The Hooksett Town Council met on Wednesday, November 4, 2020 at 6:00 in the Hooksett Municipal Building.

CALL TO ORDER
Chair Sullivan called the meeting of 04 Nov 2020 to order at 6:04 pm.

PROOF OF POSTING
Human Resources Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL
In Attendance: Councilor James Sullivan, Councilor John Durand, Councilor David Boutin, Councilor Clifford Jones, Councilor Timothy Tsantoulis, Councilor Clark Karolian

Councilor Alex Walczak arrived at 6:05 pm.
Councilor Roger Duhaime arrived at 6:06 pm.
Councilor Randall Lapierre arrived at 7:16 pm.

PLEDGE OF ALLEGIANCE
Chair Sullivan called for the Pledge of Allegiance.

PUBLIC HEARINGS
Public hearing to accept the health insurance surplus of funds from HealthTrust FY2020 not to exceed $100,484.04 and NH Interlocal Trust (NHIT) FY2016 not to exceed $27,431.86 for the Town of Hooksett per RSA 31:95-b, III (a).

Chair Sullivan: I am going to read the public hearing notice:

The Hooksett Town Council will be holding a public hearing on Wednesday, November 4, 2020 @ 6:00 pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept the health insurance surplus of funds from HealthTrust FY2020, not to exceed $100,484.04 and NH Interlocal Trust (NHIT) FY2016 not to exceed $27,431.86, for the Town of Hooksett per RSA 31:95-b, III (a). For documentation or questions, contact the Administration Department at 603-485-8472.

Chair Sullivan opened the Public Hearing at 6:08 pm.

C. Soucie: The purpose of this item is to decide how to apportion the surplus premiums being returned to the Town by Health Trust and NH Interlocal.

D. Boutin: How much of the surplus will go to the employees?

C. Soucie: Based on the amounts of the premiums contributed by each group, employees would receive $11,000 from the Health Trust surplus and $2,000 from NHIT.

SPECIAL RECOGNITION
Hooksett Municipal Employees
A. Garron: We have no new hires to report, but we a promotion in the Public Works Department. Matthew Gordon has been promoted to Highway Assistant Crew Chief, so we keep him in the family and move him toward the head of the table.

**SCHEDULED APPOINTMENTS**

Todd Rainier, Town Clerk; Cindy Robertson, Moderator; Don Riley, Assistant Moderator -
November 3, 2020 Presidential Election

C. Robertson: We spent an amazing number of hours prior to this election preparing for it. We held five (5) training sessions for poll workers and participated in weekly Zoom meetings with the Secretary of State’s office. Then, we spent 20 hours at the polls on Election Day. We have received nothing but praise from social media, voters and even challengers who actually assisted us. Councilor Alex Walczyk was invaluable during the reconciliation process and did a fabulous job. There were no long lines; no one waited longer than ten or fifteen minutes. There are many other people we want to thank for their help: Barbara & Bob Thinnis, Sandra Van Dyne, Councilor John Durand, Dave Dixon, Bob Schroeder, Fran Shannis, and School Resource Officer Angela Bergeron. We also want to thank DPW, the Police and the Fire Departments. Hooksett sets the standard for elections in New Hampshire. We did not close the polls until 8:00 pm. The Supervisors of the Checklist registered 750 new voters. We had no problems during the day. The turnout was about 80%, not including SNHU students. Only one person was not wearing a mask (seemingly for medical reasons). and therefore, voted at the separate booth set up for that purpose.

D. Riley: I would like to add my thanks to those of Cindy. I do want to say that this election set the stage for future difficulties. On October 29th, 2,500 absentee ballots were preprocessed by 20 to 25 people. Between October 29th and Election Day, 500 more absentee ballots were processed the old way. With four other workers, I spent 13 hours at the election processing absentee ballots. NH voters are using absentee ballots to vote early, and this will require dedicated resources – a boatload of hours.

T. Rainier: One complaint we received was about the fact that we did not pass out I Voted stickers. We had decided not to pass out stickers because of COVID. I want to thank Councilor Roger Duhaime for returning to help in the evening. Somehow, the highway crew managed to get all of the roads salted and still to help us all day.

Chair Sullivan: Thank you for the report and for conducting an excellent election.

T. Tsantoulis: I saw four (4) voters when I was out exercising this morning, and all of their comments were positive.

D. Boutin: This was a fantastic election and a model for the State. Mr. Riley, I can connect you with the chair of the Election Committee in Concord so that you can discuss your concerns about the volume of absentee ballots. Alex Walczyk was amazing.

T. Rainier: When the elected Moderator resigned with two weeks’ notice, Cindy Robertson and Don Riley agreed to take over this responsibility. They are true, dedicated volunteers.

D. Boutin: A State Representative asked me why you opened a sealed box, Mr. Rainier. Can you explain why?

T. Rainier: Yes. That was a Federal Office Only box of hand-counted ballots. We needed to check some hand-counted figures. That is the only sealed box we had to open, and it was promptly sealed again.
Cub Scout Pack 292 Little Library Project – Donation and Installation of Book Swap Boxes

B. Thomas: We have members of Cub Scout Pack 292 here to present their Little Library Project. Phil Armone of Parks & Rec and I will supervise and monitor this project. We have here one of the three Little Libraries built by these cub scouts.

J. Godbout, Den Leader: These boys are mostly fifth graders whose Little Library Project book swap involved building three little libraries to be placed in three locations: Donati Park on Main Street, Fraser Park on K Avenue and The Heads Pond Trailhead. The scouts have collected 200 books already. These boys decided that they want to earn the Messenger of Peace award which has never before been earned by Pack 292.

C. Jones: How do people donate books?

A. Godbout, Committee Chair: People can scan a code on the Little Library with a Smartphone to get to the website.

Chair Sullivan asked the scouts and leaders to introduce themselves.

Adam Godbout, Committee Chair
Jillian Godbout, Den Leader
Matt Flader, Pack Master
Mike Kotrlik, Den Leader
Zoey Godbout, Bear Cub Scout
Jamie Godbout, AOL Cub Scout
Andrew Godbout, Den Chief of Troop 603
Caleb Flader, AOL Cub Scout
Matthew Kotrlik, AOL Cub Scout
Max Laliberte, AOL Cub Scout
Owen Vincent, AOL Cub Scout

T. Tsantoulis: Thank you for this donation. Parents donate a huge amount of time on these projects. This helps to make Hooksett a better place for all of us.

Chair Sullivan: Who is responsible for the design of these libraries?

J. Godbout: We looked at several designs and made a group decision. Adam Godbout drew the blueprint for us, which is in your packets.

D. Boutin motioned to accept three Little Library Project book swap boxes and to allow Cub Scout Pack 292 to install them at the locations in town as approved and to accept this donation to the Town of Hooksett, including the cost of items and labor that does not exceed $5,000.00 in value, per RSA 31:95-b III (b) and RSA 31:95-e, II. T. Tsantoulis seconded the motion.

D. Boutin: I echo the comments of Councilor Tsantoulis.

Roll Call Vote #2
R. Duhaime  Aye
J Durand   Aye
C. Jones   Aye
R. Lapierre Not present
A. Walczyk Aye
D. Boutin  Aye
C. Karolian Aye
T. Tsantoulis Aye
J. Sullivan Aye
Voted in favor (8-0).

C. Karolian: Great job. This is a great idea. Kudos and thank you. This is a good civic thing that you are doing.

CONSENT AGENDA
Motion to accept the donation of $4,770.00 from the Bureau of Justice Assistance; Patrick Leahy Bulletproof Vest Partnership, to the Town of Hooksett for the Hooksett Police Department per RSA 31:91-b: III(b) and return the funds to the Police Department’s 2020-2021, 2021-2022 and/or 2022-2023 fiscal budgets under the uniform equipment line.

D. Boutin motioned to approve the Consent agenda item. C. Karolian seconded the motion.

Roll Call Vote #3
D. Boutin  Aye
C. Jones   Aye
A. Walczyk Aye
J. Durand  Aye
R. Duhaime Aye
T. Tsantoulis Aye
R. Lapierre Not present
C. Karolian Aye
J. Sullivan Aye
Voted unanimously in favor (8-0).

TOWN ADMINISTRATOR’S REPORT
A. Garron: At their meeting last week, the Budget Committee reviewed and acted upon the Wastewater Department budget and several smaller budgets, including the Conservation Commission and the Budget Committee. Some were lowered, but all were approved. The Town’s budget is still approved at an $82,000.00 increase over the proposed Town budget. They will start with the School budget and the warrant articles at their meeting tomorrow The Council still has three warrant articles to consider: a union contract, the non-union wage increase and the new union contract. Also, a decision remains to be made on Old Town Hall. The bottom-line increase in the budget over last year’s budget is $417,106.00.

A. Garron: Regarding COVID, unfortunately the number of cases in Hooksett is up from 14 last week to 20 this week. Hooksett has a total of 145 COVID cases from March 1st through the present date.
A. Garron: The NHMA will hold its 79th Conference – and it will be virtual – on November 18th. They will cover many topics, and there are funds available for this. Any members of the Council can see me if they would like information about participating.

A. Garron: I have a couple of non-public items, and Councilor Walczyk has requested one.

R. Duhaime: What is the schedule for the installation of the sound system?

A. Garron: We are planning to complete the installations for this room and the gym in the last week of November. This room gets a lot of use, so we want to do it during a lull in activity.

C. Jones: What is the status regarding our laptops?

A. Garron: We have these in also. Nick Germain and Block Five are fitting them up.

Chair Sullivan: We can have a mini-workshop prior to the first meeting during which we use these.

D. Boutin: Regarding the increase in the proposed budget versus last year’s budget, what is the percentage?

A. Garron: It is a 2.32% increase.

**NOMINATIONS AND APPOINTMENTS**

D. Boutin: Mr. Germain, did you receive an application from Michael Somers?

N. Germain: No, not yet.

D. Boutin: The Planning Board has accepted the resignation of Brett Scott and voted unanimously to recommend that alternate Michael Somers be elevated to a full member status. His application is not wholly relevant because he is already a member of the Board.

N. Germain: Mr. Robert Duhaime has put in an application to be a full or alternate member of the Planning Board. That will be on the agenda for the next meeting.

**D. Boutin motioned to make Michael Somers a full member of the Planning Board, term ending June 30, 2023. T. Tsantoulis seconded the motion.**

T. Tsantoulis: I have a question about setting a precedent. We have no application before us. We usually review a nomination form.

Chair Sullivan: I believe that a current alternate gets first consideration when a full position opens on a board.

N. Germain: That is in the Rules of Procedure, Mr. Chair.

C. Karolian: Regarding the alternate, I am not in favor of waiving the rules for an appointment.

R. Duhaime: How long has Mr. Somers been on the Planning Board as an alternate?

N. Germain: He was appointed in 2019, so he has served for about one year.
Roll Call Vote #4

A. Walczyk  Aye
R. Lapierre  Not present
C. Jones  Abstained
R. Duhaime  Aye
J. Durand  Aye
C. Karolian  Aye
T. Tsantoulis  Aye
D. Boutin  Aye
J. Sullivan  Aye

Voted unanimously in favor (7-0). C. Jones abstained because of upcoming Council legal issues.

OLD BUSINESS

Accept the health insurance surplus of funds from HealthTrust FY2020 not to exceed $100,484.04 and NH Interlocal Trust (NHIT) FY2016 not to exceed $27,431.86 to the Town of Hooksett per RSA 31:95-b, III (a) and motion on distribution of these funds.

Chair Sullivan: We are now distributing a handout which I failed to have sent out to the Councilors, and I apologize for that. I asked the Finance Director to prepare a chart showing the proposed allocation of surplus funds, which is what the handout is.

D. Boutin motioned to waive Town Council Rules of Procedure and accept the health insurance surplus of funds the same night as the public hearing and to accept the surplus of funds from Health Trust FY 2020 not to exceed $100,484.04 and NH Interlocal Trust (NHIT) FY 2016 not to exceed $27,431.86 for the Town of Hooksett per RSA 31:95-b, III (a). A. Walczyk seconded the motion.

C. Karolian: Two motions were just combined, and we can only make one motion at a time.

Chair Sullivan: We usually deal with one motion at a time, but sometimes we combine them. It is better to take one at a time.

C. Karolian: If I object to one of the motions and am in favor of the second one, I don’t know how to vote.

Chair Sullivan: Going forward, we will take one motion at a time.

R. Lapierre joined the meeting at 7:16 pm.

Roll Call Vote #5

T. Tsantoulis  Aye
C. Jones  Aye
R. Duhaime  Aye
A. Walczyk  Aye
R. Lapierre  Abstained
C. Karolian  Abstained
J. Durand  Aye
D. Boutin  Aye
J. Sullivan  Aye
Voted unanimously in favor (7-0). R. Lapierre abstained because he just arrived and was not part of the discussion. C. Karolian abstained because he is opposed to one part of the motion and in favor of the other part.

C. Soucie: The surplus premiums returned by Health Trust are the result of the reluctance of people to see their doctors or dentists from March 2020 through the end of June because of COVID. The proposed distribution of surplus funds totaling $94,812.86 from Health Trust for medical premiums is as follows: Wastewater – $6,273.68; Town Employees - $8,202.33; Retirees - $10,642.21; Town - $69,694.64. The proposed distribution of surplus funds totaling $5,671.18 from Health Trust for dental premiums is as follows: Wastewater – $516.63; Town Employees - $2,775.98; Retirees - $456.11; Town - $1,922.46.

C. Soucie: NHTI's refund is from a period of time in 2016 when excess premiums were paid. The proposed distribution is as follows: Library - $1,000.21; Wastewater - $1,712.28; Central Hooksett Water Precinct - $704.05; Hooksett Village Water Precinct - $514.97; Town Employees - $2,178.69; Retirees - $2,026.85; Town - $19,294.81. The total refund amount is $27,431.86.

D. Boutin motioned to distribute the Health Trust FY2020 surplus not to exceed $100,484.04 as follows: $6,790.31 to Wastewater; $10,978.31 to employees; $11,098.32 to retirees and $71,617.10 to the FY 2021-22 town revenue in the form of a Fund Balance. A. Walczyk seconded the motion.

A. Walczyk: Does this cover the legal fees?

C. Soucie: There were no legal fees with Health Trust, and those associated with the NHTI situation were minor - less than $2,000.00 - so prorating them did not make sense.

Roll Call Vote #6
J. Durand Aye
R. Lapierre Aye
C. Karolian Aye
D. Boutin Aye
C. Jones Aye
T. Tsantoulis Aye
A. Walczyk Aye
R. Duhaime Not present
J. Sullivan Aye

Voted unanimously in favor (8-0).

R. Lapierre motioned to distribute the NH Interlocal Trust (NHT) FY2016 surplus not to exceed $27,431.86 as follows: $1,000.21 to Hooksett Public Library; $1,712.28 to Wastewater; $704.05 to Central Hooksett Water Precinct; $514.97 to Hooksett Village Water Precinct; $2,178.69 to employees; $2,026.85 to retirees and $19,294.81 to the FY 2021-22 town revenue in the form of Fund Balance. C. Karolian seconded the motion.

Chair Sullivan: Why were other entities such as the Library and the water precincts included in the surplus from NHT?

C. Soucie: NHTI sent just one check by mistake. I offered to distribute the funds so that they would not have to cut more checks.

Roll Call Vote #7
C. Jones  Aye
C. Karolian  Aye
R. Lapierre  Aye
R. Duhaime  Aye
A. Walczyk  Aye
J. Durand  Aye
T. Tsantoulis  Aye
J. Sullivan  Aye

Voted unanimously in favor (9-0).


R. Lapierre: I am wondering if we need to have two-thirds majority votes, not just a simple majority, when changing the Rules of Procedure.

Chair Sullivan: That is a good question. We can check on that, and then check the votes taken at last week’s meeting, if necessary.

NEW BUSINESS

Cub Scout Pack 292 Little Library Project – Donation and Installation of Book Swap Boxes at Various Locations in Town

This item was covered under SCHEDULED APPOINTMENTS earlier in the meeting.

Unassigned General Fund Balance History and Tax Rate

C. Soucie: In the interest of getting property tax bills out as early as possible, I am concerned about waiting until November 18th to decide about using a portion of the Unassigned Fund Balance to reduce the tax rate. This is a decision for the Town Council. As of June 30, 2020, the Unassigned Fund Balance was $4,459,358, which represents 8.29%. This Fund Balance is available for emergencies and economic downturns, and we follow State guidelines, keeping that balance between five and eight percent. Large swings in the amount used to offset the tax rate are not good for budgeting and planning. Although we do not yet have a tax rate from DRA, using their portal, I made some calculations. If we apply nothing from the Fund Balance, the Town’s portion of the tax rate will be $6.23, an increase of $0.74 over last year’s rate of $5.49. The School portion of the tax rate, including State Education, will be going up by $0.68; the County portion will go up $0.26. The County expenses rose $600,000 this year. What I recommend is a motion allowing the Town Administrator to allocate between $1.3 million and $1.4 million, which would keep the town portion level, and not going below five percent (5%) in the fund balance.

A. Garron: This is within our five-to-eight percent range, consistent with our financial policy.

D. Boutin motioned to allow the Town Administrator to allocate between $1.3 million and $1.4 million of the Unassigned Fund balance to offset the property tax rate, keeping the town portion level and not allowing the fund balance to go below five percent (5%). T. Tsantoulis seconded the motion.

Chair Sullivan: With an allocation of $1.3 million, what would be the new Fund Balance?

C. Soucie: That would leave 5.72%.

T. Tsantoulis: I encourage Councilors not to allow the fund balance to go below five percent (5%).
R. Lapierre: The Government Finance Officers Association (GFOA) recommends a fund balance between 8 and 15%.

C. Soucie: We don’t follow those guidelines; we follow the DRA recommendation.

R. Duhaime: Do we know why the County expenses went up so much?

C. Soucie: I have a large packet of information from them in my office but have not gone through it, so I don’t know what caused the large increase.

C. Karolian: How much of the Fund Balance would we need to apply so that there is no increase in the tax rate?

C. Soucie: You do not have enough for that, and DRA would not allow it.

R. Lapierre: Is the Fund Balance all cash?

C. Soucie: No, it is not. It is an accounting equation: Current Assets – Current Liabilities = Fund Balance. There is some liquidity in that balance.

R. Lapierre: I am nervous about the 5% without knowing more about it.

C. Soucie: Long-term assets are not part of the Fund Balance.

A. Walczyk: I would like to amend the motion made by Councilor Boutin. I would like to see a seven percent (7%) fund balance. We made a lot of deep cuts to the budget and are in a risky situation. We don’t know what will happen with COVID.

R. Duhaime: Using $700,000.00 to reduce the tax rate leaves a seven percent (7%) fund balance, which is approximately $3,159,000.00.

D. Butin: Look at the Union Leader on Thursdays. Homes in Hooksett are selling for $500,000.00. They are paying $10,000.00 per year in property taxes. People are registering new vehicles costing $40,000.00 to $50,000.00. Pickups are $70,000.00. We are collecting a lot of taxes. A five percent (5%) balance is very reasonable.

T. Tsantoulis: Would the use of $1.3 million from the Fund Balance to reduce the tax rate keep the town portion level?

C. Soucie: Yes, it would.

T. Tsantoulis: So, with the School and County portions, owners of a $500,000.00 home will pay an additional $500.00 in property taxes.

**A. Walczyk motioned to contribute $700,000.00 from the Fund Balance to reduce the tax rate, leaving a balance of $3.7 million in the Fund Balance. C. Jones seconded the motion.**

A. Garron: Leaving more in the Fund Balance is protection for next year.

Chair Sullivan called for a roll call vote on the amendment.
Roll Call Vote #8
R. Lapierre Nay
R. Duhaime Aye
T. Tsantoulis Nay
A. Walczyk Aye
J. Durand Nay
C. Jones Aye
D. Boutin Nay
C. Karolian Nay
J. Sullivan Nay
Motioned failed (3-6).

Chair Sullivan called for a roll call vote on the original motion to allow the Town Administrator to use between $1.3 million and $1.4 million to offset the tax rate increase, keeping the town portion of the tax rate level, and not allowing the Fund Balance to go below five percent (5%).

Roll Call Vote #9
J. Durand Aye
D. Boutin Aye
C. Jones Nay
R. Duhaime Nay
C. Karolian Aye
A. Walczyk Nay
T. Tsantoulis Aye
R. Lapierre Aye
J. Sullivan Nay
Voted in favor (5-4).

SUB-COMMITTEE REPORTS

C. Karolian: The Recycling and Transfer Committee discussed picking up trash at private developments, such as the 50 homes at Granite Hill. A policy change in 2004 allowed for picking up trash in private developments as long as they signed a waiver holding the Town harmless for damages to their property. This is related to our discussions about hydrants and might be coming in the future.

T. Tsantoulis motioned to establish a committee to investigate collecting trash on private property. D. Boutin seconded the motion.

Roll Call Vote #10
C. Karolian Nay
T. Tsantoulis Aye
R. Lapierre Nay
C. Jones Aye
D. Boutin Aye
J. Durand Aye
A. Walczyk Nay
R. Duhaime Nay
J. Sullivan Nay
Motion failed (4-5).
A. Walczyk: The Parks & Rec Committee and HYAA are exploring the best way to preserve or replace the name signs on the trees at Donati Park. The signs have deteriorated over 25 years. They will be looking for Council permission, which I don’t think they need.

NON-PUBLIC SESSION NH RSA 91-A:3 II

Chair Sullivan motioned to enter non-public session at 8:37 pm in accordance with the provisions of RSA 91-A:3, II (a) and (c). D. Boutin seconded the motion.

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, unless the employee affected (1) has a right to a public meeting, and (2) requests that he meeting be open, in which case the request shall be granted.

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 this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

Roll Call #11

T. Tsantoulis  Aye
R. Lapierre  Aye
J. Durand  Aye
C. Jones  Aye
C. Karolian  Aye
A. Walczyk  Aye
R. Duhaime  Aye
D. Boutin  Aye
J. Sullivan  Aye

Voted unanimously in favor (9-0).

T. Tsantoulis motioned to leave nonpublic session and return to public session at 9:03 pm. R. Duhaime seconded the motion.

Roll Call Vote #12

D. Boutin  Aye
A. Walczyk  Aye
J. Durand  Aye
C. Karolian  Aye
R. Lapierre  Aye
T. Tsantoulis  Aye
R. Duhaime  Aye
C. Jones  Nay
J. Sullivan  Aye

Voted in favor (8-1).

Chair Sullivan motioned to seal the minutes of the non-public session. D. Boutin seconded the motion.

Roll Call Vote #13

C. Karolian  Nay
D. Boutin  Aye
T. Tsantoulis  Aye
R. Lapierre  Aye
A. Walczyk  Aye
R. Duhaime  Aye
J. Durand  Aye
C. Jones  Aye
J. Sullivan  Aye

Voted in favor (8-1).

Councilor Karolian: I object to tonight's non-public session #1 discussion under RSA 91-A:3 II (c).

Councilor Boutin: There is a State of NH Road Improvement Project #29611 in Hooksett for US 3/NH 28, with improvements from Alice Ave/West Alice Ave to NH 27 (Whitehall Road)/Martin's Ferry Road. On Wednesday, November 18th at 9:00 am, the State is holding a meeting on this project and I plan to participate.

ADJOURNMENT

Chair Sullivan motioned to adjourn at 9:06 pm. T. Tsantoulis seconded the motion.

Roll Call Vote #14
R. Duhaime  Aye
J Durand  Aye
C. Jones  Aye
R. Lapierre  Aye
A. Walczyk  Aye
D. Boutin  Aye
C. Karolian  Aye
T. Tsantoulis  Aye
J. Sullivan  Aye

Voted unanimously in favor (9-0).

Respectfully submitted,

Kathleen Donnelly

Kathleen Donnelly
Recording Clerk

Please see subsequent meeting minutes for any amendments to these minutes.