent and nothing has been left out.

T. Lizotte motioned to accept the Town Council's Report as drafted by Chairman Sullivan and as amended. Seconded by J. Levesque.

J. Sullivan: The numbers have been officially approved.

Vote unanimously in favor.

b. 14 – 027 Use of impact fees on old village bridge (aka Lilac Bridge)

Leo Lessard, Director DPW: My intention is to take roadway impact fees from zone 2 to get transferred to phase 1 of the engineering cost of rebuilding Lilac Bridge as a sidewalk to tie in from Veterans Dr to the other side of Riverside Dr by Robie's. I contacted the attorney and he said it was OK to use impact fees because it would be a decrease in traffic to be used as a sidewalk. It also indicates that it ties in the sidewalk from Massachusetts to the other side of Concord (~230 miles of heritage trails). If this goes through, I would have a small committee including Kathie Northrup, myself, Dr. Shankle and CMA Engineering to start the process of putting this out to bid for a structural engineer of the bridge. We will include the state historical group to see if we can get some state funded money. We have about \$700,000 in impact fees in zone 2. We have \$83,000 that has to be given back by June 2014 to contractors if we don't allocate it to something. I'd like to allocate it to this bridge.

T. Lizotte motioned to put impact fees of \$87,831.34 in zone 2 for Phase 1 of this project for engineering and study of the Lilac Bridge. Seconded by J. Sullivan.

R. Duhaime: I think this bridge should tie us into the river and the nice area we live in instead of being an eyesore.

D. Winterton: Are we hopeful we are getting state funds?

L. Lessard: We are hopeful. Once the engineering study is done, I'll know for sure how much it will cost to get across the bridge. I'd like to go full width 18+ feet. If not the case due to structure, but they say we can do it with an 8' path to safely cross, then we will. I want to do it the most cost effective way.

T. Lizotte: I just want to echo the comment about the sewer line under there. The structural analysis would be good to know how much time we have before something drastic happens.

D. Ross: I love antique structures but my concern is it's \$80,000 for just engineering. Is that the complete fee?

L. Lessard: I can't say that for sure but this is impact money that will have to be given back if we don't use it. I'd like to do this with all impact money so there is no impact to tax payers.

D. Ross: You feel there aren't more important things to spend this money on?

Dr. Shankle: There are various zones in town that impact fees can be used for. We looked for things to do in this zone. I do think this is an important project. We are looking at what can be done, not what we want to have done. It's going to be a useable sidewalk. This is a great project and we're glad the attorney said it made sense to use impact fees for this.

D. Ross: I just wanted to make sure there weren't any other projects in that zone more beneficial to the town.

L. Lessard: I'd like to save some money in case something comes up. Impact fees can only be used for specific things.

J. Sullivan: It is eligible for the national registry; it's on the state registry now. It will open up and connect both sides of the river. If it gets to the point the bridge affects the sewer line, it might be like the disk situation. What is the cost to move the pipe?

L. Lessard: To move it under the water, I'd say over a million dollars. It's the only 3-tressle bridge in NH.

Dr. Shankle: We've had an engineer look at it and it's structurally sound. If it wasn't we wouldn't be doing this.

A. Jennings: What is the timeline? We are closing the other bridge next year.

L. Lessard: If we get impact money, I can call the firm and we can have a result within 30-45 days hopefully. I don't want to lose momentum.

T. Lizotte motioned to amend prior motion to add Roadway Impact Fees for Zone 2. Seconded by J. Sullivan.

D. Winterton: I'm in favor of this project; pictures and video of the whole project might be nice to have.

Roll Call –

T. Lizotte – Yes
A. Jennings – Yes
R. Duhaime – Yes
D. Winterton – Yes
D. Ross – Yes
J. Levesque – Yes
J. Sullivan - Yes

Vote unanimously in favor.

SUB-COMMITTEE REPORTS

A. Jennings: Parks and Rec met – HYAA president came in and talked about things they are looking to do at Donati Field; Dave Hess talked about the conservation project on the east side of the river past the courthouse.

T. Lizotte: If something needs to be done on a baseball or softball field and we have a volunteer that will facilitate that, is there a way to do that so it doesn't impact Parks & Rec budget?

Dr. Shankle: I think so but I'll talk to Leo about that.

R. Duhaime: SNHPC went over broadband mapping. State spent \$30M-40M to put in fiber optic lines. The only area without cable or broadband is Deerfield. The rest of us have great broadband. There are so many benefits from it. Each town is getting recommendations about back up for internet; having all infrastructures on separate cable lines, you'd still be able to talk to every infrastructure in town. I didn't make the sewer meeting but I know they were looking forward to the legislation passing as well.

J. Sullivan: Heritage Commission - things are progressing; delay was waiting for official asbestos report but I believe it02's good news. We are looking at doing grant work - Kathie Northrup is working on getting support for the Moose Grant to restore the tin ceiling. There is a petition circulating online asking people

to sign in support. Information will be going out in early April. There was a donation for the Heritage Commission and we are looking into fundraising activities. Heritage day is on May 18, and we will be promoting that.

D. Winterton: We had a successful HYAM this month. Nominations are coming in regularly and they are fantastic. Probably have another meeting in 2 weeks. Economic Development meeting, we still are fighting for a quorum which we got. Discussion was to change the time and make sure members are still committed to attend. We moved Economic Development to get behind budget and warrant articles so that work done to benefit them would be supported by the committee. We are drafting letters to *The Union Leader* and *The Banner* showing support. Planning Board met and Sterling Homes (Summit View development off S. Bow Rd) was approved, but with much discussion. Direction was given to staff to see if conservation developments are doing what we would hope they would do regarding size of lots. According to staff, we can set lot size boundaries, so they are going to examine that to see if it is still doing what we want it to do.

D. Ross: Nothing to report.

J. Levesque: Transfer Committee – On April 7 “Chronicle”= will be there to highlight the department; April 26 is Planet Earth Day – contact Diane to volunteer. The cap on the old dump - methane levels are at 0 for last several years. They still do groundwater tests but there is not much hazard anymore. Pinard Waste wants to get involved in Hooksett.

Dr. Shankle: Pinard Waste wants to use part of the landfill for them to dump waste.

J. Levesque: It wasn't well received by the rest of the committee.

T. Lizotte: If Pinard Waste does that, is there a cost benefit to us?

Dr. Shankle: They would pay some amount the issue is giving up some control of part of our resources.

T. Lizotte: There was no budget meeting; next meeting at deliberative session.

J. Sullivan: Do we need someone to serve in your capacity for any additional budget committee meetings? We need the alternate, Nan Comai, to fill in from here on in.

T. Lizotte: There is no conflict in terms of the deliberative session.

PUBLIC INPUT

J. Sullivan: Are there any additional comments on public hearings? Seeing none, I'd like to close the following public hearings: Highway Grant for Overtime Enforcement, NH Safety Grant for DUI Overtime Patrols.

J. Levesque: Regarding the mandatory recycling, we've discussed this for how many months. We are never going to find anything out unless we vote on this. The more affirmative votes means we can bring it up again for reconsideration in the future if it doesn't work. We are never going to find out if we don't vote.

Dr. Shankle: You have to wait at least 7 days to vote according to the charter.

J. Sullivan: I will close the mandatory recycling ordinance public hearing. That will be scheduled for a vote at our next meeting. I'd like to close the pole license public hearing.

R. Duhaime motioned to waive the rules to amend the pole license. Seconded by J. Levesque. Vote in favor 6-1.

J. Levesque motioned to amend the pole license to add the provisions of RSA 72:23 I, (b), providing for payment of properly assessed real and personal property taxes on Town owned property used by or under the license agreements and/or pole licenses issued to public utilities and other entities servicing the Town of Hooksett. Seconded by D. Winterton.

Vote unanimously in favor.

NON-PUBLIC SESSION

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

NH RSA 91-A:3 II (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself.

J. Sullivan motioned to enter non-public session at 9:30pm. Seconded by T. Lizotte.

Roll call

J. Levesque – Yes

T. Lizotte – Yes

A. Jennings – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross - Yes

J. Sullivan - Yes

Vote unanimously in favor.

D. Ross motioned to extend the meeting at 9:30pm to 9:40pm. Seconded by T. Lizotte.

Vote unanimously in favor.

J. Sullivan motioned to exit non-public at 9:40pm. Seconded by R. Duhaime.

Vote unanimously in favor.

R. Duhaime motioned to seal the non-public minutes of 3/26/14. Seconded by T. Lizotte.

Vote unanimously in favor.

D. Ross motioned to adjourn at 9:40pm. Seconded by A. Jennings.

Vote unanimously in favor.

Respectfully Submitted,

Tiffany Verney

Staff Report
Acceptance of Donations
April 9, 2014

AGENDA NO. Consent
DATE: 4/9/14

Background: The Hooksett Police department responded to a call for service on December 10th 2013. During that call Richard Bussiere passed away.

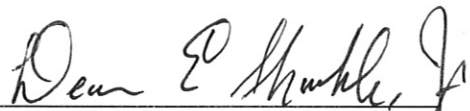
Issue: In the memory of Richard Bussiere the Liebl-Bussiere family has donated \$100.00 to the Hooksett Police Department and has asked that the monies be used to purchase rescue equipment.

Fiscal Impact: The donation is a gift to the Hooksett Police Department for a total amount of \$100.00, no fiscal impact.

Recommendation: Motion to accept the donation of \$100.00 under RSA 31:95-b, III (b).

Prepared by: Chief Peter Bartlett

Town Administrator Recommendation:



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

February 5, 2014

Hooksett Police Department
15 Legends Drive
Hooksett, NH 03106
Attention: Chief Peter Bartlett

Dear Chief Bartlett,

I am finally writing to express gratitude to you from the Bussiere family. Your officers' conduct on the mournful day of my late dad Richard's passing was greatly appreciated. December 10th 2013 will forever stand out in our hearts. We lost a very special father, husband, grandfather, and friend. He was the foundation of who we all are as a family. His strength and will for life will forever be carried on in all of the Bussiere's.

There were multiple officers that morning but Officer Robyn Syrek stayed with our family until my dad was taken away. Her patience and understanding regarding my late dad was exemplary. She was very companionate and professional at the same time. The other officer's general willingness to help did not go unnoticed also.

So on behalf of my late father Richard Bussiere, mother Priscilla Bussiere, brother Scott Bussiere, sister-in-law Julie Bussiere and grandkids, Christie, Katelyn, Sean Bussiere and Donovan Liebl we are truly grateful for everything you did for our family and wanted to extend our deepest thanks.

Please except this donation in memory of my father Richard Bussiere as a small token of our appreciation. Please use our donation toward rescue equipment.

Best Regards,

Tina Liebl-Bussiere

Tina Liebl - Bussiere and family
617-959-1630

A Comprehensive Guide to Changes in the Proposed Sign Ordinance

The proposed Sign Ordinance is a single article to cover all zoning districts in Hooksett. The current Zoning Ordinance includes three separate articles for signs: one a general article, one for the Route 3 Performance Zone, and one for the 3A Corridor. The proposed ordinance would apply the same sign regulations to all parts of Town, eliminating redundancy and making for a more user-friendly and comprehensive Sign Ordinance.

The proposed ordinance is much more business-friendly by allowing more signs, larger signs, and new types of signs. This should significantly decrease the number of waivers and variances for signage that appear before the Planning Board and Zoning Board of Adjustment.

The proposed ordinance is restrictive in that it prohibits off-premises signs and regulates temporary/nonpermanent signs, in an effort to minimize the amount of sign pollution by temporary signs and promotional materials, which can be hazardous if they end up in the public right of way. The proposed, more lax regulations on wall signs should curtail the need for additional signs, as businesses will be able to more clearly identify themselves and uniquely express their business.

The following outlines the specific changes proposed to the sign ordinance.

1. Definitions

Addresses will continue to be included on directory signs, but must appear at the topmost part of the sign and be lighted, if the sign itself is lighted. This is a recommendation by Hooksett Fire so that they may be able to easily find businesses and buildings in the event of an emergency.

Awnings will be added to the definitions and will be allowed to include logos, but not lettering or text.

Banner Sign will be added to the definitions for clarity: "A temporary sign of lightweight material (paper, plastic or fabric) hung either with or without frames."

Directional Signs that convey messages such as one way, entrance, or exit will be allowed to include business logos and will be added to the definitions: "Sign limited to directional messages necessary for on-site public safety and convenience such as

‘one way,’ ‘entrance,’ or ‘exit;’ no greater than 4 square feet. May include business logo.”

Nonpermanent Sign will be added to the definitions: “A temporary, changeable, moveable sign designed to be transported, including, but not limited to, signs to be transported on wheels. Includes portable marquis-style signs and electronic or digital message signs.”

Signs will be defined more clearly than previously:

Current Definition: Any object, device, display, structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

Proposed Definition: Any device, display, structure or part thereof, visible from a public place, which is used to advertise, identify, display, or attract attention to or communicate information about products, accommodations, services, or activities.

Window Signs will be added to the definitions with a stipulation that no permanent window sign (i.e. adhesive or painted-on signs) shall occupy more than 20% of the area of an individual window area.

2. Prohibited Signs

All *off-premises* signs, permanent and non-permanent, will be prohibited.

3. Wall Signs

The current Table of Sign Standards would be repealed and replaced with a new table to reflect the following changes:

Allowable Sign Area will be determined by a formula of 1.5 times the building or unit’s linear frontage to provide a sign that is proportional to the business frontage, as opposed to the previous ordinance which set two specific sign sizes (32 square feet and 16 square feet) for all businesses, despite their size.

Distance Bonus may be added to any wall sign that is located more than 500 feet from the right of way for an additional 1.5 times the allowable sign area. This will especially benefit business in plazas and strip malls set back from the road. The

current ordinance also has a distance bonus; however it is based solely on the distance from the road, not taking into account the size of the frontage, which caused businesses of varying sizes to be permitted the only one size sign.

Maximum number of signs will increase from one sign to a maximum of three signs, provided the total area of each sign face does not exceed the Allowable Sign Area.

4. Monument/Directory Signs

The current Table of Sign Standards will be repealed and replaced with a new table to reflect the changes of the following:

Maximum Sign Area and Height will be increased overall and will be increased on a scale according to number of tenants for better visibility from motorists and the like.

Current Max. Sign Area and Height	Proposed Max. Sign Area and Height
1 or 2 tenants: 32 sf and 10 ft. tall	1 tenant: 32 sf and 20 ft. tall
2 to 3 tenants: 50 sf and 10 ft. tall	2 tenants: 64 sf and 20 ft. tall
4 or more tenants: 100 sf and 15 ft. tall	3 tenants: 96 sf and 20 ft. tall
	4 tenants: 128 sf and 25 ft. tall
	5 or more tenants: 165 sf and 30 ft. tall

While these increases look significant, there are already many signs of these larger sizes around town, permitted by waivers or variances. Since they have proven not to be a detriment to the community or the visual landscape, this size option should be extended to all businesses in Town. These sizes were based on research from the United States Sign Council and provide for ideal visibility for motorists on multi-lane roads at the travel speeds allowed in Town. These signs will be easier to see and read at a glance, thereby ensuring traffic safety.

Setback from the road may be required for signs greater than 64 square feet to provide for proper site distance.

5. Nonpermanent Signs

Banners for temporary use shall be allowed by permit for a time limit determined at the Code Enforcement Officer's discretion. Currently, there is a 10-day limit on banner permits; however, this has proven to not be adequate time. Most businesses use a banner while waiting for a permanent sign to be made. Applicants will be able to discuss their individual circumstances with the Code Enforcement Officer.

Promotional Signs and Decorations pertain to items such as sandwich boards, lawn signs, feather/sail flags and air dancers. While they are restricted under the current

ordinance, many businesses display them anyway, making it a challenge for Code Enforcement. As an alternative to banning these types of promotional items, the proposed ordinance seeks to regulate them in a way that businesses can promote themselves, public right of ways are protected, and can be properly enforced by the Town. The safety of public right of ways is of utmost importance as these temporary materials can come unattached and find their way into roads (especially during inclement weather) and can potentially block sidewalks from pedestrians, especially the handicapped that need an unobstructed path.

By the proposed ordinance, promotional signs and decorations shall be allowed in non-residential districts only, shall be placed on-premises only, must have a separation of 20 to 30 feet apart, must have a 4 foot wide unobstructed path if in the pedestrian right of way, and shall be displayed during business hours only (must be stored indoors or removed from the premises when the business is closed).

Section G.2. Special Sale and Promotional Events will be repealed from the ordinance. This section regulates that temporary signs in windows (such as weekly grocery store promotions) must be rotated every 10 days. It also regulates streamers and banners for temporary use. The proposed ordinance would allow window promotional signs to be at the discretion of the business, and would adhere streamers and banners to the “Promotional Signs and Decorations” regulations.

Seasonal Signs will be addressed in a new addition to the ordinance. They would be allowed by permit, as they are currently, but they would be allowed more signage and larger signage (multiple signs of any type, provided the total of all sign areas does not exceed 32 square feet).

Portable Signs will be continue to be allowed by permit, but must be on-premises only and shall not display off-site advertising.

Political Signs will not change and will comply with RSA 664:17. The text of this RSA will be added to the ordinance.

6. Illuminated Signs & Electronic Signs

The Illuminated Sign and Electronic Sign sections from the Development Regulations will be added to the Zoning Ordinance, so that the information will all be in one place. The time period for rotating electronic messages will be reduced from 15 seconds to 8 seconds, allowing businesses with electronic signs to display messages at a faster rate.

For full text of the proposed Sign Ordinance, please visit the Planning Board webpage at Hooksett.org or contact the Community Development Department, 268-0279, jduffy@hooksett.org.

The Hooksett Sign Committee endorses this proposed ordinance. The Sign Committee, with the assistance of the Community Development Department, worked on the proposed Sign Ordinance over a four-month period. The Committee based their decision-making on data-driven sign research and other communities' sign ordinances. They also enlisted the help of sign companies and held a public forum. The goal was to strike a balance between business-friendly and community-minded. The Sign Committee feels that this proposed ordinance meets this goal.

Sign Committee

Tom Walsh, Chair
David Scarpetti, Vice-Chair
Dick Marshall
Matt Mercier
Chris Pearson
Mark Sanborn
Don Winterton
Leslie Boswak

Staff Support

Jo Ann Duffy, Town Planner
Carolyn Cronin, Assistant Planner
Matthew Lavoie, Code Enforcement Officer
Evelyn Horn, Building Administrative Assistant

ARTICLE 20

SIGNS (Amended 2014)

A Permit Required

No sign shall be permitted in the Town of Hooksett, except in accordance with this Ordinance. No sign, other than those specified in Sections E.1., E.3., and E.6. of this Article, shall be erected or placed, nor shall any existing sign be altered in structure or material, relocated or replaced, in the Town without issuance of a permit by the Code Enforcement Officer after he has satisfied himself that the sign will meet all the requirements of this Article. Application for a sign permit shall include plan, sketches, photographs, and written information adequate to clearly identify the size, materials, message, and location of the sign.

1. Definitions

- (a) Address Sign: The street address shall be included at the topmost part of a directory/monument sign and shall be illuminated if logo and lettering are illuminated at night. Address shall measure approximately three and one-half (3.5) to four (4) inches.
- (b) Animated or Moving Sign: Any sign that has moving or rotating components, flashing lights, or special materials to illustrate action or create a special effect or scene.
- (c) Awning Sign: A sign that is mounted, painted, or attached to an awning or other window or door canopy.
- (d) Banner Sign: A temporary sign of lightweight material (paper, plastic or fabric) hung either with or without frames.
- (e) Canopy Eaveline; Eaveline: The bottom of the roof eave or canopy eave. An eave as defined herein does not include the parapet of a flat roof building. (See Figure 20 (1))
- (f) Center Identification Sign: A freestanding sign that is either a monument or directory type. (See Figure 20 (2)).
- (g) Direct Lighting: Illumination resulting from light emitted directly from a lamp, luminary, or reflector and is not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.
- (h) Directional Sign: Sign limited to directional messages necessary for on-site public safety and convenience such as "one way," "entrance," or "exit," no greater than four (4) square feet. May include business logo.
- (i) Directory Sign: A separate structure supported from the sides used for identification of the business or center as a whole and for listing the major tenants and their building numbers/address numbers. (See Figure 20 (2))
- (j) Double-Faced Sign: A single, freestanding structure designed with the intent of providing advertising on both sides.
- (k) Height of Sign: The greatest vertical distance measured from the finished ground below the middle of the sign to the highest element of the sign.
- (l) Identification Sign: Sign that illustrates the name, name and logo, type of business, or identifies a particular establishment.
- (m) Illuminated Sign: A sign lit with either an internal or external artificial light source.

- (n) Indirect Lighting: Illumination that is so arranged that the light is reflected from the sign to the eyes of the viewer.
- (o) Internally Illuminated: A sign illuminated directly or indirectly by a light fixture located within the sign structure. Internal illumination includes illumination designed to project light against the surface behind the sign lettering or graphic, commonly referred to as backlit channel lettering or halo lighting.
- (p) Monument Sign: A separate structure, commonly known as a ground sign, supported from grade to the bottom of the sign with a base or wall that is larger than the sign. Used for identification of the business or center as a whole and for listing the major tenants and their building numbers/address numbers. (See Figure 20 (2))
- (q) Nonconforming Sign: A legally established sign that fails to conform to the regulations as presented or referenced herein.
- (r) Nonpermanent Sign: A temporary, changeable, moveable sign designed to be transported, including, but not limited to, signs to be transported on wheels. Includes portable marquis-style signs and electronic or digital message signs.
- (s) Sign: Any device, display, structure, or part thereof, visible from a public place, which is used to advertise, identify, display, or attract attention to or communicate information about products, accommodations, services, or activities.
- (t) Sign Area: The entire face, including the surface and any molding, framing, and projections, but not including the base, wall or column supports. Individual letters and logos mounted on a building shall be measured by the area enclosed by four (4) straight lines outlining each word and logo.
- (u) Wall Sign: A sign fastened or painted onto a wall.
- (v) Window Sign: A permanent sign affixed to a window or door or any other sign inside the building containing a message legible from the public right-of-way or adjacent property clearly intended for public recognition outside the building.

B Location of Signs

1. No part of any sign shall be located in or over the public Right-of Way, except for traffic control devices and directional signs authorized by the Town or State agencies.
2. No sign in a Non-Residential District shall be located within twenty-five (25) feet of a Residential boundary.
3. Outdoor advertising signs or structures designated for any other purpose than to direct attention to a use contained on the premises, where such a sign or structure is located, are not permitted in any district. Existing legally authorized, installed and maintained off-premises signs shall only be relocated or replaced in accordance with this Article.
4. No sign or signs shall be located or placed where they will interfere with safe sight distance, traffic flow, pedestrian traffic, views or vistas, or any aspect of public safety. Signs or their supports shall not be placed in such position or manner as to obstruct or interfere, either physically or visually, with any fire alarm, police alarm, traffic signal or sign, or any devices maintained by or under public authority; or with vehicular or pedestrian ingress or egress to or from any public or private right-of-way, roadway, driveway, or sidewalk.

C. Signs Permitted in Residential District

1. The following signs shall be allowed by permit, unless noted otherwise:
 - a) Two advertising signs not greater than six (6) square feet each, identifying a permitted use.
 - b) One (1) sign, not greater than twenty (20) square feet identifying a legally maintained, non-conforming use.
 - c) Those signs designated in Section E (1) + (6) of this Ordinance.
2. No signs in these districts shall be placed within five (5) feet of a property line, nor exceed eight (8) feet in height above the surrounding ground surface to the top of the sign, nor shall any part project above the lowest point of the nearest roof line.

D. Signs Permitted in Commercial, Industrial and Multi-Use Districts

Figure 20 (1)

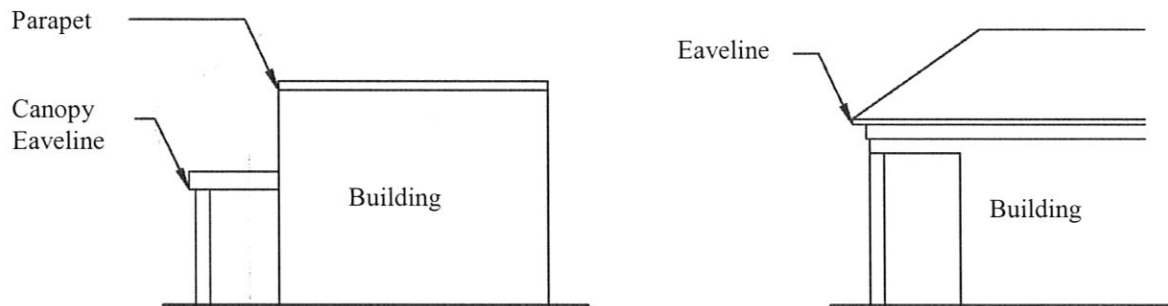
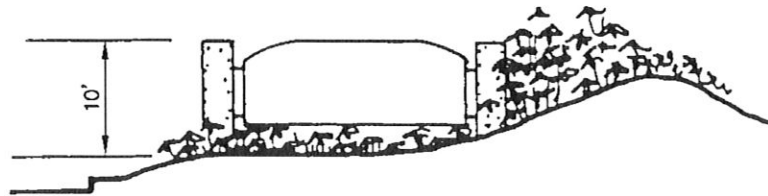
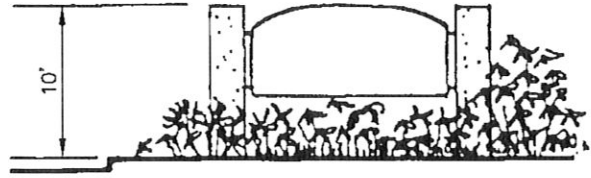
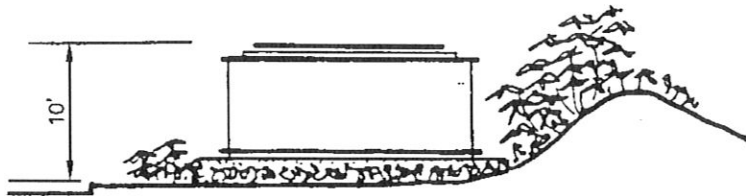
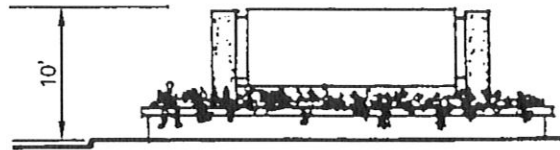


Figure 20 (2) Center Identification Sign (Freestanding)



Directory Type



Monument Type

1. General Provisions

a) Direct and Indirect Lighting

- (1) Direct and indirect lighting methods are allowed provided that they are not unnecessarily bright and consistent with Article 31, Outdoors Lighting Standards of the Hooksett Zoning Ordinance.
- (2) Internally illuminated panels shall be opaque and only the lettering and logo shall appear to be illuminated. (See Figure 20 (3)).
- (3) Externally lit signs shall be illuminated with direct lighting.

b) Prohibited Signs

- (1) Animated, moving, flashing and noise making signs are not permitted.
- (2) Off premises temporary signs, streamers, and flags, with the exception of flags specified in Section G. 1 of this ordinance.

c) Lettering on a Sign

The letter area, as it relates to the overall sign background area, shall be in proportion. In general, letters shall not appear to occupy more than seventy-five (75) percent of the sign panel area.

Figure 20 (3) Internally Illuminated Panels



2. Identification Sign (Building)

- a) Signs on a building wall or eaveline shall be compatible with the predominant visual elements of the building.

- b) Where there is more than one (1) sign, all signs shall be complementary to each other as follows:
 - (1) Letter size and style of text;
 - (2) Sign support method;
 - (3) Sign configuration;
 - (4) Sign shape and proportion; and
 - (5) Construction materials (text and background surfaces)
 - c) The use of internally illuminated, individually cut letter signs is encouraged.
 - d) All identification signs (building) shall comply with the Table of Wall Sign Standards.
3. Center Identification Sign (Freestanding)
- a) Freestanding signs shall include:
 - (1) The identification of the business or center as a whole; and
 - (2) Major tenant and street address range included within the center.
 - b) A freestanding sign shall be either a monument or directory type sign, (See Figure 20 (2)); no other form of Center Identification Sign shall be allowed.
 - c) A minimum of ten (10) percent of the sign area shall be devoted to the identification of the building or center by name.
 - d) Freestanding monument signs or directory signs shall be placed perpendicular to approaching vehicular traffic.
 - e) All free-standing signs and the premises surrounding same shall be landscaped in an aesthetically pleasing or appropriate manner with hardy plant materials, groundcover, lawn or hard surfaces that will remain attractive throughout the year and be maintained by the owner thereof clear of rubbish and weeds.
4. All Center Identification Signs (Freestanding) shall comply with the Table of Monument/Directory Sign Standards.
5. Awning Signs
- a) Awnings above windows or entryways may include:
 - (1) Business logo, but shall not include lettering or text.
6. Window Signs
- a) No permanent window sign shall occupy more than twenty (20) percent of the area of an individual window area. (See Figure 20 (4)).

Figure 20 (4) Permanent Window Sign



Table of Identification/Wall Sign Standards

Maximum Number of Signs	Allowable Sign Area*	Maximum Sign Height
In buildings where the entire first floor is occupied by a single tenant, that tenant shall be permitted to have a maximum of three (3) wall signs for each road frontage or parking lot frontage on which the building is situated, provided that the total of all sign areas does not exceed the maximum area specified in the “Allowable Sign Area” column of this table.	Allowable sign area shall be determined by one and one-half (1.5) times the building’s linear frontage.	Shall not project above eaveline or canopy eaveline.
In buildings with two tenants on the first floor, OR more than two tenants on the first floor, OR multiple tenants on multiple floors, each tenant with a separate public entrance shall be permitted to have a maximum of three (3) wall signs, provided that the total of all sign areas does not exceed the maximum area specified in the “Allowable Sign Area” column of this table.	Allowable sign area shall be determined by one and one-half (1.5) times the unit’s linear frontage.	Shall not project above eaveline or canopy eaveline. Shall not project above first floor line or twelve (12) feet, whichever is less.

***Distance Bonus:**

Any wall sign located more than five-hundred (500) feet from the edge of the right-of-way providing frontage may increase the sign area by one and one-half (1.5) square feet times the allowable sign area. In a multi-tenant building, the tenant farthest from the road determines the distance bonus for all other tenants in the building.

Table of Monument/Directory Sign Standards

Number of Building Tenants	Maximum Number of Signs	Maximum Sign Area	Maximum Sign Height
One (1)	One (1) double-faced sign per lot.	Thirty-two (32) square feet per sign face.	Twenty (20) feet above grade.
Two (2)	One (1) double-faced sign per lot.	Sixty-four (64) square feet per sign face.	Twenty (20) feet above grade.
Three (3)	One (1) double-faced sign per lot.	Ninety-six (96) square feet per sign face.*	Twenty (20) feet above grade.
Four (4)	One (1) double-faced sign per lot.	One-hundred and twenty-eight (128) square feet per sign face.*	Twenty-five (25) feet above grade.
Five (5) or more	One (1) double-faced sign per lot	One-hundred and sixty-five (165) square feet per sign face.*	Thirty (30) feet above grade

*Signs greater than sixty-four (64) square feet may be required to have a fifteen (15) foot setback from the road.

E. Nonpermanent Signs

1. Signs for sale or lease of the property:

- (1) A maximum of two (2) signs, with a total area of five (5) square feet in a Residential District or thirty-two (32) square feet in a Non-Residential District shall be allowed by right.
- (2) No permit is required for these signs.
- (3) The signs must relate to the sale or lease of the lot on which they are placed and must be removed upon sale or lease of such property.

2. Banners

- a) Temporary banners shall be allowed by permit for a time limit determined by the Code Enforcement Officer, based on individual circumstances.

3. Promotional Signs & Decorations

(Includes but is not limited to sandwich boards, lawn signs, feather/sail flags, "air dancers", or other non-permanent means of promotion.)

- a) Shall be allowed only in Non-Residential Districts.
- b) Shall be placed on-premises only.
- c) Must have a separation of twenty (20) to thirty (30) feet apart.
- d) Must have a four (4) foot wide unobstructed path if in the pedestrian right-of-way.

- e) Shall be displayed during operating business hours only, and must be stored indoors or removed from the premises when the business is closed.

4. Seasonal Signs

- a) Non-permanent seasonal signs, including but not limited to Farmers' Market, Farm Stand, or Christmas Tree Sales, shall be allowed by permit.
- b) Seasonal signs shall be located on the lot of the applicant only, and shall not be located off-premises.
- c) Multiple signs of any type are allowed provided that the total of all sign areas does not exceed thirty-two (32) square feet.
- d) No seasonal sign shall be placed without a permit. A new permit shall be required, and a new fee charged, for each (30) thirty-day period for the same sign. A maximum of four (4) permits (30-day periods) shall be allowed per year for each business. Four (4) consecutive thirty (30) day periods is permitted. Each seasonal sign application shall specify the date of placement and the date of removal. A sign shall be physically removed from the premises at the end of each permit period.

5. Portable Signs

- a) Portable signs shall be allowed only in Non-Residential Districts and by permit only.
- b) Only one (1) portable sign shall be allowed on a lot at a given time.
- c) Portable signs shall not display off-site advertising or commercial messages.
- d) Portable signs shall not exceed thirty-two (32) square feet in area.
- e) Portable signs shall be located on the business lot only, and shall not be located off-premises.
- f) No portable sign shall be placed without a permit. A new permit shall be required, and a new fee charged, for each thirty (30) day period for the same sign. A maximum of four (4) permits (30-day periods) shall be allowed per year for each business. Four (4) consecutive thirty (30) day periods is permitted. Each portable sign application shall specify the date of placement and the date of removal. A sign shall be physically removed from the premises at the end of each permit period.

6. Political Signs

- a) No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary. Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes. No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to public property or any private property except the owner of the property, persons authorized by the

owner of the property, or a law enforcement officer removing improper advertising. Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept for one week at a place designated by the state, city, or town so that the candidate may retrieve the items. (per RSA 664:17 Placement and Removal of Political Advertising)

- b) Political signs are not to exceed six (6) square feet in area in Residential Districts nor twelve (12) square feet in area in Non-Residential Districts. Such signs are permitted, no sooner than thirty (30) days prior to a primary, regular, or special election.
- c) No permit is required for these signs, but they must conform to all requirements of Sections B and G.2. of this Article.
- d) All political advertising signs shall, at all times, be in complete compliance with applicable State and Federal laws regulating same. *(Amended 5/13/03)*

F. Signs for Special Events and Non-Profit Organizations

1. Non-Profit Events

- a) Temporary signs for public, neighborhood, or institutional events occurring within the Town shall be allowed by right for a period not to exceed twenty (20) days.
- b) The signs shall be placed only in Non-Residential Districts and shall be limited to thirty-two (32) square feet in area per lot on which a sign is placed. Except that two additional signs, not exceeding six (6) square feet, may be placed on a site if the event is to occur in a Residential District.
- c) A permit shall be required for each sign and shall state the dates of placement and removal. The date of placement shall not precede the event by more than ten (10) days and the date of removal shall be the last day of the event.
- d) Temporary signs for yard sales and all similar sales, as described in the Yard Sale Ordinance #00-22, may be placed in accordance with this section.
 - (1) There shall be no fee charged.
 - (2) All pertinent requirements of this Article shall be adhered to, such as, location, size, number, etc.
 - (3) The maximum duration of placement of such signs shall be three (3) days at any one time and no longer than six (6) days per calendar year.
 - (4) There shall be no more than two (2) signs per yard sale and each sign shall not exceed six (6) square feet in size.

G. Sign Movement and Illumination

- 1. No sign shall move or create an illusion of movement through shimmering or rippling. Nor shall any sign contain parts which move except those parts unrelated to advertising

and which indicate only date, time, and temperature. No strings of flags or streamers or banner shall be permitted with the exception of State or National Governmental flags. One (1) flag, with measurements no greater than three (3) feet by five (5) feet, with the word "Open" printed on the flag will be allowed for each business.

2. No sign shall be intermittently illuminated nor of a traveling, or tracing, light type. No sign shall contain or be illuminated by animated or flashing lighting except those parts which indicate only date, time and temperature.
3. No sign or related lighting fixture shall be so placed as to create a hazard to vehicles traveling within the public right-of-way, nor as to be a nuisance to any abutting residence.
4. Signs shall comply with Sections 16.10 Illuminated Signs and 16.11 Electronic Signs of the Town of Hooksett Development Regulations, which state:

16.10 Illuminated Signs

It is the intent of this section to allow illuminated signs but to ensure that they do not create glare or unduly illuminate the surrounding area. All signs in Hooksett shall meet the requirements of Article 20 of the Hooksett Zoning Ordinance. The applicant shall provide the Planning Board with sufficient technical and design information to demonstrate that the following provisions are met, which shall include the following:

- 1) The average level of illumination shining onto the vertical surface of the sign shall not exceed 10 foot-candles, and the uniformity ratio shall be at least 20:1.
- 2) The lighting fixtures illuminating signs shall be carefully located, aimed, and shielded so that the light is directed only onto the sign façade. Lighting fixtures shall not be aimed toward adjacent streets, roads, or properties.
- 3) Light fixtures illuminating signs shall be of the type such that the light source (bulb) is not directly visible from adjacent roads, streets or properties.
- 4) To the extent practicable, fixtures used to illuminate signs shall be top mounted and directed downward. (i.e. below the horizontal).
- 5) Internally Illuminated, Free-Standing Signs: In order to prevent internally illuminated signs from becoming light fixtures in their own right, it is the intent of this section that such signs consist of light lettering or symbols on a dark background.
 - a) The lettering or symbols shall constitute no more than forty (40) percent of the surface area of the sign.
 - b) The luminous transmittance for the lettering symbols shall not exceed thirty five (35) percent.
 - c) The luminous transmittance for the background portion of the sign shall not exceed fifteen (15) percent.
 - d) Light sources shall be fluorescent tubes, spaced at least twelve (12) inches on center, mounted at least 3.5 inches from the translucent source material.

16.11 Electronic Signs

Electronic Signs, Electronic Message Display Signs shall be subject to the following criteria:

- 1) Electronic Message Displays shall display static messages for a period not less than 8 seconds;
- 2) Transitions from one static message to the next static message may include the use of frame effects, so long as such effects do not utilize flashing, scrolling or in any manner imitate movement;

3) Electronic Message Displays shall have automatic dimming technology which automatically adjusts the sign's brightness levels. The daytime brightness shall not exceed 7,500 nits and the nighttime brightness shall not exceed 500 nits.

4) The owner/installer of Electronic Message Displays shall certify as part of the application that signs will not exceed the brightness levels noted in item 16.10 c. above.

H. Construction Requirements

The materials and construction of any sign shall be in accordance with the Hooksett Building Code and/or such other requirements as the Code Enforcement Officer shall dictate.

All signs and their supporting structures shall be maintained in a safe, neat, and legible condition or may be ordered removed by the Code Enforcement Officer. A separate Electrical Permit shall be required for the installation and connection of any sign erected. No sign shall be painted directly onto any building, wall or roof, or onto any fence or similar structure. No sign shall be affixed to any tree, utility pole, rock or other similar object.

I. Existing Signs – Amended 05/08/07

1. All sign structures that are legally in existence at the time of adoption of this Article are grandfathered regarding subsequent zoning changes.
2. Any proposed change to the sign structure (height, width, foundation, etc.) shall require that all parts of the sign and its structure come into conformance with the existing zoning ordinance.
3. If any change to the lettering on an internally illuminated sign involves the removal of the background panel on which the lettering is placed, then the background panel shall become opaque (not translucent) and the lettering shall become illuminated.
4. Signs may be replaced only with a conforming sign or signs, regardless of how the original sign was approved or erected.
5. A new or separate permit will be required to change, alter, add or otherwise modify any signs within the Town of Hooksett.
6. Nothing in these sections shall be construed to prohibit the normal maintenance and upkeep of legally existing and conforming signs, in so far as they retain their existing sign, configuration, etc.

J. Fees

The fee for each sign permit shall be established by the Town Council with the recommendation of the Hooksett Planning Board.

(end of Article 20)

Staff Report
Acceptance of Highway Safety Project Grant for overtime
Enforcement Patrols (Traffic)

April 9, 2014

Background: The Hooksett Police Department applied for a Grant pertaining to overtime Enforcement Patrols (Traffic) with the New Hampshire Highway Safety Agency. Council held the required public hearing at their last meeting.

Issue: To allow the Hooksett Police Department to accept a Grant from the New Hampshire Highway Safety Agency in order to deploy 22 overtime Enforcement Patrols (Traffic) in 4 hour time blocks.

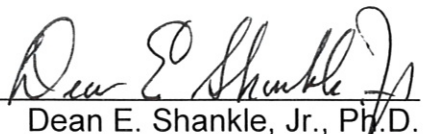
Discussion: The Hooksett Police Department has been awarded a Grant from the New Hampshire Highway Safety Agency in the amount of \$7,436.00 to allow for 22 overtime Enforcement Patrols (Traffic) . By accepting the Enforcement Patrols Grant it will allow the department to deploy overtime patrols specifically to target motor vehicle violations while at the same time not affecting the normal staffing levels of patrol units in the community during these enforcement patrols.

Fiscal Impact: There is no fiscal impact to the town. This is a Grant in the amount of \$7,436.00 to cover the cost of the overtime enforcement patrols.

Recommendation: To move to accept the Grant from the New Hampshire Highway Safety Agency on behalf of the Hooksett Police Department in the amount of \$7,436.00 to cover 22 overtime Enforcement Patrols (Traffic).

Prepared by: Captain Jon Daigle, Hooksett Police Department

Town Administrator Recommendation: Concur



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

AGENDA NO. 14-029

DATE: 4/9/14

Staff Report
**Acceptance of Highway Safety Project Grant for overtime
DWI/DUI Patrols**

April 9, 2014

Background: The Hooksett Police Department applied for a Grant pertaining to overtime DWI/DUI Patrols with the New Hampshire Highway Safety Agency. Council held the required public hearing at their last meeting.

Issue: To allow the Hooksett Police Department to accept a Grant from the New Hampshire Highway Safety Agency in order to deploy 18 overtime DWI/DUI Patrols in 6 hour time blocks.

Discussion: The Hooksett Police Department has been awarded a Grant from the New Hampshire Highway Safety Agency in the amount of \$10,003.50 to allow for 18 DWI/DUI overtime patrols. By accepting the overtime DWI/DUI Grant it will allow the department to deploy overtime patrols to specifically target impaired drivers while at the same time not affecting the normal staffing levels of patrol units in the community during these enforcement patrols.

Fiscal Impact: There is no fiscal impact to the town. This is a Grant in the amount of \$10,003.50 to cover the cost of the overtime enforcement patrols.

Recommendation: To accept the Grant from the New Hampshire Highway Safety Agency on behalf of the Hooksett Police Department in the amount of \$10,003.50 to cover 18 overtime DWI/DUI Enforcement Patrols.

Prepared by: Captain Jon Daigle, Hooksett Police Department

Town Administrator Recommendation: Concur


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

2014-1

AGENDA NO. 14-030
DATE: 4/9/14

Proposed 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 each replacement container. 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 until their 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 fines by the Superintendent of the Recycling and Transfer Department.

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.

Fines –Further violations, after the written warning, may result in the issuance of fines. Violators will be fined \$50.00 for the first violation after the written warning and \$100 for each subsequent offense. 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 sludges, 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 fines .

**Staff Report
Main Street Bridge Project
April 9, 2014**

AGENDA NO. 14-031
DATE: 4/9/14


Background: The Council had a public hearing jointly with representatives of the State of New Hampshire on their Main Street Bridge project at your March 12, 2014 meeting. A number of issues were raised and the representatives of the state said they would get back to Council with further information.

Issue: How the bridge work was going to be done, both in terms of planning and implementation.

Discussion: They sent emails with responses to questions, questions for the council and various departments and boards in town and a municipal work zone agreement that they would like the Council to authorize me to sign.

Recommendation: Discuss and take actions you feel appropriate.

Prepared by: Town Administrator



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

Dean Shankle

From: David Scott <DScott@dot.state.nh.us>
Sent: Wednesday, March 26, 2014 12:21 PM
To: Dean Shankle
Cc: Jason Tremblay
Subject: RE: Hooksett 28435 - Bridge Rehabilitation Project on Main Street over Riverside Street, Merrimack River and B&M RR

Hi Dean,

Jason and I met with our Front Office yesterday to review the project and to discuss the issues identified at our meeting with the Town officials. Unfortunately, the meeting yesterday did not provide closure to all the issues. A summary of the issues, and the manner in which the Department plans to proceed, are outlined below:

- Protective screening - We have been directed to adhere to our current guidelines regarding installation of protective screening. I initiated the discussion by focusing on the screening over Riverside Street and conveyed the Town's concern with the visual appearance of the screening in a local, historic residential area. I also framed the topic with the hypothetical possibility of the Town executing an Agreement accepting all liability associated with eliminating this screening in this area. However, our Assistant Commissioner believes that we should not make any exceptions to our screening guidance, even if Hooksett were to provide a waiver of liability, as it is a matter of public safety. If an incident were to occur with debris or other items dropping onto motorists below, NHDOT would still become involved in any legal actions brought to assign liability, and thus we should follow our established guidelines. For these reasons, this project will include installation of protective screening for the portion of this bridge over Riverside Street. There was little discussion regarding the screening over the railroad, since the railroad owner desires this protection. Therefore, the protective screening will be installed there, as well.
- Traffic control - There was also closure on the option for allowing two-way traffic on the bridge, for narrow vehicles only, during construction activities. However, the Department has significant concerns with this option due to the vertical and horizontal curvature road alignment on the bridge, which would exacerbate potential conflicts between vehicles using this narrow travelway, as well as our concern regarding enforcement of the prohibition of "larger" vehicles other than passenger vehicles and pickup trucks, e.g., regular delivery trucks, gravel trucks, etc. Clearly, this presents a safety concern and the Department will not pursue this alternative.
- Additional traffic control options - Based on the results of the issues outlined above, we began to reevaluate the options that were presented at the March 12 Hooksett Town Council Meeting to explore potential options for traffic control, the duration of construction activities, and overall project costs. That reevaluation is continuing, and I will contact you again when these discussions have concluded to present and discuss this additional information.

I recognize that the resolution to the protective screening and the two-way traffic option are not what the Town hoped to receive. However, we trust that you can appreciate the Department's responsibility to motorist safety as it pertains to this project.

If you wish to discuss any of these matters, please feel free to contact me.

Regards,

David L. Scott, PE
In-House Design Chief
Bureau of Bridge Design - NHDOT
(603)271-2731
(603)271-2759 fax
dscott@dot.state.nh.us

From: David Scott
Sent: Friday, March 14, 2014 4:00 PM
To: 'Dean Shankle'
Cc: Jason Tremblay
Subject: RE: Hooksett 28435 - Bridge Rehabilitation Project on Main Street over Riverside Street, Merrimack River and B&M RR

Hi Dean,

Regarding the MWZA, I neglected to ask you to print 3 copies and sign each. Then, if you mail them to me, our Commissioner will sign. He will keep a copy. I will get one copy inserted into the contract so that the Contractor is aware of our understanding, and I will return a copy to you.

But again, feel free to call with any comments or concerns.

Thanks,

David Scott

From: David Scott
Sent: Friday, March 14, 2014 12:38 PM
To: 'Dean Shankle'
Cc: Jason Tremblay
Subject: RE: Hooksett 28435 - Bridge Rehabilitation Project on Main Street over Riverside Street, Merrimack River and B&M RR

Hi Dean,

Here is the official copy of the Municipal Work Zone Agreement for Hooksett's consideration. It is unchanged from what I sent on Wednesday except that the watermark is removed. As I mentioned Wednesday night, feel free to ask follow-up questions, and please discuss this with the Police Chief.

Jason and I will brief our Front Office on the Town's desire for two way traffic and signage to prevent truck traffic. I expect we will have this discussion on Monday, March 24.

Regarding two way traffic, at Wednesday's meeting I mentioned my concern with enforcement of a truck ban. I believe that someone suggested that DOT should have the State Police assist with vigilant enforcement. I don't recall how the conversation proceeded, but I neglected to come back to that subject to point out that DOT has no ability to direct the State Police, which work under the Department of Safety. Therefore, if we *were* to place signs to restrict trucks, the only enforcement that Hooksett could count on would be from Hooksett's own police force.

I have also asked if it is even legal for DOT to exclude a tax-paying truck from a road. The preliminary answer is that DOT can exclude a subset of the traffic, and that it is not different than placing a weight restriction on a bridge. However, and still preliminarily, we can't exclude some vehicles of a given width but include others. The example was that we

could not exclude gravel trucks but allow milk trucks. The individual with whom I discussed this believes he can locate an RSA that would clarify the situation. Assuming he is correct, if we were to allow 2-way traffic but exclude vehicles wider than, say, 8'-0", it is possible that bus traffic would be prevented. (Fire trucks would not be excluded because they will be able to pre-empt the signals.)

Jason and I will also discuss with our Front Office the Town's desire that we not place fencing on the bridge. I *think* that NHDOT *might* not place snow fence over Riverside Street if the Town were to provide the State with a formal request, or perhaps with the Town accepting liability for Riverside Street from objects/snow coming over the rail. However, I'm less than certain that the Railroad will be willing to consider such a request.

Also regarding fencing, I misspoke on Wednesday night. NHDOT does place the 9' fencing with the curved top along sidewalks over roads and railroads (details at <http://www.nh.gov/dot/org/projectdevelopment/bridgedesign/detailsheets/documents/BR-PROSCREEN.pdf>) but our snow fence is 5' (I believe I said it was 4') (details at <http://www.nh.gov/dot/org/projectdevelopment/bridgedesign/detailsheets/documents/BR-SNOWSCREEN.pdf>) and over the railroad we place a 9' vertical fence on a non-sidewalk side (same detail sheet as 9' fencing with the curved top).

I will know more after the anticipated March 24 meeting, but I wanted to present these thoughts to let you think through some of the possibilities. If you have any insight to these issues, I'd appreciate hearing from you.

I will follow up with you after March 24.

Regards,

David L. Scott, PE
In-House Design Chief
Bureau of Bridge Design - NHDOT
(603)271-2731
(603)271-2759 fax
dscott@dot.state.nh.us

Dean Shankle

From: James Sullivan
Sent: Friday, March 28, 2014 10:54 PM
To: Jonathan Evans
Cc: Dean Shankle
Subject: RE: NHDOT Project - Hooksett, 28435 - Main St/Merrimack River Bridge Rehabilitation (Town Council)

I will have this email discussed at our next council meeting and poll the full board with appropriate answers. I have included our Administrator in this response so he can include it on our agenda thanks Mr Evans

From: Jonathan Evans [JEvans@dot.state.nh.us]
Sent: Friday, March 28, 2014 11:08 AM
To: James Sullivan
Subject: NHDOT Project - Hooksett, 28435 - Main St/Merrimack River Bridge Rehabilitation (Town Council)

Dear Mr. Sullivan,

The NH Department of Transportation is planning the rehabilitation of the Main St. Bridge (Bridge # 080/148) over the Merrimack River, Riverside St. and the B & M Railroad in Hooksett. The proposed rehabilitation is anticipated to include removing and replacing the asphalt pavement and adhesive membrane, making any necessary concrete deck repairs, and replacing the expansion joints. The project may also include the repair and/or replacement of the shoes supporting the girders on top of the abutments and piers, resurfacing of the bridge approaches, the installation of snow fence over Riverside St. and the installation of protective fencing over the B & M Railroad. All work will be contained within the limits of the existing right-of-way and no impacts to the Merrimack River are anticipated. Attached for your use are two location maps.

Engineering studies have been initiated to refine the scope and limits of work necessary for this project. The Department's Bureau of Environment is in the process of evaluating the potential environmental impacts associated with the project. To assist in this evaluation, I am asking that you provide comments relative to the project's potential impacts on environmental, social, economic, or cultural resources, by responding to the following questions.

1. Are there any existing or proposed community or regional plans that might have a bearing on this project?
2. Are there any natural resources of significance in the vicinity of the project? (e.g. prime wetlands, floodplains, rare species, etc.)
3. Are there any cultural resources of significance in the vicinity of the project? (e.g. stonewalls, cemeteries, historical or archeological resources, etc.) *Please note that Section 106 of the National Historic Preservation Act offers those that possess a direct interest in historical resources, including town officials, Historical Societies, and Historical Commissions, an opportunity to become more involved in an advisory role during project development as "Consulting Parties." Those interested should contact the Department.*
4. Are there any public parks, recreation areas, conservation lands, or wildlife/waterfowl refuges in the vicinity of the project? Have Land & Water Conservation Funds been used in the project area?
5. Are there any locally or regionally significant water resources or related protection areas in the project vicinity? (e.g. public water supplies, wellhead protection areas, aquifer protection districts, etc.)

6. Are there any water quality concerns that should be addressed during the development of this project? (e.g. stormwater management, NPDES Phase II, impaired waters, etc.)
7. Are you aware of any existing or potential hazardous materials or contaminants in the vicinity of the project? Are there asbestos landfills or asbestos containing utility pipes located within the project limits?
8. Do you have any environmental concerns not previously noted (e.g. noise impacts, farmland conversion, etc.) that you feel the Department should be aware of for this project?
9. Will the proposed project have a significant effect upon the surrounding area? If so, please explain.
10. Are you aware of any existing roadside populations of non-native invasive plant species (such as Japanese knotweed, phragmites, or purple loosestrife) in the project area?

This letter has been sent to the following departments, boards, and/or commissions:

- Town Administrator
- Conservation Commission
- Heritage Commission
- Historical Society
- Town Planner
- Public Works
- Fire Department/Emergency Management
- Police Department

Please feel free to contact me if you have any questions or require further information regarding the above referenced project. Thank you for your assistance.

Sincerely,

Jon Evans

~~~~~

Jonathan Evans

Air & Noise Program Manager

NH Department of Transportation

Bureau of Environment

7 Hazen Dr., PO Box 483

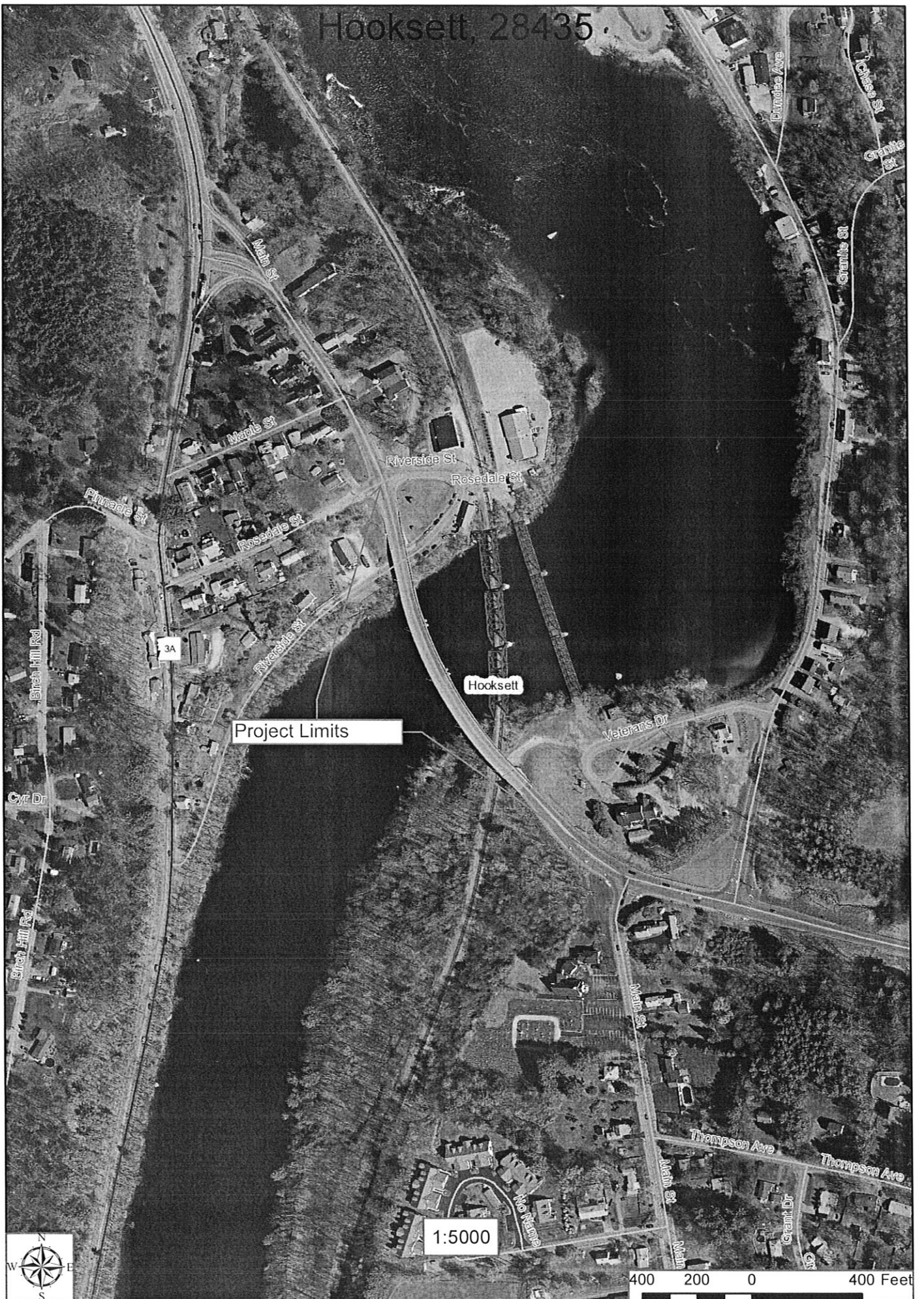
Concord, NH 03302-0483

Email: [jevans@dot.state.nh.us](mailto:jevans@dot.state.nh.us)

Phone: (603)271-4048

Fax:(603)271-7199

# Hooksett, 28435



Project Limits

Hooksett

3A

1:5000



400 200 0 400 Feet

Birch Hill Rd

Cyr Dr

Birch Hill Rd

Rivada St

Main St

Rosedale St

Riverside St

Main St

Riverside St

Rosedale St

Veterans Dr

Main St

Thompson Ave

Thompson Ave

Grant Dr

Main St

Dundee Ave

Granite St

Granite St

Chase St

W. Main St

# Hooksett, 28435



Project Location

1:40000

4,000 2,000 0 4,000 Feet

## Dean Shankle

---

**From:** David Scott <DScott@dot.state.nh.us>  
**Sent:** Friday, March 14, 2014 12:38 PM  
**To:** Dean Shankle  
**Cc:** Jason Tremblay  
**Subject:** RE: Hooksett 28435 - Bridge Rehabilitation Project on Main Street over Riverside Street, Merrimack River and B&M RR  
**Attachments:** 28435Municipal Work Zone Agreement (MWZA).pdf

Hi Dean,

Here is the official copy of the Municipal Work Zone Agreement for Hooksett's consideration. It is unchanged from what I sent on Wednesday except that the watermark is removed. As I mentioned Wednesday night, feel free to ask follow-up questions, and please discuss this with the Police Chief.

Jason and I will brief our Front Office on the Town's desire for two way traffic and signage to prevent truck traffic. I expect we will have this discussion on Monday, March 24.

Regarding two way traffic, at Wednesday's meeting I mentioned my concern with enforcement of a truck ban. I believe that someone suggested that DOT should have the State Police assist with vigilant enforcement. I don't recall how the conversation proceeded, but I neglected to come back to that subject to point out that DOT has no ability to direct the State Police, which work under the Department of Safety. Therefore, if we *were* to place signs to restrict trucks, the only enforcement that Hooksett could count on would be from Hooksett's own police force.

I have also asked if it is even legal for DOT to exclude a tax-paying truck from a road. The preliminary answer is that DOT can exclude a subset of the traffic, and that it is not different than placing a weight restriction on a bridge. However, and still preliminarily, we can't exclude some vehicles of a given width but include others. The example was that we could not exclude gravel trucks but allow milk trucks. The individual with whom I discussed this believes he can locate an RSA that would clarify the situation. Assuming he is correct, if we were to allow 2-way traffic but exclude vehicles wider than, say, 8'-0", it is possible that bus traffic would be prevented. (Fire trucks would not be excluded because they will be able to pre-empt the signals.)

Jason and I will also discuss with our Front Office the Town's desire that we not place fencing on the bridge. I *think* that NHDOT *might* not place snow fence over Riverside Street if the Town were to provide the State with a formal request, or perhaps with the Town accepting liability for Riverside Street from objects/snow coming over the rail. However, I'm less than certain that the Railroad will be willing to consider such a request.

Also regarding fencing, I misspoke on Wednesday night. NHDOT does place the 9' fencing with the curved top along sidewalks over roads and railroads (details at <http://www.nh.gov/dot/org/projectdevelopment/bridgedesign/detailsheets/documents/BR-PROSCREEN.pdf>) but our snow fence is 5' (I believe I said it was 4') (details at <http://www.nh.gov/dot/org/projectdevelopment/bridgedesign/detailsheets/documents/BR-SNOWSCREEN.pdf>) and over the railroad we place a 9' vertical fence on a non-sidewalk side (same detail sheet as 9' fencing with the curved top).

I will know more after the anticipated March 24 meeting, but I wanted to present these thoughts to let you think through some of the possibilities. If you have any insight to these issues, I'd appreciate hearing from you.

I will follow up with you after March 24.

Regards,

David L. Scott, PE  
In-House Design Chief  
Bureau of Bridge Design - NHDOT  
(603)271-2731  
(603)271-2759 fax  
[dscott@dot.state.nh.us](mailto:dscott@dot.state.nh.us)

**MUNICIPAL WORK ZONE AGREEMENT  
FOR  
KEENE**

**STATE PROJECT: 28435  
FEDERAL PROJECT: X-A003(751)**

THIS AGREEMENT, executed in *triplicate*, made and entered into this \_\_\_\_\_ day of March 2014, between the New Hampshire Department of Transportation, hereinafter called the "DEPARTMENT" and the Town of Hooksett, hereinafter called the "TOWN".

WITNESSETH that,

WHEREAS, the DEPARTMENT will be rehabilitating the bridge carrying Main Street over the Merrimack River, the Railroad, and Riverside Street;

WHEREAS, The State Legislature has delegated the Commissioner of the DEPARTMENT with full authority to control traffic in highway/bridge construction work zones on Class I, II, and III highways; RSA 228:21, 236:1, and 228:37;

WHEREAS, The Department intends to use a combination of flaggers and/or uniformed officers, as appropriate, to control traffic and ensure public and worker safety; and

NOW, THEREFORE, in consideration of the above premises, it is mutually agreed as follows:

- A. The DEPARTMENT shall construct project Hooksett 28435 to rehabilitate aforementioned bridge.
- B. The DEPARTMENT will be responsible for the management and operation of the highway throughout the duration of the construction of the project. This includes the authority to determine the most appropriate way to control traffic within the construction work zone limits of the project.

IN WITNESS WHEREOF, the parties here have affixed their signatures, the Town of Hooksett, New Hampshire, on this \_\_\_\_\_ day of March, 2014, and the Department of Transportation on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**NEW HAMPSHIRE DEPARTMENT OF  
TRANSPORTATION**

**TOWN OF HOOKSETT**

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

By: \_\_\_\_\_  
(Town Administrator)

cc: Police Chief

**MUNICIPAL WORK ZONE AGREEMENT  
FOR  
KEENE**

**STATE PROJECT: 28435  
FEDERAL PROJECT: X-A003(751)**

THIS AGREEMENT, executed in *triplicate*, made and entered into this \_\_\_\_\_ day of March 2014, between the New Hampshire Department of Transportation, hereinafter called the "DEPARTMENT" and the Town of Hooksett, hereinafter called the "TOWN".

WITNESSETH that,

WHEREAS, the DEPARTMENT will be rehabilitating the bridge carrying Main Street over the Merrimack River, the Railroad, and Riverside Street;

WHEREAS, The State Legislature has delegated the Commissioner of the DEPARTMENT with full authority to control traffic in highway/bridge construction work zones on Class I, II, and III highways; RSA 228:21, 236:1, and 228:37;

WHEREAS, The Department intends to use a combination of flaggers and/or uniformed officers, as appropriate, to control traffic and ensure public and worker safety; and

NOW, THEREFORE, in consideration of the above premises, it is mutually agreed as follows:

- A. The DEPARTMENT shall construct project Hooksett 28435 to rehabilitate aforementioned bridge.
- B. The DEPARTMENT will be responsible for the management and operation of the highway throughout the duration of the construction of the project. This includes the authority to determine the most appropriate way to control traffic within the construction work zone limits of the project.

IN WITNESS WHEREOF, the parties here have affixed their signatures, the Town of Hooksett, New Hampshire, on this \_\_\_\_\_ day of March, 2014, and the Department of Transportation on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**NEW HAMPSHIRE DEPARTMENT OF  
TRANSPORTATION**

**TOWN OF HOOKSETT**

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

By: \_\_\_\_\_  
(Town Administrator)

cc: Police Chief



Staff Report  
**RESIDENTIAL AND BUSINESS BURGLARY, ROBBERY  
AND PANIC ALARMS  
ORDINANCE #00-27  
April 9, 2014**

**Background:** The Residential and Business Burglary, Robbery and Panic Alarm ordinance was adopted on January 24, 1996. There have been no changes to the ordinance since adopted.

**Issue:** There are sections of the ordinance adopted in 1996 that need updating and sections that no longer apply such referencing the former Hooksett Police Commission and the installation or housing of direct alarm reporting equipment in the communication center. The proposed ordinance is a complete revision.


**Discussion:** The ordinance governs burglary, robbery, and panic alarm systems, requires permits, establishes fees, provides for penalties for violations, establishes a system of administration, and sets forth conditions for suspension or loss of permit.

**Fiscal Impact:** There is no fiscal impact associated with this ordinance. The alarm ordinance will generate revenue from permit fees and false alarm response charges.

**Recommendation:** That the Hooksett Town Council vote to adopt the changes to the alarm ordinance as proposed.

**Prepared by:** Captain Jon A. Daigle

**Town Administrator Recommendation:** Discuss and, if any Councilor wants to move forward begin normal process.

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

## **Residential and Business Burglary, Robbery and Panic Alarms**

### **Ordinance #00-27**

#### **GENERAL REFERENCES**

##### **Section 1. Purpose.**

- A. The purpose of this chapter is to encourage alarm users and alarm businesses to assume increased responsibility for maintaining the mechanical reliability and the proper use of alarm systems, to prevent unnecessary police emergency response to false alarms and thereby to protect the emergency response capability of the Town from misuse.
- B. This chapter governs burglary, robbery, medical alarm systems, requires permits, establishes fees, provides for discontinuation of police response to alarms and provides for punishment of violations.

##### **Section -2. Definitions.**

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

###### **ALARM BUSINESS**

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

###### **ALARM SYSTEM**

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

###### **ALARM USERS**

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

###### **AUTOMATIC DIALING DEVICE**

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

###### **HOOKESETT POLICE DISPATCH**

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

**BURGLARY ALARM SYSTEM**

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

**CENTRAL ALARM COMPANY**

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

**FALSE ALARMS**

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

**INTERCONNECT**

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

**MEDICAL ALARM SYSTEM**

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

**PERMIT HOLDER**

The person designated in the application who is responsible for responding to alarms and giving access to the site, and who is responsible for proper maintenance and operation of the alarm system and payment of fees.

**POLICE CHIEF**

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

**PRIMARY TRUNK LINE**

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

**ROBBERY ALARM SYSTEM**

An alarm system signaling a robbery or attempted robbery.

**SOUND EMISSION CUTOFF FEATURE**

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

**SYSTEM RECOVER OPERATIVE**

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

**Section-3. Permit required.**

- A. Every alarm user interconnecting an automatic dialing device to the Hooksett Police Dispatch shall have an alarm user's permit for each system from the Police Chief.

B. A yearly permit fee, established by the Town Council, shall be \$25.00 per permit.

C. An application form signed and approved by the Chief will serve as a permit.

#### **Section -4. Permit Duration and Renewal.**

A permit expires annually on December 31, and must be renewed for a new year period by submitting an updated application to the Chief. It is the responsibility of the permit holder to submit an application prior to the permit expiration date. Failure to renew will be classified as use of non-permitted alarm system, citations and penalties shall be assessed without waiver.

#### **Section-5. Fines for excessive false alarms.**

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

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

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

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

#### **Section-6. No-response or disconnect order for excessive false alarms.**

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

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

**Section -7. Hearing.**

- A. The alarm user has the right to a hearing before any disconnect or no-response order goes into effect. A hearing must be requested within 10 days of a notice to disconnect, notice of no response, or notice of a false alarm. Failure to contest the determination in the required time period results in a conclusive presumption that the alarm was false and/or the notice to disconnect or no-response is valid.
- B. The hearing shall be before the Chief of Police. The alarm user shall have the right to present written and oral evidence subject to the right of cross-examination. The Chief will arbitrate whether or not the alarms are false and take appropriate action.

**Section-9. Reinstatement of Permit.**

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

**Section-10. Use of revenues.**

All revenues generated from this chapter will go to the general fund of the Town of Hooksett.

**Section-11. Violations and penalties.**

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

AGENDA NO. 14-034  
DATE: 4/9/14

Staff Report  
**PAWNBROKERS AND SECONDHAND DEALERS**  
April 9, 2014

**Background:** Currently the Town of Hooksett does not have a Town Ordinance on the books covering **PAWNBROKERS AND SECONDHAND DEALERS** which facilitate the purchase and resale of secondhand goods.

**Issue:** There is a need for the Town of Hooksett to establish a Town Ordinance to regulate and monitor the purchase and resale of secondhand goods by businesses in the town. Currently the Town of Hooksett does not require a business dealing in secondhand goods to record and/or report such transactions to the police department.

**Discussion:** The Town of Hooksett needs to establish a formalized procedure on the regulation of **PAWNBROKERS AND SECONDHAND DEALERS** which shall include a licensing component and a method of tracking the purchases by the business, as well as sales by individuals to the business. By so enacting a Town Ordinance it will enable the Hooksett Police Department to recover stolen property and to prosecute offenders through the enforcement of the ordinance.

**Fiscal Impact:** There is no fiscal impact associated with the proposed **PAWNBROKERS AND SECONDHAND DEALERS** ordinance. By licensing of individual businesses the Town of Hooksett will generate revenue.

**Recommendation:** To approve the **PAWNBROKERS AND SECONDHAND DEALERS** ordinance as proposed.

**Prepared by:** Captain Jon A. Daigle

**Town Administrator Recommendation:** Council discuss and if any Councilor wants it to move forward will go through normal process.

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

## **PAWNBROKERS AND SECONDHAND DEALERS**

### **Ordinance #00-**

#### **SECTION 1**

##### **LEGISLATIVE AUTHORITY; PURPOSE.**

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

#### **SECTION 2**

##### **LICENSE REQUIRED.**

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

#### **SECTION 3**

##### **DEFINITIONS.**

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

##### **PAWNBROKER**

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

##### **SECONDHAND DEALER**

Any person, firm, partnership or corporation whose business is in the retail buying, selling, buyback, exchanging, dealing in or dealing with secondhand articles, including, but not limited to, jewelry, watches, diamonds, precious stones, gems, gold, silver, platinum, precious metals,

coins, stamps, musical instruments and equipment, cameras, furs, home and audio stereo equipment, televisions, VCRs, DVD players, multimedia devices, digital equipment, video game systems, equipment and accessories, tools, computers and computer equipment, firearms, electronic navigation systems, automobile accessories and collectables, excepting furniture and books. "Secondhand dealer" does not mean purchases made from private residences by citizens not engaged in a secondhand-dealer-type business.

#### **SECTION 4**

##### **LICENSING AUTHORITY.**

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

#### **SECTION 5**

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

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

- A. Application for such licenses shall be made to the Town Clerk who may submit them to the Chief of Police and who may cause an investigation to be made into the fitness of the applicant to engage in the business of a pawnbroker or secondhand dealer, and report his findings to the Town Clerk before such license is acted upon.
- B. The license shall be issued for a specific location and is not transferable to any other person, firm, partnership or corporation.
- C. Upon approval by the Town Council, a fee of \$250 shall be paid by the applicant to the Town Clerk prior to the issuance of the license. Effective upon date of approval, and annually on January 1 thereafter, an application fee of \$250 shall accompany each license application. Said license shall expire on December 31, unless sooner revoked or expired and shall neither be assigned nor transferred.
- D. Prior to issuance of a license, a criminal record check may be completed upon every owner, manager, and/or employee of a pawnshop or secondhand dealer. The applicant



shall be required to provide a certified copy of a complete criminal record of each individual with the license application. The certified copy shall be obtained from the Criminal Records Division of the State Police, Department of Safety of the State of New Hampshire, and/or from the appropriate out-of-state agency or agencies if not a resident of New Hampshire for the ten years preceding the application. No license shall be issued to any firm, corporation, owner or person, to include employees, directly or indirectly involved in the purchase of secondhand articles, who or which has been previously convicted within the preceding ten years of any theft related offenses to include but not limited to: theft, burglary, receiving stolen property, or fraud in this state or any state or territory in the United States.

- E. Licensees shall display their current license in a conspicuous place within the business where it may readily be viewed by the general public.
- F. A numbered license shall be issued and continue in full force until December 31 of each year unless revoked prior to this date by the Town Council at any time after notice to the licensee and hearing on the charges preferred.
- G. Exclusions. Any person, firm or partnership or corporation whose business is the retail buying, selling, buy-back, exchanging, dealing in or dealing with furs, fur coats, books, magazines, used furniture, used clothing, or used motor vehicles/motorcycles by legally recognized vehicle dealerships, shall be exempt from the requirements of divisions (C) and (D) above.

## SECTION 6

### TRANSACTION RECORDS.

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

- (1) **Individually identifiable articles.** Articles which are individually identifiable by a serial number or other applied numbers, letters, characters or markings or other

unique features that serve to distinguish it from any other similar article and can be used to establish ownership.

- a. Each individually identifiable article brought into a second hand/pawn dealer for pawn, sale, barter, trade or other method during a single transaction shall be itemized separately. Articles shall not be grouped together (i.e., five gold rings), but must provide a complete and thorough description of each item to include the following:
  - i. Type of article;
  - ii. Brand name/make/manufacture (if applicable);
  - iii. Model number (if applicable);
  - iv. Serial number (if applicable);
  - v. Color/finish;
  - vi. Any other identifying marks, writing, engraving, etc.
  
- b. A digital photograph(s) shall be taken of each individually identifiable article, sufficiently detailed to allow reasonable identification of the article. The photograph(s) shall capture any identifying numbers, marks, writing, engraving, etc., or any other distinguishing characteristics.

(2) **Non-individually identifiable articles.** Articles that cannot be distinguished from any other similar articles may be described in groups of similar types of articles, but only within the same transaction.

- a. Non-individually identifiable article brought into a second hand/pawn dealer for pawn, sale, barter, trade or other method during a single transaction may be grouped and shall include reasonable descriptions of the number and types of items within each group to enable the Police Department to determine if they may have been stolen during a particular crime. (For example, the licensee receives a video game controller, five video game discs, and numerous items of jewelry. The licensee would have to individually itemize and photograph the video game controller as outlined in division (1) (a) above, as it would be a serially-numbered item. The remaining items shall not be listed as "miscellaneous video games and jewelry." Instead, the licensee shall describe them as follows: "five video game discs to include the following titles..." and "miscellaneous jewelry to include two yellow gold necklaces, one silver necklace, two pairs of silver earrings, one women's yellow gold ring, etc...")
  
- b. A digital photograph(s) shall be taken of each group of similar types of articles within the same transaction. The articles may be photographed together but each article shall be visible in the photograph. (For example, given the circumstances outline in division (2)(a) above, the five video game discs would be photographed together, side-by-side, and the jewelry items would be photographed together with each item laid out so as to be individually viewable.

## **SECTION 7**

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

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

## **SECTION 8**

### **REPORTING OF TRANSACTIONS.**

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

## **SECTION 9**

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

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

## **SECTION 10**

### **TIME RESTRICTIONS.**

Pawnbrokers or secondhand dealers will not sell, encumber by sales contract, or otherwise dispose of or alter an article in its appearance within 14 days of purchase, unless granted permission, in writing, from the Chief of Police, but in any case not within 24 hours of time of purchase. Pawnbrokers or secondhand dealers shall retain on

premises all items purchased or pawned during the waiting period and not place such items on the sales floor until the waiting period has expired unless the item is clearly marked as to the sales release date based on the time frames outlined in this section. Pawnbrokers or secondhand dealers shall clearly mark the transaction records of any pawn item repurchased by the original seller and shall submit a copy of the record to the Chief of Police, or his designee, within 48 hours of the transaction.

## **SECTION 11**

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

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

## **SECTION 12**

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

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

**TOWN OF HOOKSETT**  
**APPLICATION FOR SECOND-HAND DEALERS LICENSE**

**APPLICATION INSTRUCTIONS:** Read the following carefully before you sign below. A false statement on any part of this application will be just cause for refusal of this application and may be punishable under RSA 641:3. A \$250.00 application fee must accompany this application. Make checks payable to the Town of Hooksett.

Application Date \_\_\_\_\_ Type of Application  New  Renewal  
Name \_\_\_\_\_ DOB \_\_\_\_\_

Address \_\_\_\_\_ Tel # \_\_\_\_\_

City/Town \_\_\_\_\_ State/Zip \_\_\_\_\_

Name of Business \_\_\_\_\_ Tel # \_\_\_\_\_

Address \_\_\_\_\_

Addresses for the past ten (10) years; Begin with present and include dates at each address.

- (A) \_\_\_\_\_
- (B) \_\_\_\_\_
- (C) \_\_\_\_\_
- (D) \_\_\_\_\_

Have you ever been convicted of a crime which has not been annulled by the court having jurisdiction?

Yes  No

Have you ever had a second-hand dealer's license denied in this state or any other state?

Yes  No

If the answer to either of the above questions is yes, please explain below.

I have received a copy of the Town of Hooksett Second-Hand Dealer Ordinance (00-36) and fully understand the provisions contained therein. I agree to abide by, and be subject to all provisions of this ordinance. I understand that any information I give may be investigated as provided for by Town Ordinance. I have received a State of New Hampshire Criminal Record Release Authorization Form and understand I must submit a copy of any criminal record or documentation indicating none exists to the Hooksett Police Department as part of this application. I certify that, to the best of knowledge and belief, all my statements are true, correct, and complete and made in good faith.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

Recommend Approval                      Recommend Approval  
Yes \_\_\_\_\_ No \_\_\_\_\_      Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Town Administrator