

**TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, July 8, 2015**

Items 1 – 6a led by Town Administrator

1. **6:30 PM - CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **CEREMONY – SWEARING IN OF NEW COUNCILORS BY TOWN CLERK**
4. **ROLL CALL**
5. **TOWN COUNCILOR DISTRICT 1 - NOMINATION, APPOINTMENT & SWEARING IN**
6. **TOWN COUNCIL REORGANIZATION PART I**
 - a. Election of Chair, Vice-Chair and Secretary
7. **SPECIAL RECOGNITIONS**
 - a. Police Department - swearing in of new Patrol Officers & introduction of new Dispatcher
8. **APPROVAL OF MINUTES**
 - a. Public: 06/24/2015
 - b. Non-public: 06/24/2015
9. **AGENDA OVERVIEW**
10. **PUBLIC HEARINGS**
 - a. Public Hearing for Town Council to accept conservation easement deeds for 1) Manchester Sand, Gravel & Cement Co., Inc. "The Villages at Head's Pond" "Head's Pond" "Great Pond" "Town Pond" "Small Pond" parcels 3-1, 3-5, 3-19, 3-29, 14-2, 14-4, and 2) Carriage Manor of Hooksett Condominium Association conversation property to the south of Head's Pond in Hooksett, NH parcel 6-22-75.
11. **TOWN COUNCIL REORGANIZATION PART II**
 - a. Adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnification
 - b. Motion to have the Town Council Chair sign ancillary documents as agent to expend
 - c. Adopt the Town Council Rules of Procedures
 - d. Appointment of Councilors to Sub-Committees
12. **CONSENT AGENDA**
 - a. \$100.00 donation from D. Saul to Hooksett Fire Rescue Dept.
 - b. \$15.00 donation from Mr. & Mrs. Murray to Hooksett Fire Rescue Dept.
 - c. \$100.00 donation from HealthTrust to the Town of Hooksett
 - d. \$1,300.00 donation in value for proposed fence work in the police garage from Blue Ribbon Fence to Hooksett Police Department
13. **TOWN ADMINISTRATOR'S REPORT**
14. **PUBLIC INPUT: 15 Minutes**
15. **NOMINATIONS AND APPOINTMENTS**
 - a. Nominations – New Volunteer(s)
 - b. Appointments – Reappointment(s) and New Member(s) as of 07/01/2015
16. **SCHEDULED APPOINTMENTS**

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

17. 15 MINUTE RECESS

18. OLD BUSINESS

- a. 14-066 Lilac Bridge Update
- b. 15-048 Town Report

19. NEW BUSINESS

- a. 15-053 Budget Transfers for Public Work's Reorganization
- b. 15-054 Purchase & Sales Agreement between Karen Anne Heroux (seller) and Town of Hooksett by and through the Hooksett Conservation Commission (buyer)

20. SUB-COMMITTEE REPORTS

21. PUBLIC INPUT

22. 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.

23. ADJOURNMENT

Public Input

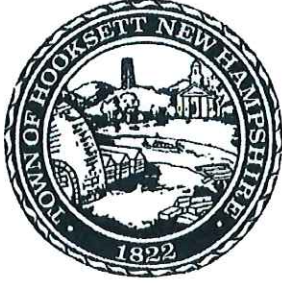
1. Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak, however, no person will be allowed to speak for more than 5 minutes.
2. No person may address the council more than twice on any issue in any meeting. Comments 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 of Hooksett, NH

Town Council District 1
Candidate Selection Process 1 year Term

The Hooksett Town Council is seeking a 1 year term (07/01/15-06/30/16) candidate for the District 1 Town Council seat. Candidate must reside in Hooksett for at least 1 year & currently reside in District 1. Completed Application for Appointed Town Board Position must be received no later than 06/30/15 to: Town of Hooksett, Attn: Town Council, 35 Main Street, Hooksett, NH 03106 or email townadministrator@hooksett.org. Applications are available via www.hooksett.org or at the Town of Hooksett address above. Candidates are invited to attend the Town Council's 07/08/15 meeting at Town Hall Chambers, 35 Main Street, Hooksett, NH @ 6:30pm at which time the Council will make their nomination/appointment for the District 1 seat. Questions should be directed to the Administration Department 603-485-8472."



JUN 18 2015
Admin.

Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: 15 JUNE 2015

Name: TIMOTHY R BINTOULIS Phone: 603 669 6999 ^H 603 785 1821 ^C

Address: 39 LINDSAY ROAD

Email Address: ttbintoulis@comcast.net

Signature: *Timothy R Bintoulis*

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

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

BOARDS, COMMISSIONS & COMMITTEES

- Conservation Commission
- Economic Development Study Committee
- Heritage Commission
- Parks & Recreation Advisory Board
- Planning Board
- Recycling & Transfer Advisory Committee
- Town Hall Preservation Committee
- Zoning Board of Adjustment
- Other (Please specify) TOWN COMMISSION DIST. 1

How long have you been a resident of Hooksett?

SINCE THE FALL OF 1979, CURRENTLY IN DISTRICT 1 FOR 23 YEARS (LINDSAY REAN)

Why are you seeking this position?

ITS A GOOD TIME IN MY LIFE TO GIVE BACK TO THE COMMUNITY

Do you have any specific goals or objectives?

OVERALL OBJECTIVE WOULD TO HELP KEEP HOOKSETT THE GREAT TOWN THAT IT NOW IS -

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

I HAVE GOOD SKILLS RELATING TO PEOPLE AT ALL LEVELS, AND I POSSESS GREAT LIFE EXPERIENCES. A LONG TIME RESIDENT THAT IS WELL KNOWN AND RESPECTED.

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

I DO NOT SEE ANY CONFLICTS AT THIS TIME BUT WOULD ACT APPROPRIATELY IF ONE WERE TO ARISE

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

30 PLUS years @ EVERETT (RSN.H) FORMER CALL FIRE FIGHTER FOR TOWN OF HOOKSETT - KIDS KABOOSE VOLUNTEER, SOCCER COACH WITH HYAA FOR 8 YEARS

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

NO PRIOR TOWN EXPERIENCE.

TOWN COUNCIL MEETING MINUTES
Wednesday, June 24, 2015

CALL TO ORDER

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

ROLL CALL – ATTENDANCE

Donald Winterton, Nancy Comai, Todd Lizotte, James Levesque, Adam Jennings, Robert Duhaime, Susan Orr, David Ross, Chairman James Sullivan, Dr. Dean E. Shankle, Jr. (Town Administrator)

PLEDGE OF ALLEGIANCE

SPECIAL RECOGNITIONS

a. Town Councilors with terms ending 06/30/2015

J. Sullivan: We'd like to thank Councilor Lizotte and Councilor Orr for their service to the town for the last few years, in various capacities. Do we have something to present to our Councilors who are leaving?

Dr. Shankle: We actually have plaques but we didn't get them in time, but we will be getting them.

J. Sullivan: We'd like you to come back at some point to accept a token of the Council's and town's appreciation for your service. We are going to depend on you to help with other tasks in the future, as we always do. We thank you both for your 4 years of service.

APPROVAL OF MINUTES

a. Public: June 10, 2015

A. Jennings motioned to accept the public minutes of June 10, 2015. Seconded by J. Levesque. Vote unanimously in favor. T. Lizotte and D. Ross abstained due to prior absence.

b. Non-public: June 10, 2015

R. Duhaime motioned to accept the non-public minutes of June 10, 2015. Seconded by D. Winterton.

Vote unanimously in favor. T. Lizotte and D. Ross abstained due to prior absence.

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

PUBLIC HEARINGS

CONSENT AGENDA

TOWN ADMINISTRATOR'S REPORT

- I spent 3 days at the Municipal Managers of NH Conference; I wrote a little bit about that in the last Town Administrator's memo.
- I was glad to see Councilor Ross working on the microphones, because we are working on improving our audio visual capabilities so we can have 2 cameras in here. It is a little bit tricky because of the distance, but we are going to keep working on that.
- Fire union negotiations are ongoing. We had another meeting on that.
- Last Friday was the volunteer appreciation dinner; we had a couple of Councilors in attendance (Levesque and Duhaime). A good time was had by all!
- Lincoln Park heritage marker unveiling took place a couple of Sundays ago. I wrote a little bit about that in the Town Administrator's memo too.
- We are working on encumbrances and financial issues for the end of the year. You will be hearing more about that, which is why our New Business is so long.
- We have a couple nice letters from residents; one is to DPW Director from Mr. John Lewis with a copy to me thanking the crew for taking care of the potholes on Auburn Rd, and one to the tax collector's office thanking the staff for saving a resident's weekend/.
- We have a couple trainings going on. DPW and other outdoor staff completed the annual summer safety and environmental hazards training this morning. I was there and saw some of that and I was picked for the random drug test since I can drive the cars. Fun In The Sun staff will complete the same training this Thursday in preparation for working with the camp children.

- LeeAnn Moynihan from the Assessing Department did a mini course on religions education and charitable exemptions in Derry, NH and she got a certificate for that.
- Main St. Bridge has switched from one side to the other. I called last week and asked for an update: *"The project is going as planned and is on schedule to be complete by the October deadline. Please be advised, beginning Monday, June 29, 2015, demolition will begin on the south half of the Main Street Bridge. The sidewalk will be closed for a period of three (3) weeks beginning Monday, June 29."* So for the month of July, the sidewalks will be closed. He asked us to put a notice on the website which we did.

J. Sullivan: We thank Councilor Levesque and Councilor Duhaime for representing the Council at the volunteer appreciation dinner. I know you said a few words. And, of course, we thank all of our volunteers.

PUBLIC INPUT

Mike Williams, 14 Laurel Road, Hooksett: At the last meeting, there was a letter read by Councilor Winton, and I'd like to address a few issues that were brought up in that letter. I was the fire chief for 13 years here. I took offense to a lot of the things that were written in that letter by the Town Administrator and I'd like to address a few of those issues. There were a lot of issues brought up about data that was not received that you folks never got. Myself and my staff, who are sitting behind me right now, spent numerous hours collecting fire-EMS data from both the state of NH and our databases for you, and if it wasn't in the right format, we should have been informed of that. I think there were times you were supposed to come down and meet with us and you never did. The issue is not with us, with the fire administration, I think it was with the people that wanted the information. So I would like to clear that up, that we worked our butt off getting that information to you. There were many, many documents that were sent this way both from the state EMS reporting system (the fire-EMS, the Nexus system) and was forwarded this way for your information. Every request that was given to you was completed, and I want you to know that. The second thing I would like to bring up is the statement about union negotiations. It was clear that from day one we never had an input on negotiations (the fire administration). It was your agendas and that's what it was. I want that to be clear that it was run by the Town Administrator. I cleared it through him that our presence was not going to be there and he agreed with that. Now all of a sudden, it's the guy that left's problem. That's wrong. Man up and don't blame people that leave. The negotiations were all personal agendas. The third thing, this so-called fire/police merger is a bad idea; let's not do it. You need to hire a fire chief who is involved with the day-to-day operations of this fire department, someone who can understand the fire service and command emergencies 24 hours a day, 7 days a week. Thank you.

D. Ross: I'd like to address an issue that I wasn't here to address regarding recycling. I need to bring these numbers up because nobody asked those questions at that meeting.

J. Sullivan: Let us bring that up under Old Business, if you would, because we are still in public input.

D. Ross: This is something, that as a public citizen, I feel I have not been informed clearly. Can I recuse myself?

J. Sullivan: You can certainly give us information, but can I ask you to come up under Old Business since this is Old Business for the Council. I'm not going to stop you from talking but I think it's better under Old Business. I'll get to you right after the fiscal encumbrances; I think that is a more appropriate place on the agenda for a Councilor to bring up any business. We will get to you at that point, Councilor Ross. Is there any other public input?

Harold Murray, 311 Hackett Hill Road: I addressed this Council at the last meeting and asked that the letter I read be placed in the minutes itself. As I said previously, I am not the sharpest tack in the box when it comes to computers, however I went through it and two other people went through it and I didn't see it there. I talked to Donna this evening and she said that they were not going to put it there, that it was the first add-on after the agenda. The whole Council agreed that it would be placed there, and I'm curious as to why it wasn't.

J. Sullivan: We did ask to see if it could be put in the body of the minutes. You said you would check to see if you could do that. Can you give us an indication as to why that is not possible and we can go from there.

D. Fitzpatrick: I did speak to Mr. Murray tonight at his request and informed him that I did re-post the minutes. We had it as the last item attached in the 36-page document; we moved it up to the first attachment right after the public input that he reported to. Rather than retype the whole document, we put it as the first attachment. And this saves the recording clerk from having to type all those attachments in the 36 pages. I did tell him that if he felt strongly, he could bring this up to you again. I didn't say we wouldn't do it, I said he could bring it up to you again and see if you want us to retype it.

J. Sullivan: Thank you for the clarification. She did move it up in the packet, it's not number 36.

N. Comai: To clarify what you are asking, are you asking for the letter to be included in the body of the minutes so that any time these are presented as they are to us tonight, it is included in the body of the minutes? Is that what you are asking?

H. Murray: Yes, not the 36 that we were talking about, just the one. It was agreed to, unanimously by the Council, and I thought it would be there.

J. Sullivan: You asked for it to be included in the body of the minutes. You asked the administration (Donna) to see if that was possible, and she gave you the reason why it wasn't possible but she did move it up as the first attachment, instead of attachment 36. If the Council is concurring with Mr. Murray's request, the Council would need to direct the administration to retype that portion into the body. If the Council would like to do so, based on the information we got, someone needs to make a motion.

D. Ross motioned to amend the minutes to have the letter typed into the body under public input, as part of the minutes and not an attachment. Seconded by N. Comai.

J. Levesque: What was the date?

J. Sullivan: 2 meetings ago, the last meeting in May. Mr. Murray, we addressed your concern and she came back with the reason why she couldn't and now with this motion we will be able to get to your request.

S. Orr: I have a question.

J. Sullivan: We are a little off track about responding to public comment, but I think with this issue we want to take care of it right now.

S. Orr: With respect to Mr. Murray, I have a question about precedent and protocol. If we agree to put the entire body of Mr. Murray's statement into the body of the minutes, we are opening up that to everyone who provides public input, regardless of how long that is. We may want to do that, but it adds increased staff time to typing all of those things. In my opinion, if we do it this time around, we have to be ready to do it for every other person who comes here and provides us with public input.

J. Sullivan: We have a workshop scheduled for our second meeting in July, and we can include how we handle the inclusion of public comments in the minutes. I think that would be a good discussion for that workshop.

D. Ross: Generally, we do. It's been my recollection that it's all there in the body of the minutes; all the statements they make, even if they are reading from a letter, should be easy enough for anybody to get. Public input is every bit as important as what we are talking about here.

T. Lizotte: The difference is even our words aren't verbatim, they are shortened. Setting a precedent of a verbatim letter being put in. If there are notes, or a certain thing was discussed, an attachment of the full letter is included in the packet. Verbatim in the minutes, I'm not inclined to do that.

Dr. Shankle: You don't want us to retype the letter, you want us to insert it. It wasn't a letter from him; he read somebody else's letter. What you are really talking about is finding a way to insert the pdf of that letter into the minutes, not retype it.

J. Sullivan: Whatever is required to get this in the body of the minutes, whether it has to be retyped or inserted, that is the motion. How we are going to proceed with requests like this, we will take that under advisement and discuss that at the workshop at our second meeting in July. This is getting off the simple request of Mr. Murray.

T. Lizotte: I am concerned about the idea of having public input by proxy and putting it in without the original person asking it to be placed in there. I could come into public input with a letter I'm reading for someone else and put it in the minutes for someone else.

A. Jennings: When you click on the pdf file on the website, everything is considered minutes. It's already in there; there isn't anything else we need to do tonight.

J. Sullivan: There is a request to put it in that part of the minutes.

Roll Call

T. Lizotte – No
R. Duhaime – No
S. Orr – No
D. Ross – Yes
J. Levesque – No
A. Jennings – No
N. Comai – Yes
D. Winterton – No
J. Sullivan – Yes

Motion fails 3-6.

J. Sullivan: At our July workshop we will discuss this aspect and adopt it as a Council policy and that will clear it up for the future. Thank you for that request but it is in the minutes as an attachment.

J. Levesque: Maybe it should be noted that it is attached at the end of the document as a separate document. It's a little more information for someone who isn't that savvy on the computer.

J. Sullivan: That could be part of the solution, to number them, so they know which attachment to look at. Thank you everyone for your public comment. Let's proceed with the nominations and then we will do the appointments.

NOMINATIONS AND APPOINTMENTS

a. Nominations – New Volunteer(s)

J. Sullivan: We have 4 people looking for a position, so if I could have the nominations for those individuals. Let's start with the first person on the list.

N. Comai nominated Deborah Miville to Conservation Commission and Parks & Rec Advisory Board.

J. Sullivan: I believe there is no conflict, so we will be making that appointment at our next meeting.

J. Levesque: If the people are here tonight, can we ask them to stand up so we know who they are.

J. Sullivan: Yes, if you are here in the audience, please stand up.

R. Duhaime nominated Steve Smith to Parks & Rec Advisory Board.

R. Duhaime: He has applied to 3 positions, and I'm not sure which of the 3 he is more qualified for. I don't know if he is here and would like to speak to that.

J. Sullivan: According to the attachment he is more than happy to be on one of the three, not two of the three. He includes his interests, so I am not sure which particular one he is more inclined to join.

R. Duhaime: I'll start with the Parks & Rec. It shows he has parks experience.

J. Sullivan nominated Denise Grafton to Planning Board – alternate.

J. Sullivan: Thank you, Denise, for coming and we appreciate you volunteering, as well as everyone else who is here also.

D. Winterton: Is that for the 1-year term? There are 3 alternate positions available; one will perhaps be appointed tonight. That leaves a 1-year term and a 2-year term. It was the desire of the Planning Board that we nominate Ms. Grafton to the 1-year term.

D. Winterton nominated Denise Grafton to Planning Board – alternate - for a one-year position.

S. Orr nominated Maureen McMahon to Economic Development Advisory Committee.

Dr. Shankle: I was looking at Steve Smith again, but I'd ask you to also nominate him to the Economic Development Advisory Committee as I know you need members. Maybe we can ask him before your next meeting if he prefers one over the other.

J. Levesque: I don't think there is a conflict there.

J. Levesque nominated Steve Smith to Economic Development Advisory Committee.

N. Comai: There is only room for one resident member and we have nominated Maureen McMahon to that position. Are we saying they are going to compete against each other to have one position?

J. Sullivan: I believe the change that the Council voted on previously is we would have up to 5 business members who do not live in the town.

N. Comai: Is this person considered a business member or resident member? In the document here it says resident.

J. Sullivan: We previously voted to allow up to 5 non-residents who were business owners to participate on the committee. It doesn't mean all 5 need to be business owners.

N. Comai: We are not talking about the business owners at the moment, Chair. We are talking about the one resident member position open; we have 2 folks nominated for that. Are they competing for that spot?

K. Rosengren: What was presented by the Economic Development Committee was a total number of members, up to 3 could be non-resident business owners. There is a cap on the number of members from that policy that was passed.

N. Comai: The sheet we are looking at for available appointed positions, are you saying there is 1 resident member position available?

A. Jennings: 1 to 4, and up to 3 if they are not a resident.

J. Sullivan: My understanding is people who did not live in town but owned a business could participate, up to 3. There are 4 positions open. If Ms. McMahon was a non-resident business owner and was the fourth person, she would not be allowed to sit. Both Mr. Smith and Ms. McMahon are residents.

N. Comai: It is up to 3 business owners, and now with Mr. Smith it's up to 2 non-resident members because you have taken one of them away.

Dr. Shankle: We can get this straightened out before your next meeting if you nominate him. We can go back through the minutes, but I can't imagine the intent was to keep residents off in favor of business members.

D. Ross: I concur, it wasn't to keep residents out, it was to allow non-residents in. We will fill all the seats with residents.

S. Orr: If I can add one thing that it would prevent every member on the committee from being a non-resident, that is what the concern was.

J. Levesque clarified nomination to resident position for Mr. Smith.

J. Sullivan: We have 2 nominations for Economic Development, Ms. McMahon and Mr. Smith. We will get clarification for our next meeting. Now we are going to move on to appointments.

D. Winterton: Mr. Chair, before we proceed, I think we have other applications that have been received.

K. Rosengren: Richard Boisvert applied for Planning Board and it's my understanding they have been having trouble reaching quorum lately.

D. Winterton: At the last Planning Board meeting we had a quorum, but one of the members had to step down because of a conflict and we no longer had a quorum, so we had a situation we couldn't vote on. Our next meeting is July 20 so we have called a special meeting for June 29. I know that there is an application put in for another seat for an alternate position. If it is the pleasure of the Board, the Planning Board is meeting on Monday so if we could place that name in nomination tonight, the Planning Board can comment on it and I can bring it back to Council for the next meeting.

J. Sullivan: We request all nominees to submit written documentation, which we have. If it meets requirements of Council procedures, which it does, if someone wants to nominate this person, it's OK.

D. Ross nominated Richard Boisvert for alternate member of Planning Board for 2-year term.

J. Sullivan: Since we have his application in hand, it's OK, otherwise I'd say this nomination is out of order. Council should vote on if this meets the requirement before I accept the nomination.

R. Duhaime: We will have plenty of time to review this before the appointment at our next meeting.

J. Sullivan: Before we accept nominations, according to the process, we need to have it in hand. We just received it now, it was not in our packets.

K. Rosengren: Just a recommendation maybe – if the Planning Board is discussing this at their next meeting, should we hold off and let them give a recommendation on both the alternate positions?

J. Sullivan: Whatever the Council wants, but I am going to ask that since the process has not been met, that we waive the requirement for that process before I accept that nomination.

D. Ross motioned to accept letter that has been handed to the Council Chair as a legitimate application for membership on this board and accept it as such. Seconded by A. Jennings. Vote 7-1 in favor. D. Winterton abstained due to being a relative of the nominated individual.

D. Ross nominated Richard Boisvert as an alternate on the Planning Board for a 2-year term.

J. Sullivan: He is not officially appointed until our next meeting if we choose to appoint. Now we are moving on to appointments.

b. Appointments – Reappointment(s) and New Member(s) as of 07/01/2015

D. Ross motioned to appoint Cindy Robertson to the Conservation Commission as a full member with a term expiring 6/2018. Seconded by S. Orr. Vote unanimously in favor.

*J. Sullivan motioned to appoint Kathie Northrup to the Heritage Commission as a full member with a term expiring 6/2018. Seconded by J. Levesque.
Vote unanimously in favor.*

*D. Winterton motioned to appoint Michael DiBitetto to the Planning Board as an alternate member with a term expiring 6/2018. Seconded by N. Comai.
Vote unanimously in favor.*

*D. Winterton motioned to appoint Muamer Durakovic to the Planning Board as a full member with a term expiring 6/2018. Seconded by N. Comai.
Vote unanimously in favor.*

*D. Winterton motioned to appoint Richard G. Marshall to the Planning Board as a full member with a term expiring 6/2018. Seconded by N. Comai.
Vote unanimously in favor.*

*J. Levesque motioned to appoint Raymond Bonney to the Recycling & Transfer Advisory Committee from an alternate member to a full member with a term expiring 6/2018. Seconded by A. Jennings.
Vote unanimously in favor.*

*J. Levesque motioned to appoint Jim Gorton to the Recycling & Transfer Advisory Committee as a full member with a term expiring 6/2017. Seconded by A. Jennings.
Vote unanimously in favor.*

*J. Levesque motioned to appoint Phil Denbow to the Zoning Board of Adjustment as an alternate member with a term expiring 6/2018. Seconded by R. Duhaime.
Vote unanimously in favor.*

*J. Levesque motioned to appoint Richard Bairam to the Zoning Board of Adjustment as a full member with a term expiring 6/2018. Seconded by R. Duhaime.
Vote unanimously in favor.*

J. Sullivan: At our next meeting we will have some appointments and have some clarification on the Economic Development positions. Proper paperwork will be sent and swearing in will take place. Thank you and congratulations to all.

J. Levesque: If Mr. Denbow would like to be a full member, is that something we can do at our next meeting?

N. Comai: There isn't one available.

J. Sullivan: According to the information we have, there are 2 alternate members available and a full member.

N. Comai: We have just filled a full member and we have just filled an alternate.

J. Levesque: OK, we can't then.

SCHEDULED APPOINTMENTS

- a. Hooksett Kiwanis 5K Road Race – John Lyscars & Sue Willey

J. Sullivan: We have Mr. John Lyscars here to talk about the Kiwanis 5K road race. With him is Barry Cogan. Thank you for coming in.

J. Lyscars: Thank you for having us on such short notice. I'd like to thank Dr. Shankle for getting us on the agenda. The race is Sept 19, the same day as Old Home Day. In your packet, you have a few short PowerPoint slides showing you what the race looks like when it's in production. Permission was granted this week from Mount Saint Mary's Condominiums. The Town of Hooksett is the only one pending, which is why we are here. We are asking permission to use the trail at Head's Pond, the same trail we have

used in past years. We have permission from all abutting land owners. Manchester Sand & Gravel said there would be transfer of land to the town and that should happen by the time the race occurs. If not, they will be happy to give us permission, if necessary. The map shows the actual trail and the last page shows the different entities we reach out to in town. We do all that contacting, we are just looking for your permission to use the trail and to contact those departments.

J. Sullivan: We need to make a motion that allows you to proceed with the 6 requests listed.

N. Comai motioned to accept the request as stated. Seconded by S. Orr.

N. Comai: The DPW Director and Chief Bartlett are here. Is there anything you think is negative?

J. Sullivan: The Police Chief and DPW Director shook their heads in agreement and have no issues with the request.

S. Orr: I was wondering if you were able to come up with accommodations for someone with a disability to make it accessible for everyone.

J. Lycars: I haven't heard that, so I can't speak to it. I think it would be very difficult since it is a trail race. A road race would be easier. The trail is fairly flat, but going from the trail to the library is tough on your feet, never mind if you had to do something with wheelchair access. My honest answer would be no but I can look into it, since you said it was mentioned last year, and talk to the previous chair.

S. Orr: He did have the same concerns accessing the trail from the parking lot. They talked about an alternate route so they could participate in a different location or in a different way. Something to throw out there.

J. Lycars: I think it is a great suggestion, and I will look into it. We have time, so if we can plan it we will do it. I don't want to make that commitment tonight.

Dr. Shankle: I sent this to the department heads and everyone supports it.

J. Lycars: I'd like to make a special mention to Dean Jore, the acting fire chief. It speaks to our town and all of our departments whether they are supplying trash cans or paramedics, they are all on board. It's a nice gesture and it speaks well of our town. I want to publicly thank all of those departments while we are here tonight, and I also want to thank Barry for filling in as Sue was called out of town.

J. Levesque: The beginning of the race in the parking lot is the steepest part?

B. Cogan: My children who are 7 and 9 frequently walk from the level trail up over the hill. If you had a wheelchair, you would have to be carried. It is not wheelchair accessible, because of roots, rocks and steepness.

Roll Call

N. Comai – Yes

D. Ross – Yes

A. Jennings – Yes

S. Orr – Yes

R. Duhaime – Yes

T. Lizotte – Yes

J. Levesque – Yes

D. Winterton – Yes

J. Sullivan – Yes

Vote unanimously in favor.

J. Lycars: Thank you all for your time on behalf of Hooksett Kiwanis.

b. Merrimack Riverfront Trails – Steve Couture and JoCarol Woodburn, member

S. Couture: I asked JoCarol to come as she was part of the review team in the consultant selection process. I think this is relevant to the same New Business item later on in the agenda. For this project, we needed to hire a consulting firm for design, permitting, engineering, bid development and construction oversight. We had a fairly accelerated bid process because the grant we have tentatively received from the Department of Resources and Economic Development is contingent on an archaeological survey of the property. We don't foresee it being a problem. We developed an RFP in conjunction with a request for qualifications, issued it on May 21, and wanted a response 2 weeks later. We received 2 applicants and reviewed both. We interviewed both on June 11 for 90 minutes and they presented what they submitted. The 2 applicants were TF Moran and Stantec. It was percentage based, not low-bid based. Budget was 20% of the evaluation criteria. Myself, JoCarol and Carolyn Cronin participated and discussed for approximately an hour afterwards before we decided. We wanted to negotiate with Stantec and see if they could meet our price for what we were trying to achieve and the negotiation was successful. We decided to move forward with them. Because we are using conservation funds, we have the authority to enter into that contract by statute. The only issue is when we are trying to acquire property, then we don't have the authority to do that (only you do). We entered into a contract for intent to proceed with Stantec. It's a big undertaking, and we want to make sure we have all our ducks in a row.

Dr. Shankle: As Mr. Couture said, the RSA gives the Conservation Commission the right to spend money and enter into the contract. Without getting into some of the merits of the case in terms of the town's purchasing policy, my recommendation is that Council take no action at all on this. You don't need to justify or oppose what they did. I don't know why Council would want to be involved with that.

J. Sullivan: Based on that, I don't think it's prudent for us to make a motion on something we have no legal authority over. We thank you for updating us on how you are proceeding.

S. Orr: I personally have complete confidence in the decisions the Conservation Commission has made since I have been on this board. They have always kept us in the loop and that is exactly what needs to be done to keep communication open in the departments. I hope that continues. What is the total dollar value of contract?

S. Couture: \$113,000 or \$115,000 depending on permitting. If we get a waiver, it will be \$113,000.

S. Orr: That is all fully funded by grants and funds you already have?

S. Couture: Yes. The Conservation Commission has already authorized to pay for the entire contract. If we receive the DRED contract, there is about \$12,000 to go towards services Stantec is providing.

J. Sullivan: In the Administrative Code under section 5.5 there is a bid process. We encourage you to adhere to that. At this point there is no motion to be made.

R. Duhaime: The Charter states that Council is supposed to meet with all boards annually. You have been keeping us informed and we greatly appreciate it. You are doing what is in the master plan and what the voters voted for. Keeping us informed saves us having to set up a yearly meeting to go over your agenda.

T. Lizotte: Moving forward, we have to bear in mind that unless Conservation Commission has a purchasing policy, the default policy is the policy we have. We should adopt those provisions to the best of our ability. Though you have unilateral authority, we want to make sure we have continuity with everyone else. Revenue coming in is town revenue and we want that continuity going forward.

S. Couture: That is a great recommendation. I am aware of the town purchasing procedures and am familiar with state purchasing procedures. I think a modified policy for Conservation Commission is a great recommendation. This is a unique situation which is why I brought it to Council's attention so there was no question.

D. Ross: The lowest bid doesn't always get the deal anyway. We have not always taken the lowest bid based on recommendations. That is why we have a commission with multiple members to weigh pros and cons of any bid.

J. Levesque: I agree with Mr. Lizotte about continuity. The way the letter is written, you must have put RFP's out to other companies. You complied with the 3 bids, but only 2 responded. We have had the same thing with the town.

N. Comai: The only element missing is, I would encourage you to get a policy and put it in writing. Once you receive those bids, you can't go back and negotiate it. You have to open it up again. When you put it together, think of next steps after you receive the 3 bids.

S. Couture: We included in the bid development to hire a consultant who is familiar with sealed bid process.

N. Comai: There are people here who do construction bids; I don't know if you have to hire anyone.

J. Sullivan: We hope to have you come back and share more information as it progresses.

OLD BUSINESS

a. 14-066 Lilac Bridge Update

Dr. Shankle: There is a lot going on behind the scenes. There has been some back and forth between the state historic preservation officer and since then I have received a letter that everybody is in agreement and on the same page; they agreed with what you agreed with. We are still working on negotiating the engineering contract. I just found out that one of the water districts would like to use the new bridge to put a water line on to get the water across, but will keep it separate. More cooperation is good. One other issue raised that has gone much better than I thought is there are 2 lines going across the bridge, one is a fiber line and the other is a Comcast line. I thought I would have trouble finding out who was supposed to do it, but it only took 3 phone calls to get coordination. They are going to put temporary poles and move it off so it won't be in the way when the time comes. We are still hoping to do something before snow falls but we will keep you abreast as things keep happening.

b. 15-041 End of Fiscal Year Encumbrances

C. Soucie: I'd like to ask to move this business to after the approval of the paving and Tasers. Once you approve those 2 things that would make more sense.

J. Sullivan: OK, we can move that. Mr. Ross, you had some old business you wanted to share.

D. Ross: I have been trying to get this information for some time and I was a little dismayed that the important numbers I was asking for were not presented at the second to last meeting, so I did retrieve them myself. The concern is are we doing the right thing, going to this recycling as opposed to the way we used to collect trash in town? This has been discussed for a number of years from 2006 until they implemented it. What found is exactly what I expected we would find. What used to take one truck to do, it would go down the street once, and now we have 2 larger ones following each other going up and down the street twice. We have quadrupled the number of miles vehicles go around town which quadruples our liability exposure. The numbers that were presented showed a savings of \$35,000/year. When you consider the cost of the vehicles and the barrels (at over \$882,000) we have to expect this stuff to last 25 years before we break even. In the interest of trying to do the right thing, I think our carbon footprint has gotten extremely huge. We saw a \$20,000 fuel line turn into \$64,000; 17,000 gallons of diesel fuel to run the trucks around. The vehicle maintenance line is way up, barrels are not going to last forever; in my opinion it's proven to be a bad idea. We took almost \$1M of tax payers' money to save \$35,000/year. We would still have money in that fund collecting interest today. The issue about safety – every job is dangerous. We choose to take these risks. If someone wants to ride on the back of the truck, that is their choice. These machines cannot operate in the breakdown lane only; a packer can and does. We are putting the public in danger, as opposed to keeping the people on the back of the truck safe. Our duty is to the public and to keep innocent people from suffering any kind of injury. My suggestion is to find a way to undo this big mistake because it's not going to get any better. We are wasting tax payer's money in a huge way.

Dr. Shankle: I want people to know that the first part of the meeting had no sound; it is coming in lightly now. I had unhooked the wires and put the wrong ones back together. It's working now, but we have to work on the sound system to get it to work better.

J. Sullivan: If we can ask the secretary to be a little more copious on the notes up to that point and make a notation. We apologize for that inconvenience.

Dr. Shankle: It came back when Mr. Lycars came in to talk about the 5K road race.

J. Sullivan: My suggestion is to make sure the notes are as close to verbatim as possible up to that point.

J. Levesque: I'd like to thank Mr. Ross for his study but would like to know where he came up with those numbers.

J. Sullivan: We can put this on an agenda which is your authority. We have been dealing with single stream for a while now and we should put it on an agenda to allow the public to be engaged in what we are talking about. We need to make it an agenda item for a future meeting and make sure the public knows we are going to discuss a possible change.

D. Ross: The main point I was making is these numbers should have been brought forward and have been requested since I got re-elected here. I got these numbers this morning from the finance director. These numbers are accurate - \$227,000 per truck for the big trucks; \$180,000 for the little truck; \$248,000 for the barrels and everything else is in the budget book (17,000 gallons of diesel fuel).

J. Sullivan: If we are asking for specific information, we need to let people know what we are looking for if we aren't getting what we are looking for.

S. Orr: It does need to be on the agenda; we all need the same information to have an intelligent discussion on it. I don't feel this is appropriate in this instance.

J. Sullivan: This Council has tried to be as open as possible. If we are going to bring up an issue that is this big, we cannot discuss an item not on the agenda so the public knows they need to participate if they are so inclined. Having an issue brought up unbeknownst to anyone at this point doesn't serve this Council or this town well. We can put it on the agenda to have a full vetting of your issues. I think that is the way we need to handle it.

T. Lizotte: We get a lot of accusations, and whatever comes up, I hope that going forward, we can save tax payers' money and have people look at things from a dispassionate position, analyze it and if it doesn't make sense to reduce the tax burden, we shouldn't do it. That goes for every single department. We have to find ways to cut taxes and get lean where we can.

5 MINUTE RECESS

NEW BUSINESS

- a. 15-044 Land Use Permission Request – Hooksett Kiwanis 5K Road Race
- b. 15-045 Approval for Consultant – Merrimack Riverfront Trails
- c. 15-046 Approval for LCHIP Historic Grant Application – Old Town Hall

N. Comai motioned to authorize the Town Administrator to apply for grants and write letters of support on behalf of the administration. Seconded by T. Lizotte.

Dr. Shankle: For this grant and another LCHIP grant from Conservation – applying for grants and getting money is one of my goals. The timing on some of these need to get out quickly. Applying doesn't mean you have to accept it, it gets the process started so we can apply. It will save time, and any grant I apply for I will make sure you are aware of it. I can put it in my Administrator's report. I think it would be smoother and easier to do it this way.

D. Ross: Just to clarify the motion, is this to accept the grants or just to apply? Just to apply.

S. Orr: The Town Administrator said he would provide information to Council after the application is submitted. I'd like to have that as part of the motion. We have a good working relationship with the current Town Administrator but there may not always be the case, so I think it's a good idea to include in the motion that it is the Administrator's responsibility that any grant activity is reported to the Council.

N. Comai amended motion to include "and to report any grant activity at the next scheduled Council meeting."

J. Sullivan: In the Town Administrator's report, you would mention the grant applications you worked on the past 2 weeks.

N. Comai: Many applications have a letter of endorsement or support on behalf of the administration applying for the money. We don't need it every 2 weeks; if we have a standard letter, that is a wonderful idea since a lot of these are very fast moving grants and I applaud Dr. Shankle for taking that on.

D. Fitzpatrick: So we don't lose this because it is going to be in tonight's minutes, may I suggest we add it to the Town Council Rules and Procedures to discuss at the July 22 workshop?

Vote unanimously in favor (amendment).

D. Ross: I get concerned about passing new rules that go on forever; something should be recurring. There should be a lapse in authority because the next Council may have something to say about it; perhaps we can bring this up at the workshop.

J. Sullivan: At the first meeting, there are certain obligations we do each year (i.e., indemnification, accepting the rules of procedure, etc.) so perhaps an amendment should be done at the first meeting each year.

D. Ross: Maybe we table this until the new Council is seated and we take it from that year forward. I think it's unnecessary at this point, since there is only 2 weeks before the new Council is seated.

N. Comai: This issue has no monetary value to it. It just slows things down.

J. Sullivan: I think it would make sense to do what Donna suggested and discuss at our workshop. The first meeting each July the Council should vote on things to move things forward. At this point, we can proceed or table if someone wants to make a motion.

Vote 8-1 in favor (motion as amended).

J. Sullivan: This will be part of our workshop at the second meeting in July. The acceptance of the application for the Old Town Hall will be taken care of by Dr. Shankle.

D. Ross: This is the actual acceptance of the grant application so wouldn't we have to authorize to enter into the contract with the NH Land & Community for the LCHIP grant?

Dr. Shankle: That would be going forward; all you are really doing now is at this point sending in a grant application that is due June 26.

J. Sullivan: This is to approve the application not the contract.

K. Rosengren: That is just the wording on the LCHIP application's authority to sign page where you would grant the authority to sign in your place; that is just their wording.

J. Sullivan: That grant application will be approved through administration.

d. 15-047 Discussion – Martin's Ferry Road Speed Limit

Chief Bartlett: I'd like to say thank you to Councilor Lizotte, as this is his last meeting. I appreciate the professionalism you have shown me over the last few years that I have been here. It has been a pleasure working with you. Good luck. With that said, the background on this is it came to light when a resident complained about the speeding. They wanted me to do something about it. We purchased a Jamar traffic counter that is a small black box that mounts to a phone pole and calculates traffic in both directions. I did a survey in June 2014 and found the average speed limit on that road was 33 mph. The 95th percentile was vehicles traveling less than 41mph, I believe, and the 85th percentile was 37 or 38mph. I explained it to the residents and they were not happy with those results and asked me to do it

during the school year because there is more traffic. The volume increased but the speed did not. The results tell me that it isn't a speeding problem. I didn't want to deploy officers for exorbitant hours for something that was not a problem, in my opinion. The group was not happy with that. Dr. Shankle contracted an engineering firm to do a study. My question was the posted speed limit was 25; state law says all speed limits have to be posted at 30mph unless there is a qualifying engineering study and a municipal body votes to change it. In order to enforce the 25mph speed limit, I needed that assurance. We have no documentation to show why it was posted at 25. The engineering firm came in and completed their study, which is before you.

Dr. Shankle: We can't find where the posting on the road was done legally. The Town Planner made the recommendation for the engineering study, which cost \$2500. As you can see, the machine the Chief bought was very accurate. The conclusion on recommendation is the important thing: *"Although the 85th percentile speed data initially suggests that a posted speed limit of 35mph may be appropriate, posting the speed limit at 30mph is recommended given: the horizontal and vertical alignment features of Martin's Ferry Road, the roadway widths involved, the lack of paved shoulders, the comfortable speed on the curves, and the majority of the abutting land uses are residential."* The next step is to have a public hearing to discuss this, and we recommend to go with data we have to post the speed limit at 30mph.

J. Sullivan: I have some comments but I think it would be best left for the hearing.

D. Ross: I was pleased to see this; I didn't realize this was going on. Underhill School traffic is turning in and out of that road and the college is down the street. Just because people drive fast on that road doesn't mean it's OK. This is one of the things we are supposed to use, but not the only thing. We, as the governing body, have a say in this matter. There are dynamics on that road that are not common to most other roads, such as the college and foot traffic. We have bikes, pedestrians, and some people from other cultures. I have found that road to be treacherous. I personally think 25 is a reasonable speed for that road. It is such a short road, I don't see that it would cost more than 5 seconds. You have that 90 degree curve at the school. Where Benton Road intersects, there is a wall in the way. People always go 5 mph over the speed limit.

J. Sullivan: The hearing would establish that speed limit, whatever it may be. You weren't issuing tickets because it wouldn't hold up in court because it wasn't officially posted.

Chief: We couldn't find any justification for reducing the speed from the state required 30mph to the 25mph that was posted.

J. Sullivan: With the official posting, whatever we decide, that would give you the ability to issue tickets and enforce infractions accordingly. So our main goal tonight is to move this to a hearing.

S. Orr: The high schoolers have to walk that road to catch the bus, and that has always been a concern.

S. Orr motioned to move the process of posting the speed limit to a public hearing for a future Council meeting. Seconded by T. Lizotte.

R. Duhaime: Mr. Pernaw is one of the best, if not the best, traffic consultant in the state of NH. I have all the confidence in him.

J. Sullivan: There is an administrative committee that reviews that, correct?

Chief: It consists of myself, DPW director and town planner. We have already discussed it amongst ourselves, trying to figure out how the road was posted at 25 to begin with.

J. Sullivan: I just want to make it clear that there is a process.

Dr. Shankle: You folks might want to look at this engineering study and make some kind of recommendation.

Vote unanimously in favor.

J. Sullivan: Are there any suggestions on the date for this hearing?

Dr. Shankle: There is no rush, and it's too late for July 8 so it will have to be the first meeting in August.

***J. Sullivan motioned to have the public hearing on August 12. Seconded by D. Ross.
Vote unanimously in favor.***

e. 15-048 Town Report Cover Theme

K. Rosengren: The "About the Cover" will be on the inside. Annually, Council approves the theme and discusses the plan for the Town Council report. The Chair is usually authorized to draft it.

J. Levesque motioned to approve the Town Report cover as presented. Seconded by T. Lizotte.

K. Rosengren: The map of the proposed trails will be on the back.

Vote unanimously in favor.

***N. Comai motioned to authorize the Chair to draft the town report. Seconded by T. Lizotte.
Vote unanimously in favor.***

K. Rosengren: I will be sending out a memo with the deadline for submission.

J. Sullivan: The reports are vital sources of information so I encourage all departments to provide as much detail on activities and events that took place this year.

f. 15-049 Approval of Paving Contract

D. Boyce: I'm asking for a waiver; we missed the 7-day public notice by one day. As soon as the bid came in we got email confirmations from 9 contractors. You need to waive the process for public notice.

Dr. Shankle: It was on the website and posted wherever we could. It was timing with the newspaper when they could get it in.

T. Lizotte motioned to waive the public notice requirement for newspaper posting. Seconded by R. Duhaime.

S. Orr: The only thing missed was the newspaper?

D. Boyce: It went in the paper, just not within 7 days.

Dr. Shankle: She went over and above, she sent it directly to people who bid in the past. We got 5 bids out of 7.

D. Ross: Is this a state regulation? We can't override state law. Wouldn't that be a DRA issue to advertise bids in 7 days?

Dr. Shankle: It's a Council thing; most things we do say it needs to be posted in 2 public places, usually out here and on the website. Council requires the newspaper, but there is no RSA requirement.

J. Sullivan: Administrative code section 5.5 references the posting procedure for public notice.

Roll Call –

A. Jennings – Yes

J. Levesque – Yes

D. Ross – Yes

R. Duhaime – Yes

S. Orr – Yes

D. Winterton – Yes

T. Lizotte – Yes

N. Comai – No

J. Sullivan – Yes
Vote 8-1 in favor.

D. Boyce: We weren't sure where the previous director left off and we didn't want to lose that money. S. Bow Rd. is in terrible shape, and may collapse in a couple of areas. We had 5 bids come in for S. Bow Rd. and Auburn Rd. We have \$300,000 worth of paving money. \$171,000 will come out of next year's budget and will leave us very short with all the road issues we have. I am asking Council to encumber the entire \$471,000.

Dr. Shankle: First you need to approve the bid and contract for \$471,917. You will see that Continental is \$1,700 lower; however, the rep told her in advance that if they got the bid they couldn't do it until next spring and it needs to be done now so that is why we went with Pike.

D. Boyce: Continental called today and said they could do it this fall. For the \$1,700 difference, I think it should go to Pike Industries; they didn't have the chance to change anything.

J. Levesque motioned to award the asphalt paving bid to Pike Industries in the amount of \$471,917.50. Seconded by A. Jennings.

Roll Call –

T. Lizotte – Yes
D. Ross – Yes
R. Duhaime – Yes
A. Jennings – Yes
J. Levesque – Yes
D. Winterton – Yes
S. Orr – Yes
N. Comai – Yes
J. Sullivan – Yes

Vote unanimously in favor.

g. 15-050 Approval for Purchase of 20 New Taser X2

Chief Bartlett: I am asking you to support the purchase of 20 new Taser X2 weapons. We have an older model now. Taser is no longer making this model or parts for them. They are not performing anymore. We have 18 that we can't fix. We have been in the process of buying the new X2's (they are \$1,013 each). They are becoming unreliable; officers are required to check them every day to make sure they are functioning properly. We currently have 8 or 9 of the new style; this will give me enough to supply the full complement of officers. I think that in order to allow our officers to have the safety equipment they need to have, this is a good investment. It's a larger weapon and employs 2 cartridges as opposed to 1. I am asking you to support this because I have the money in my budget and I would like to give my officers the proper equipment to protect themselves.

D. Ross: This price includes holster?

Chief: No, the full price in the staff report is inclusive of training cartridges, duty cartridges, holsters and batteries.

J. Levesque motioned to allow the Chief to purchase 20 new Taser X2 class III yellow handle CEW's (Conducted Energy Weapon) along with 40 15' cartridges (for training), 50 25" cartridges (for duty), 20 belt holsters, and 20 batteries for a total of \$26,070.13 and zero fiscal impact to the town. Seconded by T. Lizotte.

T. Lizotte: They need to have this option so they aren't drawing their handgun as a less lethal option.

A. Jennings: Where have you found the savings to put toward this?

Chief: We have extra funding from salary and benefits; we had some positions vacant through part of the year and some worker's comp issues. It is coming from the bottom line of the police department.

R. Duhaime: How often do they update them, and how long do they last?

Chief: Shelf life is 5 years; they have a 1 year warranty which is similar to a ballistics vest. These Tasers we have now (X26) are coming up on 8 years. I don't want to rely on something that is coming to the end of its shelf life.

S. Orr: How often are one of these Tasers used in the field?

Chief: Not that often; it's a weapon of deployment the officers can use in a less lethal situation. These have been proven to show it's less likely someone will go hands on if an officer deploys the Taser. There is a laser light you can shine on the suspect. Just the presence of the Taser can have a calming effect. I don't get a lot of reports where the Taser has been used but I have seen several where they have taken it out and pointed the laser.

S. Orr: Who volunteers to be tased in training?

Chief: Everyone at the station has been tased. It was the worst 5 seconds of my life. It is pretty bad, so nobody wants to be tased. We don't volunteer often.

N. Comai: I am sure you have budgetary lines you can pull from without going to the salary line. We have been trying to set a precedent with other departments to steer clear of the lines that constituents vote on. I would appreciate it if you could find other lines to take this money from.

Chief: There are a couple other lines we could take the money from.

J. Sullivan: They are hardly used and if they are, they must file a use of force report.

Chief: Yes, we use it as a training analysis to make sure the officers are relying on their training. We can make sure policies and procedures are being followed properly and the use of force is adequate for the situation at hand. We look at them on an annual basis to make sure we conform to training standards. It's not just for Tasers, it's for anytime an officer deploys pepper spray, baton, even if they put an animal down on the side of the road.

J. Sullivan: Taser is the name of the company?

Chief: Yes, it is the company name and there is no other company that makes Tasers.

Roll Call –

S. Orr – Yes

J. Levesque – Yes

D. Winterton – Yes

N. Comai – Yes

D. Ross – Yes

T. Lizotte – Yes

A. Jennings – Yes

R. Duhaime – Yes

J. Sullivan – Yes

Vote unanimously in favor.

h. 15-051 Presentation on Hooksett Fire Department Operations

Acting Chief Dean Jore: I would also like to extend well wishes to Councilors Lizotte and Orr and thank you for your service. I wanted to let Council know we are maintaining a professional department (presentation attached). Training examples: Road rescue, confined space training – this is a confidence course and we all go through this as a way to determine how claustrophobic we are; water rescue and ambulance dash/controls – the new people have to learn what all the buttons and gauges mean and do. We utilize the state's training facilities; motor vehicle accident training; pulling hoses. We encounter the same hazards we have had for the past 10 years. We are still responding the same way. 7 am to 9 pm is the peak time for ambulance calls. Please feel free to ask any question any time. We can get you the information you request and make it a more efficient department.

i. 15-052 Exception Requests for Salaried Exempt Employees Hours of Work

D. Ross motioned to extend the meeting from 9:30 pm to 9:45 pm. Seconded by T. Lizotte. Vote unanimously in favor.

J. Sullivan: Dr. Shankle is concurring with 5 of the 6 requests.

K. Blichmann: I am OK with Dr. Shankle not approving my exemption; the only reason I wrote one is because my job description is written this way, but it is not a problem.

N. Comai: Does that mean that after we go through this process, will the job descriptions be changed to match?

Dr. Shankle: Yes. You approved the policy now you are approving the exemptions.

D. Winterton motioned to grant requested exemptions for Chief of Police, Police Captain, Acting Fire Chief, Deputy Fire Chief and Public Works Director. Seconded by T. Lizotte. Vote unanimously in favor.

J. Sullivan: We thank everyone who sent in a letter asking for an exemption. Now we are going back to encumbrances.

a. 15-041 End of Fiscal Year Encumbrances

C. Soucie: We have some changes: road paving – we are showing the full amount of the contract. It is up to your discretion if you want to obligate current year funds to pay the full amount saving next year's road paving line being hit by \$170,000, and we removed the 2 that are struck out because we received them. On the back page, there is a budget summary, which I ran yesterday. They include all expenses paid to date. We will keep June's operating budget open for another 3-4 weeks and I do expect that we will spend another \$500,000. You can see if the encumbrances at the 541,000 are approved, currently we would have \$1.3M remaining in the budget. If you reduce that \$1.3M by the \$500,000 we will be returning about \$850,000.

N. Comai: Under road paving, I need to ask about the second half of paving from the past DPW director. There is about \$172,000 left. We have encumbered money in the past for a project that keeps lingering.

C. Soucie: We have been working on S. Bow Rd for 2, maybe 3 years.

R. Duhaime: The last 2 highway directors have worked on this road and it still hasn't been fixed.

C. Soucie: The paving contract was for 2 roads, S. Bow and Auburn. The majority of that contract was for S. Bow Rd.

J. Sullivan: Do we have an average number of roads we do each year?

C. Soucie: It depends on the length, drainage, etc.

D. Ross: The fund balance – is that lower than usual?

C. Soucie: It's not fund balance, it's remaining budget. It is a little higher, but still above average. We have \$1.3M to finish up the year and I estimate another \$500,000 in invoices which will bring it down to \$800,000.

T. Lizotte motioned to encumber \$541,177.00 of the FY 2014-2015 budget under RSA 32:7(l) covering Police New Filing System (\$11,909), Road Paving (\$471,918), Granite Street Retaining Wall (\$7,471), Engineering Service (\$13,808), Tin Ceiling Old Town Hall (\$10,000), & Police Tasers with associated equipment (\$26,071). Seconded by A. Jennings.

A. Jennings: We approved Tasers earlier, and we are encumbering it because it won't come in until July 1. Tin Ceiling is grant money; engineering service similar to the grant, and Granite St. wall, I'm not sure.

C. Soucie: We have a contract. It was supposed to be done last fall but we had early snowfall.

A. Jennings: We already purchased the police filing system but it is not installed until after July 1?

C. Soucie: Correct.

Roll Call-

D. Ross – Yes

D. Winterton – Yes

J. Levesque – Yes

R. Duhaime – Yes

A. Jennings – Yes

S. Orr – Yes

T. Lizotte – Yes

N. Comai – Yes

J. Sullivan – Yes

Vote unanimously in favor.

SUB-COMMITTEE REPORTS

T. Lizotte: Hooksett baseball is hosting district 2 championships. We hope people will attend and watch some good baseball.

A Jennings: Parks & Rec tried to meet on June 16, but we did not have a quorum. We are eagerly awaiting the 2 members nominated tonight. They will be appointed prior to our July meeting.

R. Duhaime: Nothing for sewer; I do want to say that the previous 2 years with Councilors Lizotte and Orr, watching Councilors agree/disagree has been enjoyable and educational.

S. Orr: Nothing except Councilor Lizotte and I were on the Hooksett Youth Achiever Committee and I don't know if it is listed on any formal paperwork.

J. Sullivan: That is a subcommittee of the Council, and we will be appointing those positions at the next meeting.

S. Orr: It has been a learning experience and I have enjoyed my time on this Council. I wish Mr. Miville good luck in this seat.

N. Comai: Nothing to report.

J. Sullivan: Heritage Commission – dedication on June 14 of Lincoln Park historical marker. We had some nice speakers. The chair did a beautiful job conducting it. We presented the Chin family with a marker to commemorate the other school building which Mr. Chin owns which was the old Manchester School #4. Budgets were reviewed at last meeting; nothing to report for Old Town Hall.

D. Ross motioned to extend the meeting from 9:45 pm to 10:00 pm. Seconded by D. Winterton. Vote unanimously in favor.

D. Winterton: We already talked about Planning Board; there were some small items that went smoothly. We have started negotiations with fire union.

D. Ross: Nothing to report, other than a constituent concern about a tree being cut on Main St. and some wood being left behind. They stated they had permission from the town to harvest this wood. That is putting the town in danger, but hopefully that isn't the case. If so, maybe we need a policy on this.

Dr. Shankle: We did not give authority. A person called me and asked what was happening so I called DPW. They decided they did not want the wood, so I spoke with the person running the job for the tree cutting company. He said the wood would remain there and anyone could take it who wanted it. I called the person back who called me and passed along the message.

D. Ross: The company who cut the trees down should be responsible for removing that wood. We cannot allow person to use machinery and be dragging things through the public way because we are putting the town in a liability issue.

J. Sullivan: It's important to bring that up but if we have any questions for the Town Administrator we can bring it up at a different point in the agenda.

J. Levesque: Recycling & Transfer met last night but we had no quorum. We went over the minutes but nothing could be approved. Recycling has gone up and tipping fee for recycling is staying at \$25. They had their first double collection day with the new small truck. What took 5 men and 3 trucks to do manually and in longer time, they did it with 3 trucks and 3 men in shorter time.

T. Lizotte: One of the things we were going to look at is a forestry plan. I think going forward, don't do it unless we are going to do it right. We do need a forestry plan for this type of thing if wood does become available. There needs to be a unified forestry plan.

J. Sullivan: Council needs to establish a committee.

PUBLIC INPUT

Mary Farwell, 24 Grant Drive: I want to apologize for being cranky about the mics tonight, but it is incredibly difficult to hear anything from home. It has to do with being on top of the microphone. I haven't listened for months because it is too frustrating. It is especially difficult to hear the people at this table. If you want people to be watching from home, you have to make it user friendly. I think some of you don't realize that when you move your heads you can't hear your voice anymore. It is really helpful for those in the audience as well.

Steve Mandeville, 17 Stearns Ave: Many years ago when the communication center used to be at the Old Town Hall, I remember taking calls from people on Martin's Ferry Rd. to complain about the speeding, but I will come to the public hearing and address this then. Recently the idea has been floated about making a public safety department out of police and fire and it's generated a lot of conversation. We have a wonderful fire department and I'm sure Chief Bartlett has the same in his department. To do something like that, if it goes any further, the police department is very good, the fire department is very good, but they are 2 very different jobs. We are all here to protect you but it's 2 very different mindsets, how you react is different. We have a good working relationship and I can remember when we didn't due to lack of communication. I wouldn't support combining both departments under one director. I can see a lot of problems happening. I would highly recommend you form a committee with rank and file people from each side and get everybody's input. I don't think it would work. I appreciate the work of the Council; my son was a past Hooksett Youth Achiever recipient. We had his 8th grade graduation party and people were there from surrounding towns that commented their town doesn't do anything like that and how great it was. I appreciate your continued support for the Acting Fire Chief and the Police Chief – they have tough jobs here.

J. Sullivan: Just a note – the idea of any administrative changes to any department is in the infancy stages. We have received very little information, but for any changes we are going to vet it and look at it very carefully.

Marc Miville, 42 Main St.: As a future Councilor and a resident of Main St, I am familiar with the wood situation. I don't want the citizens to imply from Mr. Ross' comments that the citizen removing the wood was doing anything illicitly. He called the Town Administrator and obeyed the procedures. He has not taken any wood from personal property, he only took wood from town property. That citizen has already gotten permission from other residents on Main St. to use that wood when it gets cut down in the next several days. As a future Town Councilor I want to thank Councilor Lizotte and Councilor Orr for their hard work over the past 4 years. I regard them very highly and I hope I can follow in their footsteps.

D. Ross: I didn't imply or state any misgivings to this citizen; it was town policy I was questioning.

J. Sullivan: Any citizen with questions should call the Town Administrator to get advice on what is going on in town. He can direct you to the right sources.

J. Sullivan motioned to enter into non-public at 10:00pm. Seconded by T. Lizotte.

Roll Call

J. Levesque - Yes
D. Winterton - Yes
R. Duhaime - Yes
T. Lizotte - Yes
A. Jennings - Yes
S. Orr - Yes
D. Ross - Yes
N. Comai - Yes
D. Winterton - Yes
J. Sullivan - Yes

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.

D. Ross motioned to extend the non-public session from 10:00pm to 10:10pm. Seconded by R. Duhaime.

Vote unanimously in favor.

D. Winterton motioned to extend the non-public session from 10:10pm to 10:20pm. Seconded by A. Jennings.

Vote unanimously in favor.

J. Levesque motioned to extend the non-public session from 10:20pm to 10:35pm. Seconded by D. Ross.

Vote 8 in favor; Councilor Orr opposed.

J. Levesque motioned to extend the non-public session from 10:35pm to 10:55pm. Seconded by D. Ross.

Vote unanimously in favor.

J. Sullivan motioned to exit the non-public session at 10:50pm. Seconded by A. Jennings.

Vote unanimously in favor.

J. Sullivan motioned to seal the non-public minutes of 06/24/15. Seconded by T. Lizotte.

Vote unanimously in favor.

J. Sullivan motioned to adjourn at 10:55pm. Seconded by J. Levesque.

Vote unanimously in favor.

NOTE: The Town website www.hooksett.org may have attachments to these Town Council minutes for documents referred to in the minutes, reading file material, and/or ancillary documents that the Town Council Chair has signed as agent to expend as a result of the Council's prior approval of the documents.

Respectfully Submitted,

Tiffany Verney
Recording Clerk

**TOWN OF HOOKSETT
PUBLIC HEARING NOTICE**

The Hooksett Town Council will be holding a public hearing on Wednesday, July 8, 2015 @ 6:30pm at the Hooksett Town Hall Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is for the Council to accept conservation easement deeds for 1) Manchester Sand, Gravel & Cement Co., Inc. "The Villages at Head's Pond" "Head's Pond" "Great Pond" "Town Pond" "Small Pond" parcels 3-1, 3-5, 3-19, 3-29, 14-2, 14-4, and 2) Carriage Manor of Hooksett Condominium Association conversation property to the south of Head's Pond in Hooksett, NH parcel 6-22-75. Easement plan(s) and deeds are available for viewing in the Community Development Division of Public Works. Questions should be directed to the Administration Department 603-485-8472.

Town of Hooksett
Town Council Rules of Procedures
Adopted as of: 01/10/2001
Amended as of: 09/10/2014

Resolved by the Town Council of the Town of Hooksett, NH that the following be and hereby are adopted as the Rules of the Hooksett Town Council.

1. The Following Rules shall be adopted by a majority of the Hooksett Town Council and these rules shall become effective immediately upon their adoption.
 - a. Riggins Rules and Parliamentary Law at a Glance by E.C. Utter should be used as a guide when proper procedure is in question except where modified herein.
 - b. Acceptable Procedure is determined by the acting Chair.
2. Procedures for electing officers are as follows:
 - a. Annually, at the first meeting of the new Town Council:
 1. The Town Clerk shall swear-in all new Councilors as a group.
The members thereof shall:
 2. Choose, from among their members, a Chair, a Vice Chair and a Secretary. In addition to the powers conferred upon the Chair, the Vice Chair and the Secretary, they shall continue to have all the rights, privileges and immunities of a member of the Town Council.
 3. Motion that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106.
 4. Motion to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents.
 5. Motion to adopt the Town Council Rules of Procedures.
 - b. The above election shall be by majority vote of the Town Council present at the first meeting.
 - c. Duties of Officers
 1. Chair:
 - a. The Chair with the Town Administrator shall post all meetings and set meeting agenda.
 - b. Lead all meetings in an orderly manner using these procedures, Hooksett's Town Charter, Riggins Rules and Parliamentary Law as guides for appropriate protocol.

2. Vice Chair:
 - a. In the absence of the Chair, the Vice Chair shall conduct the Council Meeting until such time as the Chair is present.
3. Council Secretary:
 - a. The Council Secretary shall be responsible for recording the attendance of Council members by roll call. (If available taped voice vote may be used) at the beginning of each meeting.
 - b. The Council Secretary shall be responsible for polling and recording all roll call votes.
 - c. If the Council Secretary is absent, the chair shall ask for a volunteer. If there is no volunteer, the Chair shall appoint a Council member to act as Council Secretary until such time as the Council Secretary is present.
 - d. The Town Council Secretary shall act as clerk of the Council and shall approve minutes of the meeting recorded by the Recording Clerk. If there is no Recording Clerk present at meeting, the Town Council Secretary will be asked to keep minutes. The posted minutes shall have an attachment of the overview sheet of the Council reading file and Council Chair signed ancillary documents.
 - e. The Town Council Secretary shall perform such other duties in the meeting as may be requested by the presiding officer of Council.
 - f. In case of the absence of the Chair and the Vice Chair the Council Secretary shall call the Council to order and act as Chair.

3. Council Meetings

- a. The Council shall meet in regular session on the 2nd and 4th Wednesday of every month, except as noted on Town Calendar, at 6:30 pm. When time permits, a regular meeting may be adjointed to a workshop session.
- b. The place of meetings shall be the Council Chambers unless otherwise designated.
- c. A quorum of the Council for the transaction of any business shall be two-thirds (2/3) of the members currently in office. The Council shall not recognize a Councilor's electronic method(s) of participation, attendance, or quorum.
- d. The Council reserves the right to end meetings at 9:30. Uncovered business will be included in the next meeting agenda. Meeting may be closed by a 2/3 roll call vote.
- e. The Council may meet for an informal workshop session or special meetings by Council vote on an as needed basis, in accordance of Section 3.5 C of the Town Charter. The place of meeting shall be the Council Chambers.
- f. When, after consultation with the Vice Chair and the Town Administrator, the Chair determines that the Council has insufficient business to warrant a meeting, the Chair may cancel said meeting after informing all councilors and

receiving individual approval from 2/3 of the council members and shall not be inconsistent with the meeting provisions of the Town Charter. Agenda items scheduled for a meeting that is canceled shall be carried over to the next regular meeting.

- g. Council members shall be seated in Council Chambers as determined by consensus of the Council advice of the Chair.
- h. Council members, staff and members of the general public participating in meetings shall address all questions or remarks through the Chair confine their remarks to the merit of pending questions; and shall not engage in personalities.
- i. Any member may leave the Council Chambers while in regular session after notice to the Chair of pressing business providing there is no loss of quorum as determined by the Chair.

4. Town Employees

- a. The Town Administrator will attend all regular meetings or request representation from a Town Department to attend in their place.
- b. The Town Administrator shall be responsible for providing the Council with necessary background information on all items of business before the Council.
- c. The Town Administrator may have the head of any department or division or other employee of the Town in attendance at any meeting when items within their responsibility or knowledge is being discussed. All questions shall be directed to the Town Administrator who may, when necessary, defer to a department head or employee. Staff should be made aware of all items on the agenda to be ready to discuss items in respect to their department or area of responsibility.

5. Voting

- a. Every member present, including the Chair, when a question is put shall vote either aye (yes) or nay (no) or abstain and give reason for abstaining, in accordance with the Town Charter.
- b. Council Members wishing to abstain from voting shall so indicate and give reason for doing so.
- c. Roll call votes shall be in a random order with the Chair voting last.
- d. All votes shall be voice votes unless Town funds are being voted on which will always require roll call vote. Any Councilor may call for a roll call vote on any matter.

6. Debate

- a. Council members must raise their hand to be recognized by the Chair.
- b. Rules of Debate on all motions shall be as follows:
 1. The council member, who introduces a motion, may speak to that motion. Thereafter, every council member may speak to the motion two times only. The sponsoring Council member may also address the motion two times, thereby allowing the sponsor the right to address his or her their motion a total of three times.

2. If by 2/3 vote it is determined additional discussion is needed each council member may only speak an additional 2 times on a motion.
3. Decorum in debate: In order to assist in the carrying out of debate in an orderly and productive manner, Council members shall:
 - a. Address all questions and remarks through the Chair. Do not address audience or council members.
 - b. When commenting on another Councilor's statement or question, identify the speaker, statement and when the statement was made.
 - c. Confine remarks to the merits of the pending question.
 - d. Not engage in personalities or question the motives of other Councilors.
- c. Any member who wishes to force an end to debate must first obtain the floor by being duly recognized to speak by the chair and must then move the Previous Question. Such a motion must be seconded, and then adopted by a two-thirds vote, or by unanimous consent. It is not in order to interrupt a speaker with cries of "Question" or "Call the question.", and even if no one is speaking, it is still necessary to seek recognition.

7. Order of Business

- a. Agenda Order of Council Meetings
 - I. Call to Order
 - II. Roll Call
 - III. Pledge of Allegiance
 - IV. Special Recognitions
 - V. Approval of minutes
 - VI. Agenda Overview
 - VII. Public Hearings
 - VIII. Consent Agenda
 - IX. Town Administrator's Report
 - X. Public Input
 - XI. Nominations/Appointments
 - XII. Scheduled Appointments
 - XIII. 15 Minute Recess
 - XIV. Old Business
 - XV. New Business
 - XVI. Subcommittee Reports
 - XVII. Public Input
 - XVIII. Non-Public Session
 - XIX. Adjournment
- b. 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.
- c. Nominations for all Board and Committee applicants may be made during the nominations/appointments portions of the Council meeting. Boards and Committees shall receive their respective applications and make recommendations for nominations. Appointment vote for a nominee will be scheduled at the next Council meeting. Nominations and appointments for new July terms shall be at the June Town Council meetings.
- d. Scheduled Appointments
1. A scheduled appointment shall have one person as a speaker when possible and follow the rules for addressing the Council.
 2. A scheduled appointment shall not exceed 15 minutes to address the Council unless the Council votes to extend.
 3. Board and Committee applicants shall be invited to attend a Council meeting as a scheduled appointment to state their interest. This meeting shall be either prior to or on the same night of their nomination.
 4. Boards and Committees shall meet at minimum once a year as a scheduled appointment to provide an overview of their activities and member attendance reports.
- e. Old Business
1. Business carried over from a previous meeting.
- f. New Business
1. New Business should be submitted to the Town Administrator or Council Chair.
 2. New Business submitted by noon the Wednesday before a regular meeting may be considered for the next meeting by request. The Chair may schedule the topic on the Agenda under New Business as

the schedule allows. Any new business brought forward at a council meeting shall not be acted upon at that meeting except by a motion to waive this rule by vote of 2/3rd of the members present.

3. New Business submitted after noon the Wednesday preceding a regular scheduled meeting will be considered for the next meeting agenda unless time sensitivity is determined by Town Administrator or Chair.
8. Non-Public Session
 - a. The Council shall motion to exit in non-public, then motion to seal the minutes of the non-public session as appropriate.
 9. Filing Agenda items
 - a. Every item of business to come before the Council for action must be filed with the Town Administrator or Council Chair.
 - b. The Agenda shall be posted by the close of business on the Wednesday prior to the regular Council Meeting.
 - c. It shall be the duty of the Town Administrator to mail by first class postage said agenda and any available supporting documents to each Councilor (if not already picked-up) by Thursday of the week prior to the regular Council Meeting unless a Councilor requests, in writing, to receive it in electronic format only.
 10. Addressing the Council
 - a. Persons other than members of the Council shall not be permitted to address the Council except during the designated agenda Public Input or by invitation of the Chair.
 - b. A time limit for addressing the Council may be established by the Chair.
 - c. The speaker shall not enter into a debate with any person, the Chair or Council members.
 11. Amendment To Rules
 - a. Council rules may be suspended by a 2/3-majority vote of all Council members. The purpose for suspension must be clearly stated before the vote is taken and 2/3 of all Council members must declare the matter one of such priority that it would be detrimental to hold over until the next regular Council Meeting.
 - b. The rules may be amended or new rules adopted by a 2/3 vote of all members of the Council. Any such proposed alteration or amendment by any Councilor shall be submitted in writing at a regular Council Meeting under the order of new business.
 11. Community Outreach
 - a. The Council Chair has the authority to act on the Council's behalf to present and/or sign letters of achievement for community outreach to include but not limited to Town of Hooksett departments, businesses, residents, and volunteer or membership groups. This authority is for times when the community outreach happens off-schedule to Town Council meetings.

12. Procedure for Adoption of Ordinances pursuant to Section 3.6 of the Charter.

a. Prior to a Council member introducing an ordinance, the Council shall discuss the contents which may include editorial revisions and textual modifications. An ordinance needing revisions based on this discussion will be brought back to the Council in a final format at their next scheduled meeting. The final version of an ordinance shall be introduced by one Councilor for a public hearing at the Council's next scheduled meeting. No second to a motion and/or vote is required to move an ordinance to a public hearing. The Council shall not take final action on any proposed ordinance until at least seven (7) days after said public hearing(s).

b. After the public hearing the Council shall put the proposed ordinance in final form, which may include editorial revisions and textual modifications resulting from the proceedings of that hearing. An additional public hearing shall be held if the ordinance is substantively altered by the Town Council after public hearing. Subsequent public hearings shall be held at least 14 days after the prior public hearing and with the notice provided in Section 3.5 (A) of the Charter. The Council shall not take final action on any proposed ordinance until at least seven (7) days after said public hearing(s).

Town Council Rules of Procedures

Adopted: 01/10/2001

Amendments

Date Amended	Section Amended
August 14, 2003	Added Section 7-c. Added Section 7-b-1, 2 & 3. Added Section 7-f-2.
January 27, 2010	Changed Section 7-a Scheduled Appointments – added 7 pm. Changed Section 7 - Order of Business - moved Non-Public Session towards the end of the meeting.
March 9, 2011	Changed Section 7 - Order of Business – added Consent Agenda after Agenda Overview and deleted Scheduled Appointment time (7:00 pm). Scheduled Appointments to start immediately after Nominations/Appointments.
October 12, 2011	Added Section 6-c.
November 30, 2011	Changed Section 7-a Agenda Order – Moved “Town Administrator’s Report” up before “Public Input”.
February 22, 2012	Changed Section 7-b Public Input (See file)
August 14, 2013	Changed Section 5. d. sentence 2 “The Chair” to “Any Councilor” Removed Section 5.d. sentence 3 Changed Section 7. d. “spokesman” to “speaker” Added to Section 7.d. “when possible” after “spokesman” Changed Section 7. f. 3. “only if” to “unless” Added Section 8. c. at end, “unless a Councilor requests, in writing, to receive it in electronic format only.”
December 18, 2013	Added Section 11 Community Outreach
May 28, 2014	Added Section 12 Procedure for Adoption of Ordinances pursuant to Section 3.6 of the Charter.
August 13, 2014	<ul style="list-style-type: none"> • <u>Section 2.a - Annually, at the first meeting of the new Town Council – added:</u> <ul style="list-style-type: none"> ○ 1. The Town Clerk shall swear-in all new Councilors as a group. ○ 3. Motion that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106.

- 4. Motion to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents.
- 5. Motion to adopt the Town Council Rules of Procedures.
- Section 2.c.3 – Council Secretary:
 - d. Changed - Administrative Assistant to Recording Clerk and Added - The posted minutes shall have an attachment of the overview sheet of the Council reading file and Council Chair signed ancillary documents.
- Section 3 – Council Meetings:
 - c. Added - A quorum of the Council for the transaction of any business shall be two-thirds (2/3) of the members currently in office. The Council shall not recognize a Councilor's electronic method(s) of participation, attendance, or quorum.
- Section 5 – Voting
 - c. removed – ~~On roll call votes, Council Members shall vote alphabetically by last name, said name to be called on a rotating basis so that the name first called at the previous vote shall be name last called for the next vote, with the Chair voting last.~~ Added - Roll call votes shall be in a random alternate order with the last Councilor who made a motion to be the first Councilor to vote on the next roll call.
- Section 7 – Order of Business added:
 - IV. Special Recognitions (after Pledge of Allegiance) and VII. Public Hearings
 - c. changed appointments to applicants and added - Boards and Committees shall receive their respective applications and make recommendations for nominations. Appointment vote for a nominee will be scheduled at the next Council meeting. Nominations and appointments for new July terms shall be at the June Town Council meetings.
 - d. added: -
 - ✓ 2. A scheduled appointment shall not exceed 15 minutes to address the Council unless the Council votes to extend.
 - ✓ 3. Board and Committee applicants shall be invited to attend a Council meeting as a scheduled appointment to state their interest. This meeting shall be either prior to or on the same night of their nomination.
 - ✓ 4. Boards and Committees shall meet at minimum once a year as a scheduled appointment to provide an overview of their activities and member attendance reports.
- New Section 8 – Non-Public Session – Added:
 - a. The Council shall motion to exit in non-public, then motion to seal the minutes of the non-public session as appropriate.

September 10, 2014

Changed Section Section 5 – Voting c. reworded: Roll call votes shall be in a random order with the Chair voting last.

TOWN COUNCIL SUBCOMMITTEES

As of 6/30/15

BOARD OF ASSESSORS: (Per RSA 41:2-g)

Members: Nancy Comai Jim Levesque Todd Lizotte Susan Lovas Orr David Ross

BUDGET COMMITTEE: (Per RSA 32:15, Voting Member)

Council Reps: Don Winterton, David Ross (alternate)

Members: Marc Miville, Tabitha Jennings, Frank Bizarro, Kevin Van Horn, Chris Morneau, Patrick Gosselin, John Pieroni, Steven Peterson

CABLE FRANCHISE ADVISORY BOARD: (formed 5/23/12)

Council Rep: Nancy Comai **Members:** Peter Farwell, Matt Mercier, Marc Miville, David Pearl

CONSERVATION COMMISSION: (Per RSA 36-A:3, Voting Member)

Council Reps: David Ross, Todd Lizotte (alternate)

Members: Steve Couture, Cindy Robertson, David Hess, JoCarol Woodburn, Philip Fitandes,

COUNCIL DEPARTMENTAL OVERSIGHT SUBCOMMITTEE: **Members:** Adam Jennings, Todd Lizotte, Susan Lovas Orr (alternate)

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE: (formed 3/28/07) – to explore future economic development opportunities.

Council Rep: Don Winterton

Members: David Scarpetti, Ivan Gult, Muamer Durakovic, Planning Board Rep, Matthew Barrett (Business Rep)

Advisory Members: Nicholas Mercier, Mike Reed

HERITAGE COMMISSION: (Per RSA 673:4-a, Voting Member) **Council Rep:** Jim Sullivan **Members:** Kathleen Northrup

HOOKSETT YOUTH ACHIEVER OF THE MONTH: **Members:** Susan Lovas Orr, Todd Lizotte, Robert Duhaime

PARKS AND RECREATION ADVISORY BOARD: (Per RSA 35-B:4, **Nonvoting Member**)

Council Rep: Adam Jennings **Members:** David Elliott, Richard Cote, Jacqueline McCartin (alternate)

PERAMBULATION: (Charge 7/22/92 - pg. 6) - to walk bounds of Hooksett with the bordering towns/cities.

Council Rep: Robert Duhaime **Members:** Harold Murray

PLANNING BOARD: (Per RSA 673:2,6, Voting Member)

Council Reps: Don Winterton, Robert Duhaime (alternate)

Members: Frank Kotowski, Paul Scarpetti, Thomas Prasol, Tom Walsh, Richard Marshall, Muamer Durakovic, Michael DiBitetto (alternate)

RECORD RETENTION COMMITTEE

Council Rep: Nancy Comai, Todd Lizotte (alternate)

Members: Town Clerk, Tax Collector, Assessor, Finance Rep, Administration Rep, Treasurer, Community Development Rep, Police Rep, Public Works Rep, Recycling & Transfer Rep, Sewer Rep

RECYCLING & TRANSFER ADVISORY COMMITTEE: (Per 1986 Warrant Article #30, voting member) (Name changed from Solid Waste Advisory Board, 10/25/06)

Council Rep: Jim Levesque

Members: Richard Bairam, Sean McDonald, Raymond Bonney, Jim Gorton, Robert Schroeder (alternate)

SEWER COMMISSION: (Council Rep Appointed 8/22/07) **Council Rep:** Robert Duhaime **Members:** Sidney Baines, Frank Kotowski, Roger Bergeron

TOWN HALL PRESERVATION COMMITTEE (Formed 6/10/09) **Council Rep:** Jim Sullivan **Members:** Kathleen Northrup

FIRE UNION NEGOTIATIONS: (Charge 7/22/92 - pg. 6)

Council Reps: Todd Lizotte, Don Winterton, Nancy Comai **Members:** Town Administrator, Fire Chief, Administrative Services Coordinator

PUBLIC WORKS/ RECYCLING & TRANSFER UNION NEGOTIATIONS: - (Appointed 12/14/11)

Council Reps: Todd Lizotte, Don Winterton, Nancy Comai

Members: Public Works Director, Town Administrator, Administrative Services Coordinator

POLICE UNION NEGOTIATIONS:

Council Reps: Todd Lizotte, Don Winterton, Nancy Comai **Members:** Police Chief, Police Captain, Town Administrator, Administrative Services Coordinator

ZONING BOARD OF ADJUSTMENT: (Per RSA 673:3, Non-Voting Member)

Council Rep: Jim Levesque **Members:** Gerald Hyde, Don Pare, Chris Pearson, Roger Duhaime, Richard Bairam, Michael Simoneau (alternate), Phil Denbow (alternate)

Staff Report
Acceptance of Donation from Richard D. Saul
07-08-2015

Background: Per RSA 31:95-b III (b) for such amount less than \$10,000. Council shall post notice in the agenda and shall include notice in the minutes of a Council meeting in which such moneys or donations are discussed.

Issue: To accept the donation we received for the total value of \$100.00 from Richard D. Saul.

Discussion: Mr. Saul is donating \$100.00 to the Hooksett Fire-Rescue in memory of Sandra Anderson.

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

Recommendation: Motion to accept the donation in the value of \$100.00 from Richard D. Saul to the Hooksett Fire Rescue Dept. per RSA 31:95-b III (b).

Prepared by: Acting Fire Chief Dean Jore

Town Administrator Recommendation:



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

Staff Report
Acceptance of Donation from Harold & Barbara Murray
07-08-2015

Background: Per RSA 31:95-b, III (b) for such amount less than \$10,000. Council shall post notice in the agenda and shall include notice in the minutes of a Council meeting in which such moneys or donations are discussed.

Issue: To accept the donation we received for the total value of \$15.00 from Mr. Harold & Mrs. Barbara Murray.

Discussion: Mr. & Mrs. Murray are donating \$15.00 to Hooksett Fire-Rescue in memory of Sandra Anderson.

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

Recommendation: Motion to accept the donation in the value of \$15.00 from Mr. & Mrs. Murray to the Hooksett Fire Rescue Dept. per RSA 31:95-b III (b).

Prepared by: Acting Fire Chief Dean Jore

Town Administrator Recommendation:



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

Staff Report
HealthTrust Donation
July 8, 2015

Background: Per RSA 31:95-b, III (b) for such amount less than \$10,000.00 Council shall post notice on the agenda and shall include notice in the minutes of a Council meeting in which such monies are discussed.

Issue: Acceptance of donated funds from HealthTrust, Inc. to promote health awareness programs.

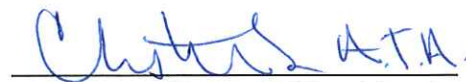
Discussion: HealthTrust rewarded the Town of Hooksett for beating our 2014 health assessment completion rate. The reward will to be used by the Safety Committee for fitness-wellness programs that all town employees may participate in.

Fiscal Impact: These funds do not require any matching amounts or other financial obligation by the Town of Hooksett.

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

Prepared by: Christine Soucie, Finance Director

Town Administrator Recommendation:



Dean E Shankle, Jr.
Town Administrator

Staff Report
Donation of Fence
July 08, 2015

Background: The Hooksett Police Department is equipped with a garage space where officers will drive into the garage and take arrested detainees from the cruiser and bring them into processing. This area had been cluttered with several junk pieces of equipment and other non-essential items causing a dangerous hazard. The area also is used to house stray dogs and is ineffective for proper housing and cleaning of the dog kennel area. Other items in this area should be secured for safety purposes.

Issue: The issue at hand is the inability to store the non-essential items securely so officers, should a prisoner attempt an escape, are not subjected to possible weapons to be used against them.

Discussion: The Hooksett Police Department would like to accept a donation from Blue Ribbon Fence in the amount of \$1300.00 in value for proposed fence work in the police garage. Blue Ribbon Fence has offered to cover all costs for materials and labor.

Fiscal Impact: The Hooksett Police Department would like to allow Blue Ribbon Fence to install the proposed sections of fencing in the police garage which will have a zero fiscal impact on the town.

Recommendation: Motion to accept the donation of \$1300.00 worth of Fencing and Labor under RSA 31:95-e, II

Prepared by: Chief Peter Bartlett

Town Administrator Recommendation:


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

Nominations

Daniel Lagueux: Economic Development Advisory Committee-Business Member

Appointments

CONSERVATION COMMISSION

Deborah Miville: Alternate Member

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

Steve Smith: Resident Member

Maureen McMahon: Resident Member

PLANNING BOARD

Denise Grafton: Alternate Member, exp. 6/2016

Richard Boisvert: Alternate Member, exp. 6/2018

PARKS & RECREATION ADVISORY BOARD

Deborah Miville: Full Member

Steve Smith: Full Member

TOWN OF HOOKSETT
AVAILABLE APPOINTED POSITIONS

CONSERVATION COMMISSION

- (1) Alternate Member, exp. 6/2017
- (1) Alternate Member, exp. 6/2018

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

- (1) Resident Member
- (3) Hooksett Business Members

HERITAGE COMMISSION

- (2) Full Members, exp. 6/2016
- (1) Full Member, exp. 6/2018
- (1) Alternate Member, exp. 6/2017
- (1) Alternate Member, exp. 6/2018

PARKS & RECREATION ADVISORY BOARD

- (3) Full Members, exp. 6/2018

PLANNING BOARD

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

RECYCLING & TRANSFER ADVISORY COMMITTEE

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

SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION

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

TOWN HALL PRESERVATION COMMITTEE

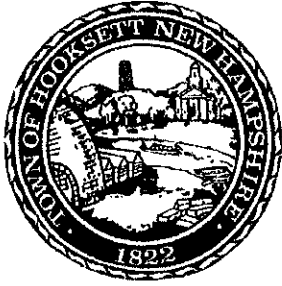
- (5) Full Members

ZONING BOARD OF ADJUSTMENT

- (1) Alternate Member, exp. 6/2016

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

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



Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: 6-19-15
Name: RICHARD BOISVERT Phone: (603) 716-7215
Address: 10 PRESCOTT HEIGHTS RD
Email Address: DEEBOACE@YAHOO.COM
Signature: Richard Boisvert

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

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

BOARDS, COMMISSIONS & COMMITTEES

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

How long have you been a resident of Hooksett?

> 2 YRS

Why are you seeking this position? TO GIVE BACK, USE MY DEVELOPER EXPERIENCE

Do you have any specific goals or objectives? HELP WITH RESPONSIBLE GROWTH OF TOWN

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

LAND OWNER, PREVIOUS BUSINESS OWNER IN HOOKSETT

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

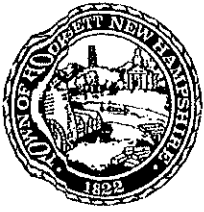
DO OWN LAND IN HOOKSETT THAT MAY BE DEVELOPED

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

FURMER OWNER OF COLONIAL HARDWARE
GRAD OF SMITH

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

ELECTED TO BUDGET COMM. IN 5/15



Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: June 23 2015

Name: Danie Lagueux Phone: 603 851-4979

Address: 12 Thistle Lane Hooksett NH 03106

Email Address: dan@taphouseish.com

Signature: [Handwritten Signature]

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

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

BOARDS, COMMISSIONS & COMMITTEES

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

How long have you been a resident of Hooksett? 12 years.

Why are you seeking this position? To help community.

Do you have any specific goals or objectives? To make this community a place where businesses feel comfortable expanding their business.

Please list special skills, talents or experience pertinent to the position sought: Business owner in Hooksett.

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

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

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

AGENDA NO. 15-048
DATE: 7-8-15

**Staff Report
Annual Town & School Report
July 8, 2015**

Background: Each year the Town Council includes their report in the Annual Town & School Report. The Council, at their meeting of June 24, 2015, authorized the Council Chair to draft the Council's annual report.

Distribution: The Council's annual report will be distributed at the Council's meeting of July 8, 2015 and attached to the minutes of that meeting.

Fiscal Impact: None

Recommendation: Motion to approve the Council's annual report as drafted by the Council Chair and to include it in the 2014-2015 Annual Town & School Report.

Prepared by: Donna Fitzpatrick, Administrative Services Coordinator

Town Administrator's Recommendation:



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

**TOWN OF HOOKSETT
BUDGET TRANSFER REQUEST FORM**

AGENDA NO. 15-053
DATE: 7-8-15

TRANSFER # 2016-01

Please explain the purpose of this transfer request: Public Work's reorganization as approved by Council on May 27, 2015, with Assistant Director/Engineer hired at \$96,000 not the \$90,000 as anticipated.

Public Works Director's allocation: 50% Highway, 25% Recycling, 15% Parks and 10% CD.
Assistant Director/Engineer's allocation: 75% Community Development and 25% Highway.

**NEED OF FUNDS
WHERE WILL THE MONEY GO?**

Account #	Description	Current Budget	Amount Added	New Budget
001-200.4191-111.000	CD Full-time	220,435.00	21,200.00	241,635.00
001-200.4191-220.000	CD Taxes	17,562.00	1,622.00	19,184.00
001-200.4191-230.000	CD NH Retirement	24,846.00	2,368.00	27,214.00
001-450.4520-111.000	P&R Full-time	269,149.00	15,300.00	284,449.00
001-450.4520-220.000	P&R Taxes	22,471.00	1,170.00	23,641.00
001-450.4520-230.000	P&R NH Retirement	31,361.00	1,709.00	33,070.00
Totals			43,369.00	

**SOURCES OF FUNDS
WHERE WILL YOU GET THE MONEY FROM?**

Account #	Description	Current Budget	Amount Reduced	New Budget
001-450.4311-111.000	Highway Full-time	124,789.00	(16,000.00)	108,789.00
001-450.4311-220.000	Highway Taxes	9,738.00	(1,224.00)	8,514.00
001-450.4311-230.000	Highway NH Retirement	14,218.00	(1,787.00)	12,431.00
001-500.4321-111.000	R&T Full time	124,287.00	(20,500.00)	103,787.00
001-500.4321-220.000	R&T Taxes	10,112.00	(1,568.00)	8,544.00
001-500-4321-230.000	R&T NH Retirement	14,521.00	(2,290.00)	12,231.00
Totals			(43,369.00)	

Recommended by:


Town Administrator


Finance Director

Approved by:

Town Council

Council Meeting Date

Public Works Reorganization Financial Implications
 FY 2015-16 Budget

Positions	Current Budget	Highway	CD	R&T	Parks
Public Works Director	\$ 92,000	92,000			
Recycling & Transfer Superintendent	70,000			70,000	
Engineer	60,000		60,000		
	<u>222,000</u>	<u>92,000</u>	<u>60,000</u>	<u>70,000</u>	<u>-</u>

Positions	Proposed Budget	Highway	CD	R&T	Parks
Public Works Director	92,000	46,000	9,200	23,000	13,800
* Assistant Director/Engineer	96,000	24,000	72,000		
Part-Time Administrative help	15,000			15,000	
Increase for assistant crew chiefs	9,000	6,000		1,500	1,500
	<u>212,000</u>	<u>76,000</u>	<u>81,200</u>	<u>39,500</u>	<u>15,300</u>

Overall estimated cost reduction \$ 10,000 (16,000) 21,200 (30,500) 15,300

Public Works Director allocation 50% Highway, 25% R&T, 15% Parks and 10% CD

Assistant Director/Engineer allocation 75% CD and 25% Highway

Increase for assistant crew chiefs

Note: * Assistant Director/Engineer was hired at \$96,000 instead of the estimated \$90,000.

Staff Report
Reorganization of Department of Public Works
May 27, 2015

Issue:

Reorganization of Public Works, Transfer & Recycling and Community Development Departments as follows:

1. Combine the DPW, R&T and Community Development departments into a single Public Works Department with four divisions: Highway; Recycling and Transfer; Parks, Recreation & Cemeteries and Community Development.
2. Create a position called "Assistant Director of Public Works/ Town Engineer." (See attached job description.)
3. Make the Assistant Director the supervisor of the new Community Development Division and eliminate that function from the Town Planner's job description.
4. Eliminate the position of Transfer and Recycling Superintendent.
5. Eliminate the separate (never filled) position of Town Engineer.
6. Fund the Assistant position with a combination of money from the now eliminated Superintendent and Engineer positions.
7. Add part time administrative position to the department, and make other minor salary adjustments for added responsibilities for assistant crew chiefs.

I believe this will increase efficiency, clarify areas of responsibility and allow the combined department to move forward. Since there will be a reduction of two positions (Superintendent and Engineer) and the creation of two (Asst. DPW/ Engineer and part-time administrative assistant), there will be no additional positions added.

Fiscal Impact: Salaries and benefits lines will be reduced approximately \$220,000 and increased by approximately \$206,000, resulting in a net decrease in the overall budget of approximately \$16,000.

Recommendation: Motion to amend the administrative code, approve the new and revised job descriptions, approve the changes to the classification pay plan and revise the 2015-2016 budget to reflect the changes outlined above.

Prepared by: Dean Shankle

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

AGENDA NO. 15-054
DATE: 7-8-15

**Staff Report
Conservation Commission
Purchase & Sale Agreement
July 8, 2015**

Background: The Conservation Commission has been in communication with a property owner, Karen Anne Heroux, to acquire a 70.31 acre parcel. This particular property is adjacent to the Clay Pond Conservation Area and is identified as Map 04, Lot 09.

Issue: The Conservation Commission seeks the Council's help in entering into the attached Purchase and Sale Agreement.

Discussion: The Purchase and Sale Agreement as drafted has been reviewed by Mark Dunn, the attorney used by the Conservation Commission for land acquisitions. The agreement is to purchase the parcel for \$91,000. The Town will own the land and Bear Paw Regional Greenways will hold the Conservation Easement.

Fiscal Impact: The Conservation Commission plans to submit at least three grant applications to assist in funding the purchase: NHDES Aquatic Resource Mitigation, LCHIP, and a NHDES Drinking Water Supply Land Acquisition Grant. The Conservation Fund will pay for the difference.

Recommendation: Motion to enter into the Purchase and Sale Agreement, as drafted, for the Heroux property, Map 04, Lot 09 for \$91,000.

Prepared by: Carolyn Cronin, Assistant Planner/Conservation Commission Staff Support

Town Administrator Recommendation:


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

SALES AGREEMENT AND DEPOSIT RECEIPT

THIS AGREEMENT made this _____ day of _____, 2015

Between the SELLER, Karen Anne Heroux of 15 Forest Lane, Boscawen, NH 03303, hereinafter referred to as "SELLER";

and the BUYER, The Town of Hooksett by and through the Hooksett Conservation Commission of 35 Main Street, Hooksett, NH 03106, hereinafter referred to as "BUYER".

WITNESSETH: That the SELLER agrees to sell and convey, and the BUYER agrees to buy a certain tract of land, with improvements thereon, situated on the north side of Mountain Road a/k/a The North Road a/k/a North Candia Road in the Town of Hooksett, County of Merrimack and State of New Hampshire being Tax Lot 9 on Tax Map 4 of the Town of Hooksett, NH (hereinafter "PREMISES") and being the same property as described in the deed of Fletcher B. Perkins to Karen Anne Heroux dated September 26, 1960 and recorded at Book 870, Page 304 in the Merrimack County Registry of Deeds;

THE SELLING PRICE: The Selling Price is NINETY-ONE THOUSAND & 00/100 Dollars (\$91,000.00);

DEPOSIT: The Deposit, which is being held in the escrow account of Mark R. Dunn, Esq. is TWO THOUSAND & 00/100 Dollars (\$2,000.00);

CASH, CERTIFIED CHECK OR BANK DRAFT on the date of transfer of title shall be made to Mark R. Dunn, Esq., as closing/escrow agent, in the amount of \$89,000.00 (less debits and plus credits) from the Buyer;

DEED: Marketable Title shall be conveyed by a Warranty Deed and shall be free and clear of all encumbrances.

TRANSFER OF TITLE: On or before December 31, 2015 at a place mutually convenient to the parties.

POSSESSION: Free and clear of all tenants and personal property as of the date of the closing;

REAL ESTATE AGENT: The Seller is represented by James Scanlon, JD, CCM of Colliers International and shall pay the real estate commission due to Colliers International, totally and completely. Buyer is not represented by any real estate agent and no commission is due to be paid by the Buyer to any real estate agent;

TITLE: If BUYER desires an examination of title he shall pay the cost thereof. If upon examination of title it is found that title is not marketable and SELLER cannot cure said defect within sixty (60) days, this agreement may be rescinded at the option of the BUYER and deposit shall be refunded to BUYER.

SURVEY OF PREMISES: The BUYER, at its sole initial expense may commission a survey of the PREMISES if it so desires;

TESTS & INSPECTIONS: BUYER, its agents and employees may enter the PREMISES for purposes of making measurements, surveys and environmental assessments, fundraising activities and generally examining the PREMISES at BUYER'S sole risk and expense. BUYER shall have the right, at BUYER'S sole cost and expense, at reasonable times, to perform such reasonable tests, studies and surveys of the PREMISES as it deems appropriate, including soil, water and subsurface investigation, and other environmental tests and inspections, with the requirement that it provide all such tests, studies, and surveys to the SELLER; provided, however, BUYER (1) shall defend, indemnify and hold SELLER harmless from and against all costs, damages and liabilities arising out of such activities and (2) shall, in the event it does not purchase the property interests described hereunder, reasonably repair any and all damage caused by such activities; and (3) shall provide Certificates of such insurance to Seller in form and substance acceptable to SELLER. If the results of these tests are unsatisfactory to the BUYER, then the BUYER, at its option, may rescind this Agreement with written notice to the SELLER.

FINANCING: Obtaining grants from public, private and non-profit granting agencies to partially finance the acquisition of the PREMISES by the BUYER is critical. To that end, the SELLER agrees to help the BUYER prepare, assist, execute and submit such documentation for any grant application requested by the BUYER and to otherwise provide such access to the PREMISES and other information and assistance as BUYER may reasonably request in completing said grant applications all at no expense to the SELLER;

REAL ESTATE TAXES: Real estate taxes shall be prorated as of the date of the closing.

NEW HAMPSHIRE STATE TRANSFER TAX: The BUYER and SELLER agree to split the NH State Transfer Tax equally in the event a transfer tax is imposed. However, it is the belief of the BUYER that the transaction is tax exempt as a transfer into a subdivision of the State of New Hampshire pursuant to RSA 78-B:2,I;

LIQUIDATED DAMAGES: If the BUYER shall default in the performance of its obligations under this agreement, the amount of the deposit shall become the property of the Sellers as reasonable liquidated damages. If SELLER shall default in the performance of her obligations under this Agreement, the SELLER's share of the Survey expenses, as defined in the Agreement above, shall be deemed the BUYER's liquidated and shall be payable to the BUYER;

PRIOR STATEMENTS: All representations, statements, and agreements heretofore made between the parties hereto are merged in this agreement, which alone fully and completely expresses their respective obligations, and this agreement is entered into by each party after opportunity for investigation, neither party relying on any statements or representations not embodied in this agreement, made by the other or on its behalf.

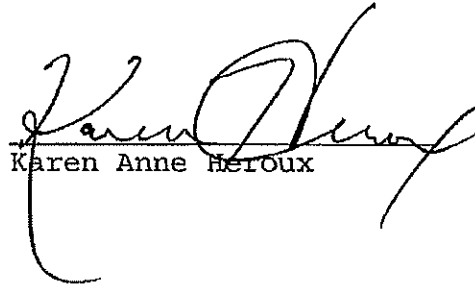
OPERATIVE STATE LAW: This Agreement shall be interpreted under the laws of the State of New Hampshire. This Agreement shall be binding on the heirs and assigns of both the Seller and the Buyer. All singular nouns shall be considered plural as the context suggests and vice versa and all male pronouns shall be considered as female pronouns as the context suggests and vice versa.

WITNESS the signatures of the above parties on the day and year first above written:

In the presence of:

SELLER:


Witness


Karen Anne Heroux

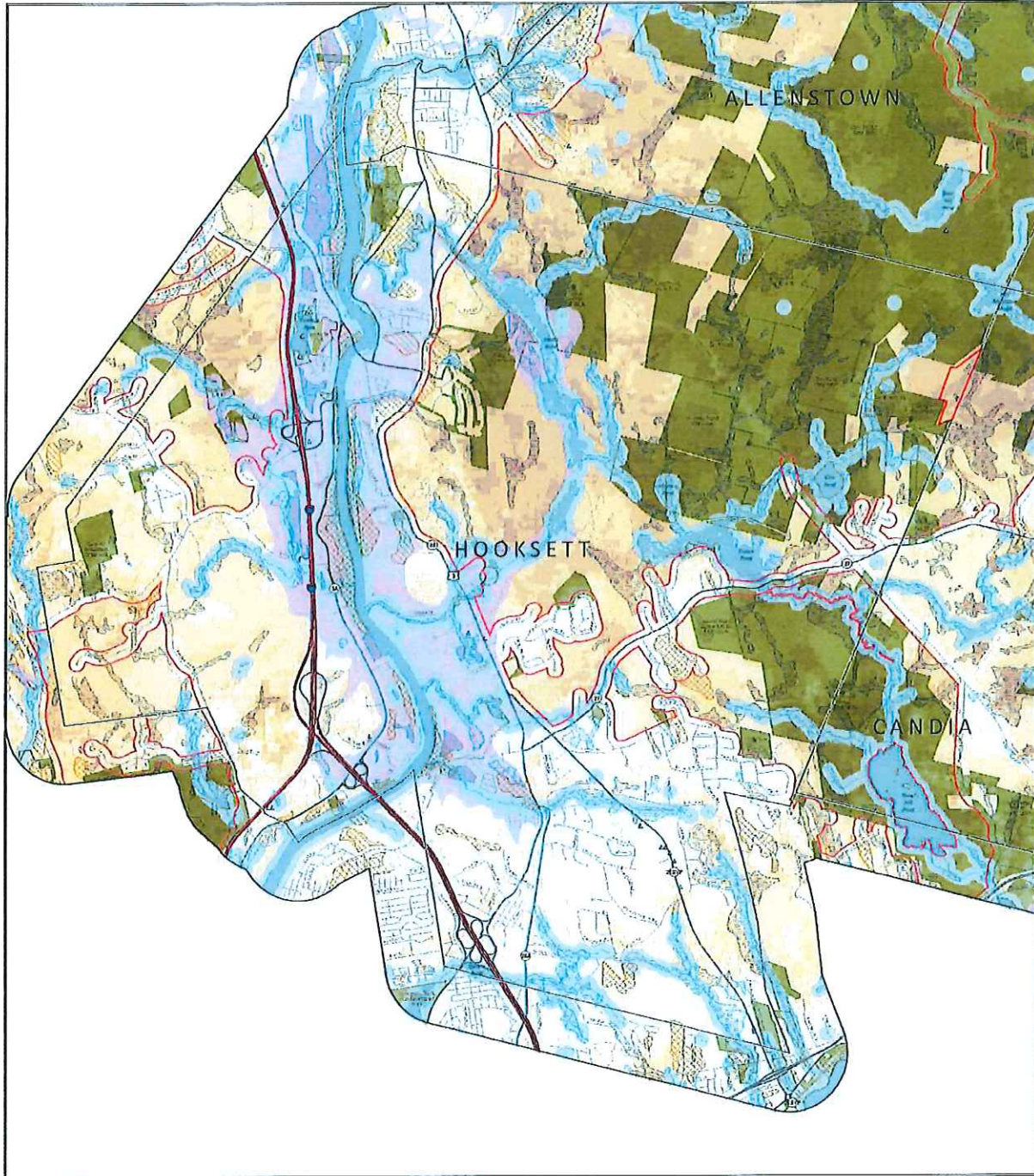
BUYER:

TOWN OF HOOKSETT

Witness

BY: _____
Name:
Title:
Duly Authorized

BEAR-PAW REGIONAL GREENWAYS 2014 Natural Resources Inventory



BEAR-PAW CONSERVATION FOCUS AREAS

Hooksett, NH

Wildlife Habitat

- Highest Priority Wildlife Habitat
- Wildlife Co-occurrence Score
- High : 8
- Low : 0

Drinking Water

- Stratified Drift Aquifer
- Favorable Gravel Well Area
- ▲ Public Water Supply

Water

- Waterbody
 - Perennial Stream
 - - - Intermittent Stream
 - Wetland
 - 300 foot Riparian Buffer
- #### Farmland
- Prime Farmland Soil
 - Farmland Soil of Statewide Importance

Conservation Land

- Conservation and Public Land
- Bear-Paw Regional Greenways Property (Conservation Easement or Fee-owned)

Roads

- Interstate Highway
- Major Road
- - - Local Road
- - - Class VI or Private Road

Disclaimer:

Conservation Focus Areas and Wildlife Habitat Co-occurrence Scores were derived by BPAWG through its 2014 data project. The Co-occurrence Score represents the sum of points received at a given location. Points were awarded for the presence of many different habitat features and qualities, such as high quality wildlife habitat, undisturbed riparian areas, or complexity of the landscape. Total scores for the map ranged from zero to eight. Please see the project report and final co-occurrence map for more information on the scoring process and contributing data. Highest Priority Forest Blocks are the top scoring set of large forest blocks (≥100 acres) and cover about 11% of the BRG region.

The following data layers were mapped at 1:24,000 and obtained by GIS CARTUS: aquifers from the USGS; town boundaries from the USGS; soils from the USDA NRCS Soils Survey Geographic Database (SSURGO); hydrography from the USGS National Hydrography Dataset; roads from the Department of Transportation; conservation lands from the GRANIT and cooperating agencies (Release 8/7/11); favorable gravel well areas from BPAWG; wetlands displayed are a union of National Wetlands Inventory, hydro soils (M0 & P0), and manlands and pastures from the NH Wildlife Action Plan; Public Water Supplies from NHDES.

