New Hampshire Small MS4 General Permit
Annual Report
Hooksett NH
Permit Year 2

EPA NPDES Permit Number NHR041000
Certification

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Printed Name: Andre Garron

Signature: [Signature]
Date: 9-28-2020

Primary MS4 Program Manager Contact Information:
Position/Title: Town Administrator

Name: Andre Garron
Department: Administration
Phone Number: 603-485-8472
Email Address: agarron@hooksett.org
Small MS4 Authorization

The following annual report is intended to document on the activities undertaken over the reporting period from May 1, 2019 – June 30, 2020 in accordance with the Notice of Intent. NOI can be found at the following (document name or web address):

https://www.epa.gov/npdes-permits/regulated-ms4-new-hampshire-communities

Compliance activities have been identified and described in the Hooksett Stormwater Management Plan (SWMP) and Illicit Discharge Detection and Elimination Plan (IDDE). Those documents can be found at the following website and will be referred to throughout this report:


MCM1 - Public Education and Outreach
Year 2 Activities

BMP: Grass and Fertilizer

Document Name and/or Web Address:
Green Grass & Clear Water Brochure:

Description:
Distribution and promotion of four-fold flyer produced by UNH Cooperative Extension and NH Sea Grant, modified to Hooksett, outlining simple recommendations to keep lawns healthy while reducing water quality impacts - including proper fertilizer techniques and disposal of grass clippings.

Targeted Audience:
Residential &/or Business and Institutions

Measurable Goal(s):
Lawn care enthusiasts' residents understand the potential water quality impacts from fertilizer and improper disposal of grass clippings and are aware of the proper lawn care management techniques for reducing those impacts. Measurement includes materials distribution methods and numbers and change in visits to UNH Cooperative Extension or municipal stormwater webpages.

In Year 1 50 flyers were distributed. In Year 2 50 flyers were distributed. Additional flyers were
made available at various town offices. The town also had a table set up at the Hooksett Old Homes Day September 21, 2019 at Donati Park with representatives to distribute and discuss the grass and flyer with residents and attendees. **Goal was achieved.**

**Message Date:**
Fall

**BMP: Pet Waste Disposal**

**Document Name and/or Web Address:**

**Description:**
Distribution and promotion of proper pet waste management, impacts of improper management, pet waste ordinance, and disposal requirements messaging. The Town of Hooksett did make available several pet waste flyers available to the public at the Tax Collectors office during dog registration, at the Hooksett Old Home Days information table and at various town offices. These flyers did not include pledge to pick up pet waste.

**Targeted Audience:**
Residents - Pet Owners

**Measurable Goal(s):**
Dog owners and/or dog walkers are aware of the potential water quality impacts from pet waste, local pet waste ordinances, and how to dispose of pet waste properly.

**Message Date:** year round and at time of dog license renewal

**BMP: Disposal of Leaf and Grass Clippings**

**Document Name and/or Web Address:**

**Description:**
Distribute and promote informational flyer, pledge cards, or door hangers, with messaging about impacts from yard waste to waterbodies, alternatives to dumping yard waste and laws against dumping yard waste near or in waterbodies.

**Targeted Audience:**
Residential &/or Business and Institutions

**Measurable Goal(s):**
Residents are aware of the water quality impacts of yard waste dumping near or in water bodies and safe alternatives for yard waste disposal.
In Year 1 50 of flyers were distributed. In Year 2 50 flyers were distributed. **Goal was achieved.**

Also in Year 2 at the Hooksett Old Home Day, the town had an information booth with a Stormwater poster and flyers available and personnel available to address the information.

**Message Date:**
Spring and fall each year

**BMP: Septic System Maintenance**

**Document Name and/or Web Address:**
https://getpumpednh.com/?fbcid=1wAR1Wh2GbgqlwyBHNm-uZWv4tQZW9-EG3Ku1GcbIrnxZHzxcbi3OwP4Ag
https://www.hooksett.org/public-works/news/septic-smart-week

**Description:**
Distribute and promote brochure or door hangers, directing to website to educate New Hampshire homeowners with septic systems on how to identify, locate and maintain those systems. Get Pumped NH is a collaborated effort between the New Hampshire Association of Septage Haulers (NHASH) and the New Hampshire Department of Environmental Services (NHDES).

**Targeted Audience:**
Septic System Owners

**Measurable Goal(s):**
Residents are aware of water quality impacts from septic systems, the importance of maintaining septic systems and how to maintain them.

In Year 1 50 of flyers were distributed. In Year 2 50 flyers were distributed. **Goal was achieved.**

**Message Date:** September of each year

**BMP: Developer/Construction Outreach**

**Description:**
Review checklist with Developers and Construction Contractors prior to beginning of construction project (pre-construction) to identify responsible parties, erosions control practices, other best management practices, and requirements for EPA Construction General Permit as appropriate.

**Targeted Audience:**
Developer/Construction

**Measurable Goal(s):**
Contractors and Developers are aware of the need for proper erosion control practices during construction work.
The Planning Department held 5 of pre-construction meetings, representing 100% of projects that received planning board approval and began construction during this reporting period. Goal was achieved.

Message Date: To be addressed at each Plan review and Pre-construction meeting.

MCM2 - Public Participation

BMP: Public Participation in Stormwater Management Program Development
Description: The Stormwater Management Program was publicly reviewed at Old Homes Day 2019 and on the towns MS4 web Site.

Measurable Goal(s): Viewed by visitors to the Old Homes Day event. Input was received. Goal was achieved.


In November 2019 Cub Scout Pack 292 went to the catch basins on Dale Road and Morse Drive, (32 structures), University Circle (68 structures), Campbell Hill (165 structures) and Roy Road and Almeda Lane (12 structures) and stenciled them “No Dumping, Drains to the River.”

MCM3 – Illicit Discharge Detection and Elimination

BMP: IDDE Legal Authority

The municipality has established legal authority as outlined in the IDDE plan.

BMP: Sanitary Sewer Overflow (SSO) Inventory

In Hooksett the Sanitary Sewer system is operated by the Hooksett Sewer Commission. That agency tracks and monitors the sewer and reports any SSOs to the appropriate agencies.

BMP: Map of Storm Sewer System

Map of storm sewer system and associated outfalls is in progress in accordance with the accepted NOI.

BMP: IDDE Program

A Written IDDE plan has been developed and is available on our website.

Initial outfall identification, characterization and prioritization is included in the IDDE plan.

The following tasks are in progress in accordance with the accepted NOI.

Number and percent of total outfall catchments served by the MS4 evaluated using the catchment
investigation procedure:

Number of dry weather outfall investigations/screenings:

*To be started in year 3*

Number of wet weather outfall inspections/sampling events:

*To be started in year 3*

Number of illicit discharges removed: none

Estimated gallons of flow removed: none

**BMP: Employee Training**

During this period 4 employees (our cadre) were trained in MS4 inspecting, identifying and inventorying the drainage structures, inflow and outflows by Hoyle and Tanner and Associates Inc.

In addition, as a routine IDDE, materials and training, including information on how to identify illicit discharges are made available to applicable employees in accordance with IDDE plan.

**MCM4 – Construction Site Stormwater Runoff Control**

A Written site inspection and enforcement program for erosion and sediment control measures included in our town Development Regulation and referenced in the SWMP.

The Town Engineer conducts all construction site inspections and maintains inspection logs.

The following tasks are in progress in accordance with the accepted NOI.

Number of site plan reviews completed: 23

Number of inspections: 163

Number of enforcement actions: 0

**MCM5 – Post Construction Stormwater Management in New Development and Redevelopment**

**BMP: Post-Construction Ordinance (due in year 2)**

A Post-Construction Ordinance is referenced in the town’s development regulation, links and references are included in our SWMP.

**BMP: Street Design and Parking Lot Guidance Report (due in year 4)**

Deliverables will progress in accordance with the accepted NOI and is scheduled for year 4.

**BMP: Green Infrastructure Report (due in year 4)**
Deliverables will progress in accordance with the accepted NOI and is scheduled for year 4.

**BMP: List of Municipal Retrofit Opportunities (due in year 4)**

Deliverables will progress in accordance with the accepted NOI and is scheduled for year 4.

**MCM6 – Good Housekeeping and Pollution Prevention for Permittee Owned Operations**

**BMP: Parks and Open Spaces Operations and Maintenance Procedures (due year 2)**

Deliverables have been created, an SOP has been accomplished and are included in our SWMP.

**BMP: Buildings and Facilities Operations and Maintenance Procedures (due year 2)**

Deliverables are being created and will be included in our SWMP.

**BMP: Vehicles and Equipment Operations and Maintenance Procedures (due year 2)**

Deliverables are being been created and will be included in our SWMP.

**BMP: Catch Basin Cleaning Program**

A schedule for catch basin cleaning has been established with the goal of ensuring that a catch basin should not be more than 50% full. Catch basin cleanings were properly stored and disposed so that they did not discharge to receiving waters. This is detailed in the SWMP.

The following tasks are in progress in accordance with the accepted NOI.

Number of catch basins within MS4 regulated area: 1401

Number catch basins inspected in accordance with the SWMP: 1400

Number of catch basins cleaned: 50

Volume or mass of material removed: 139,000 lbs

**BMP: Street sweeping program**

A street sweeping program has been established such that all streets with curbing and/or catch basins and permittee-owned parking lots are swept in accordance with permit conditions. Street sweepings were properly stored and disposed so that they did not discharge to receiving waters.

The following tasks are in progress in accordance with the accepted NOI.

Number of (lane) miles swept: 152

Volume or mass of swept material: 217,988 lbs.
The town also policed roadside trash of high traffic town roads. Also in November the Cub Scout Pack 292 also picked up trash along many town roadways.

**BMP: Winter Road Maintenance Program**

A winter road maintenance program has been established with a goal of reducing salt usage. Salt reduction strategies have been implemented as outlined in our SOPs and SWMP.

**BMP: Stormwater Treatment Structures Inspection and Maintenance Procedures**

Hooksett continues to collect information with a goal of inventorying and formally inspecting all municipally owned BMPs. Any BMPs that are safety or flooding hazards are dealt with as needed.

**BMP: SWPPP (due year 2)**

SWPPPs were developed in year 2, consistent with the NOI and permit requirements, for the following facilities: maintenance garages, public works yards, transfer stations, and other waste handling facilities where pollutants are exposed to stormwater.

Copies are kept, and inspections as outlined in completed SWPPPs will begin in year 3.
TMDL’s and Water Quality Limited Waters

**Phosphorus**

Outfalls to these receiving waters will be ranked as high priority for the IDDE implementation in the initial outfall ranking and enhanced BMP’s have been implemented in accordance with the SWMP.

Hooksett through its participation in the Lower Merrimack Valley Stormwater Coalition and continued involvement with the NHDES led Pollutant Tracking and Accounting Program (PTAP), will satisfy the tracking and accounting requirement of the municipally owned structural BMP’s listed in Attachment 1 to Appendix H.

**Chloride**

Outfalls to these receiving waters will be ranked as high priority for the IDDE implementation in the initial outfall ranking.

Tracking of the amount of salt applied to all municipally owned and maintained surfaces, and reporting of salt use has been completed using the UNH T2 online tool, or other.

Hooksett through its participation in the Lower Merrimack Valley Stormwater Coalition and continued involvement with the NHDES-led Green Snow Pro Program are working to develop a public education regarding impacts of salt use, methods to reduce salt use on private property, and modifications to driving behavior in winter weather as listed in Attachment 1 to Appendix H.

The municipal Green Snow Pro legislation was delayed due to COVID-19, and will be revisited during the 2021 legislative session.

**Description of any changes in identified BMPs or measurable goals**

Hooksett has implemented activities in accordance with the approved Notice of Intent. All BMPs and measurable goals as outlined in the approved NOI are appropriate.

**Activities for the Next Reporting Cycle**

Hooksett will continue to implement activities in accordance with the approved Notice of Intent.

It is our intent to review and update the IDDE, SWPPP to include any requirements that need additional clarification.

We will be updating our BMP: Post-Construction Ordinance, developing SOPs for fleet maintenance, building and facilities.

We have had three supervisory personnel attend Green Snow Pro training. These individuals are scheduled to attend refresher training. We have an additional 5 scheduled to attend the Green Snow Pro training in October 2020.
STATE OF NEW HAMPSHIRE
Public Employee Labor Relations

Teamsters Local 633 of NH

And

Town of Hooksett NH

TOWN OF HOOKSETT’S EXCEPTIONS TO PROPOSED BARGAINING UNIT

NOW COMES the Town of Hooksett (Town), and takes exception to the inclusion of certain job titles in the bargaining unit proposed by Teamsters Local 633 (Union). In support of its exceptions, the Town says as follows:

1. On September 17, 2020, the Union filed a Petition for Certification for a bargaining unit containing the following positions:


2. RSA 273-A:8 (l) provides “In no case shall the board certify a bargaining unit of fewer than 10 employees with the same community of interest.” (emphasis added). The positions identified in the proposed unit do not share a community of interest. The positions listed include persons who work in the Public Works Department, Fire Department, Town Clerk’s office, Tax Collector’s office, Assessing Department, Town Planner and Town Engineer. These positions work in different physical locations under different chains of command, with distinctly different working conditions, work rules, work schedules, education requirements, skills, performance standards, duties, and responsibilities. Some of these positions are direct reports to the Town Administrator, while others report to an elected Town Clerk, who has control over many of the terms and conditions of employment for employees in the Clerk’s office. Many of these
positions have little, if any, interaction with other positions in the proposed unit. In fact, the only commonality within the proposed bargaining unit is that the employees are employed by the same employer and are covered by personnel policies applicable to all non-represented employees. This aspect of commonality is not a function of a choice made by the Town Council, but is instead imposed on the Town by operation of the Town Charter.

3. RSA 273-A:8 (II) provides that “persons exercising supervisory authority involving the significant exercise of discretion may not belong to the same bargaining unit as the employees they supervise.

4. The proposed bargaining unit includes both the position of Recycling & Transfer Department Crew Chief and the Recycling & Transfer Department Administrative Assistant. The Administrative Assistant position is a direct report to the Crew Chief. The Crew Chief exercises supervisory authority over the Administrative Assistant, including, but not limited to, general supervision, including the assignment of work; the preparation of annual performance evaluations; and the ability to discipline the Administrative Assistant (should that ever become necessary) under his own authority. As the Crew Chief exercises supervisory authority over the Administrative Assistant within the meaning of RSA 273-A:8 (II), the Administrative Assistant position must be excluded from the proposed bargaining unit.

5. The proposed bargaining unit includes both the position of Highway Division Crew Chief and Master Mechanic. The Master Mechanic position is a direct report to the Crew Chief. The Crew Chief exercises supervisory authority over the Master Mechanic, including, but not limited to, general supervision, including the assignment of work; the preparation of annual performance evaluations; and the ability to discipline the Master Mechanic (should that ever become necessary) under his own authority. As the Crew Chief exercises supervisory authority
over the Master Mechanic within the meaning of RSA 273-A:8 (II), the Master Mechanic position must be excluded from the proposed bargaining unit.

6. RSA 273-A:8 (I) provides that bargaining units must be composed of “employees.” Pursuant to RSA 273-A:1 (IX), “[p]ersons who’s duties imply a confidential relationship to the public employer” are not “employees”. As such “confidential employees” are not public employees for purposes of RSA 273-A, they may not be included in any bargaining unit.

7. The proposed bargaining unit includes the position of Public Works Department Administrative Assistant. The Administrative Assistant is a direct report to the Town’s Public Works Director. The Administrative Assistant’s work station is immediately outside the Director’s office. The Administrative Assistant’s duties include preparing the Director’s “correspondence, reports and memoranda”, as well as performing research for the Director. The Administrative Assistant has access to personnel information, including correspondence regarding the job performance of other Public Works employees in the proposed bargaining unit, correspondence with the Town Administrator and Town’s Director of Administrative Services/Human Resources Director regarding allegations of employee misconduct and the investigation of those allegations, the administration of employee discipline, and the employees’ disciplinary history. In addition, the Administrative Assistant would have access to highly confidential information regarding employee health issues relevant to the administration of disability insurance and workers’ compensation claims, and the reasons for granting or denying leave or other Town benefits. The Administrative Assistant will necessarily have access to communications between the Director and the Town Administrator and Director of Administrative Services regarding negotiations with the proposed bargaining unit, as well as the
administration of the grievance process. The Administrative Assistant plays a direct role in reviewing applications for employment and vetting potential employment candidates, which necessarily includes obtaining access to confidential employee/applicant information. The Administrative Assistant also assists the Director in processing employee separations from employment and would have access to internal management communications regarding those actions. As the Administrative Assistant enjoys a confidential relationship with the Town through her work for the Director, the Administrative Assistant is not a public employee and must be excluded from the proposed bargaining unit.

8. The proposed bargaining unit includes the position of Fire-Rescue Department Administrative Assistant. The Administrative Assistant is a direct report to the Town’s Fire Chief. The Administrative Assistant’s work station is immediately outside the Fire Chief’s office. The Administrative Assistant’s duties include preparing the Fire Chief’s “correspondence, reports and memoranda”, as well as preparing “various complex and/or routine departmental reports pertaining to personnel”, and other Fire Department activities. The Administrative Assistant attends meetings and functions of the Fire Chief’s behalf “for the purpose of gathering information and making notes of proceedings.” The Administrative Assistant maintains the Fire Departments files, including personnel records and the Fire Chief’s correspondence. The duties of the position include responsibility to “record, type and maintain data of a confidential nature pertaining to individual employee personnel actions. The Administrative Assistant has access to personnel information, including correspondence regarding the job performance of other Fire Department employees in the proposed bargaining unit, correspondence with the Town Administrator and Town’s Director of Administrative Services/Human Resources Director regarding allegations of employee misconduct and the
investigation of those allegations, the administration of employee discipline, and the employees' disciplinary history. In addition, the Administrative Assistant would have access to highly confidential information regarding employee health issues relevant to the administration of disability insurance and workers' compensation claims, and the reasons for granting or denying leave or other Town benefits. The Administrative Assistant will necessarily have access to communications between the Director and the Town Administrator and Director of Administrative Services regarding negotiations with the proposed bargaining unit, as well as the administration of the grievance process. The Administrative Assistant assists the Fire Chief in preparing the departmental budget. Importantly, the Administrative Assistant answers questions from other employees regarding the application of departmental policies, rules and regulations. As the Administrative Assistant enjoys a confidential relationship with the Town through her work for the Fire Chief, the Administrative Assistant is not a public employee and must be excluded from the proposed bargaining unit.

9. RSA 273-A:8 (II) provides that “The board may certify a bargaining unit composed of professional and non-professional employees only if both the professional and non-professional employees, voting separately, vote to join the proposed bargaining unit.”

10. The proposed bargaining unit includes the position of Town Engineer. The job description for the Town Engineer requires the employee to hold a Professional Engineer (P.E.) license. The Town Engineer position can only be included in the bargaining unit if the election is conducted in accordance with the separate vote requirements set forth in RSA 273-A:8 (II).
Respectfully submitted,

TOWN OF HOOKSETT

By Its Attorneys,

DRUMMOND WOODSUM & MACMAHON P.A.

Dated: September 22, 2020

By: ____________________________________________

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Town of Hooksett’s Exceptions to Proposed Bargaining Unit has been forwarded electronically to James Petrillo, Field Representative for Teamsters Local 633.

Dated: September 22, 2020

By: ____________________________________________

Mark T. Broth, Esquire