

**TOWN COUNCIL MINUTES
SEPTEMBER 10, 2003**

Present: Chairman M. DiBitetto, D. Belanger (arrived 6:35pm), P. Fitanides, M. Jolin, G. Longfellow, M. Ruel, P. Rueppel, D. St. Pierre. Acting Town Administrator: P. Loiselle.

Chairman DiBitetto opened the meeting at 6:30pm.

APPROVAL OF MINUTES:

August 27, 2003: P. Rueppel moved to accept the July 16, 2003 minutes as amended. Seconded by P. Loiselle. **Motion carried.** D. St. Pierre abstained because he was on vacation.

AGENDA OVERVIEW:

Chairman DiBitetto stated there would be a nonpublic session at the end of the meeting for litigation that has been threatened.

PUBLIC INPUT:

ADOPT A BOOK PROGRAM:

Joanne McHugh, School Board Representative, stated that per her presentation this past July she asked what the status was with the Adopt A Book Program for the library at the new David R. Cawley Middle School.

Chairman DiBitetto stated that he would take some applications from her and see that the Councilors receive them. He asked until what date would you be accepting the applications back.

J. McHugh stated she would accept donations until October 18, 2003, that is the date of the opening ceremony of the new middle school.

SPELL CHECK ON TOWN COMPUTER:

D. Paquette, 154 Merrimack St., Hooksett, stated the spell check needs to be updated or something in the program has not been turned on. The grammar part of the program may not be turned on, or it may be that there is only a word spell check and not grammar spell check on the system. Whatever the situation is the program is not catching the spelling issues. He volunteered to check the version of the spell check, as it seems outdated.

HACKETT HILL - TIMBER CUTTING:

Tom Duval, 343 Hackett Hill Road, stated he would like to know what is going on with the timber cutting on the 15 acres on Hackett Hill Road.

P. Loiselle stated he is waiting for a packet containing the Town's recent perambulation work that he will bring to a surveyor to help facilitate the boundary line survey. In the interim the developer has come to the Highway Department requesting a curb cut application. It will take some time until the surveyor can go out there to locate where our Town line is. It's not clear if the Town line abuts the road or if it's 100 feet in.

Tom Duval stated that trees have been cut, stumpage has been done, and foundations will be done soon. He asked if there is anything that can be done to prevent them from going any further until the result comes in for the location of the Town line.

P. Loiselle stated that a few land markers have not been identified but that D. Pichette-Volk, who has recently worked on the Town's Perambulation Subcommittee, feels there is enough information for a surveyor to complete the work. The intent is to have the surveying done as soon as possible and notify the contractor.

T. Duval asked if the trees that were removed would be replaced if the company were in the wrong for taking them down; could they be charged for the stumpage.

P. Loiselle stated the developer could be told to reinstate the property if the boundary is found to be on Hooksett land.

Chairman DiBitto stated that a request has been made for a copy of what they filed for timber tax with Manchester so that the Town will have a record of the lumber that was cut that could be reestablished if the land is found to be on Hooksett property.

P. Loiselle has requested that the Highway Department not to sign off on the permit until the boundary situation has been resolved.

M. Ruel asked what steps have been done to notify the developer. She feels that a letter should be sent to stop all work in the area of question and anything on Hooksett property until the boundaries have been established. The developer should be notified now that there is a potential issue and that the area is in question, don't wait until they are all done.

Chairman DiBitto believes there are some legal implications in writing such a letter because at this time we don't have definitive information that the boundary is incorrect.

M. Ruel moved to send letter to the current developer stating they are in an area that is under investigation by the Hooksett Town Perambulation Committee and that the area they are doing work on is in question as to whether it's in Hooksett or Manchester. They should contact Hooksett's Acting Town Administrator to get further information before any further work is done. Seconded by G. Longfellow.

Roll call vote.

D. Belanger	yes	M. Ruel	yes
P. Fitanides	yes	P. Rueppel	yes
M. Jolin	no	D. St. Pierre	no
P. Loiselle	yes	M. DiBitto	no
G. Longfellow	yes		

Motion carried.

D. St. Pierre stated that the proof lies on the opposing side to show where the true boundary lies.

M. Ruel stated that she made her motion based on information received from the Hooksett Perambulation Committee that indicates that the Committee feels that the boundary is not correct, the Committee is working with Manchester and they were working on an agreement to hire a surveyor to verify the information. If the information is verified then she believes the activities are occurring in Hooksett.

D. St. Pierre asked if the Town of Hooksett would be held harmless if the Town is wrong and it cost the developers thousands of dollars.

P. Loiselle stated we are not asking them to cease and desist.

M. Ruel stated we would not be asking them to stop just to make them aware of the situation.

Chairman DiBitto asked if the developers ever came to Hooksett with a proposed plan to review the development.

Charles Watson, Town Planner, stated that representatives from C. W. Waterford came to the Planning Board for discussion purposes only, and Hooksett was invited to Manchester's Planning Board meeting when C. W. Waterford was presenting their plan.

SCHEDULED APPOINTMENTS:

PALAZZI CORPORATION PRESENTATION.

Steve Keach and Jennifer McCork of Keach – Nordstrom Associates gave a presentation on the Palazzi property. S. Keach met with the NH State Senate, Charles Watson, Senator Ted Gatsas and Senator Jack Barnes. Senator Gatsas requested that they meet with Hooksett's Town Council to discuss the Palazzi property off Hackett Hill Road. When Hackett Hill was realigned during the construction of I-93, part of Hackett Hill became a limited access right-of-way; the State purchased the rights of way access from the property owner at that time. When Palazzi developed the property they had created two driveways that are no longer in existence. The reason for the interest in the property is that his clients are contemplating proposing a hotel, a convention center, and gallery for made in NH products. The developer's intention is to gain access through the present Palazzi driveway. The Department of Transportation (DOT) allowed the temporary access in 1977 for construction vehicles and trucks, as a matter for safety. It was an exception made to allow access over a limited

access right-of-way by the DOT in 1977. It does not continue with the sale or transfer of the property. If the Town endorses this right-of-way then Senators Gatsas and Barnes would be willing to go to Commissioner Carol Murray, at the Department of Transportation, for the right-of-way. S. Keach displayed a map explaining how it would be used for commercial use and that access to I-93 would play a vital role for the viability and sustainability for a hotel, convention center and the gallery for NH products.

Chair DiBietto read a letter from the State of New Hampshire dated July 28, 2000 that states, in response to your request of July 21, 2000 for background related to limited access right-of-way bordering a portion of the Palazzi Corporation property adjacent to Hackett Hill Road in Hooksett, that during the construction of the Everett Turnpike the State purchased the access rights to the Palazzi property. Chairman DiBietto asked S. Keach if his client is looking to purchase back those rights.

Steve Keach stated that he doesn't think there would be any opposition to compensation in obtaining the right-of-way if that's what the DOT required. The intent here is to get a foot in the door with the Senators speaking to the DOT on the importance of this issue.

Ms. Dagmar Arruda, 19 Maple Street, stated that this is a high traffic area and she asked how would that affect the traffic on Route 3A getting in and out of Hackett Hill Road.

Richard Marshall, Planning Board member, stated he has never seen the DOT break a limited access right of way for a private developer; they have done it for use as a Class V highway. He asked if that is the intent here.

S. Keach stated yes, that is the intent. They are planning to have the Class V road intersect with Hackett Hill Road at or about the current Palazzi entrance, carry it through the property and lose grade and come down across where the ice area is.

R. Marshall stated he wants Council to realize that the road will have to be a Class V road or the State will not break the limited access. One must keep in mind that anything that infuses around \$25 million is good for the Town however at this time the interchange is ill prepared to handle this kind of traffic and would need to be looked at closely. Concept wise you will not get any debate from the Planning Board but they really need to examine the situation.

David Hess stated he spoke to Ken Andrews and Charles Watson about the concept for access off of Hackett Hill Road. The terms of the concept idea need to be emphasized if we want to go to the DOT Commissioner Carol Murray to break limited access of the road to make it possible. It is important to note, as member of the Master Plan Committee and it's Land Use Subcommittee, the area from Hackett Hill to Cross Road is looked at as prime land because it's a nodule around the interstate. If you don't have access off Hackett Hill Road that parcel's value drops as there is no good access from Route 3A. He is ready, willing and available to speak with Carol Murray or anyone else about getting the covenant on that limited access waived or reconsidered.

Council consensus was that they are in support of the concept of creating a Class V roadway **accessing from Hackett Hill Road.**

M. Ruel moved to send a letter to Senator Gatsas that the Town Council and the Planning Board supports it's efforts to change the limited access to allow for a Class V road based on the concept as presented. Seconded by G. Longfellow.

Roll call vote.

P. Fitanides	no	P. Rueppel	yes
M. Jolin	yes	D. St. Pierre	yes
P. Loiselle	yes	D. Belanger	yes
G. Longfellow	yes	M. DiBietto	yes
M. Ruel	yes		

Motion carried.

COMMUNITY DEVELOPMENT ECONOMIC DEVELOPMENT CORPORATION.

Dawn Stanhope stated the contract between the Town of Hooksett and the CEDCOH has been revised and page three, item number four indicates the amount CEDCOH would be paying and point number five indicates what the Town of Hooksett would be paying. Page five gives the breakdown of how the total amount would be spent.

M. Jolin moved to approve the contract, between CEDCOH and the Town of Hooksett, for contract services to help organize, conduct, and report on a Planning Charrette for the Village Area of Hooksett as presented.

Seconded by D. St. Pierre.

Roll call vote.

M. Jolin	yes	D. St. Pierre	yes
P. Loiselle	yes	D. Belanger	yes
G. Longfellow	yes	P. Fitanides	no
M. Ruel	yes	M. DiBitetto	yes
P. Rueppel	yes		

Motion carried.

P. Loiselle moved that the Council Chairman be authorized to sign the agreement, between CEDCOH and the Town of Hooksett, for contract services to help organize, conduct, and report on a Planning Charrette for the Village Area of Hooksett, NH, as presented on September 10, 2003. Seconded by D. Belanger.

Roll call vote.

M. Jolin	yes	D. St. Pierre	yes
P. Loiselle	yes	D. Belanger	yes
G. Longfellow	yes	P. Fitanides	no
M. Ruel	yes	M. DiBitetto	yes
P. Rueppel	yes		

Motion carried.

KEMP HOLT - REVIEW PACKER BIDS.

K. Holt stated that he recommends an equipment purchase for the packer truck chassis and packer body to be the Peterbilt chassis and the McNeilus 25 yard packer body. The Peterbilt is a 330 series and was a top candidate that came in with the lowest bid. They are presently running a Peterbilt packer and are pleased with the unit. The McNeilus packer was a top candidate and was also the lowest bid. The McNeilus packer has been recommended by the City of Manchester and Pinard Waste, they have been pleased with the maintenance and the additional safety features that are standard for the employees on the back. This 25-yard packer body is five yards smaller than the present unit. The maintenance department agreed that the smaller unit would be better for the smaller, older developments in Town that need a better turning radius. The equipment offers many features, Manchester bought three of their packers and other towns have been pleased with them. They received a total of six bids and they narrowed it down to the three best to choose from.

P. Loiselle asked with the Peterbilt and the packer body would there be any issues in the mobile home parks concerning maneuverability.

K. Holt stated one of the reason they chose this vehicle was because it is slightly smaller than the present unit and has a better turning radius to maneuver in the mobile home parks. It also has high-density pistons, pusher blades, and includes two-way radios.

G. Longfellow stated the Heavy Equipment Committee was involved in this as well.

Diane stated the funds come from Article 12. She received three bank quotes and recommended the 4.36% lease, which is \$ 23,719 per year; one payment upon delivery of vehicle and one payment per year would be made for five years.

D. Duford stated as a Budget Committee Member he would like to ask if we are committed to a five year lease or could it be voted at the next town meeting to pay the whole thing off to get out of paying interest charges, is there a prepayment penalty and if so how much would it be.

D. Savoie did not ask the finance company if there would be a prepayment penalty.

P. Fitanides asked what is the total interest charged for the entire package and was there a trade in.

D. Savoie stated there was no trade in. The total interest is \$ 9,000 for the 5-year lease.

P. Fitanides asked what's wrong with buying this packer outright; it's not that much money.

M. Jolin stated the warrant article set it up as a 5-year lease.

M. Ruel moved to approve the 5-year lease of a Peterbilt packer chassis and McNeilus 25 yard packer body and the Peterbilt lease finance package. Peterbilt price of \$66,976, the McNeilus price of \$43,000 and Peterbilt financing at 4.36%, for \$23,719.08 per year for a total cost of \$118,595. Seconded by D. St. Pierre. **Motion carried unanimously.**

Chairman DiBitetto stated that this would not need to be on the warrant next year, it would become a budget item that would show it as a lease payment, however, a motion could come up in the future to prepay it in one lump sum.

P. Fitanides asked if this price is firmly set. We still have a garbage truck that is on it's last leg, despite that, could the company selling us the new truck take the old one in trade to help lower the price before it's paid for or does the Council have any ideas on how the old truck will be disposed of.

Chairman DiBitetto stated the bids couldn't be changed; it would have to go back out to bid because not everyone would offer the same trade in value.

K. Holt stated they are planning to put the old packer out to bid for someone to buy. The companies that bid on the new equipment do not want the old packer.

Pat O'Leary stated that you might want to amend the motion to use a bank that does not call for a prepayment penalty, that would give you the option for next year in doing another warrant article.

Chair DiBitetto stated we couldn't sign any contract that doesn't have an exit clause in it.

D. Savoie stated that the procedure is that a lease is not signed until she reviews it with the Town's attorney because it is the attorney who is able to talk to the finance institution to get them to make changes into the appropriate language that is fitting for the Town. There is an exit clause.

NOMINATIONS:

HERITAGE COMMISSION.

Chairman DiBitetto stated the following:

Carolyn Schroeder, for full member, fill-in, exp. 6/2006.

Sharron Champagne, for alternate member, fill-in, exp. 6/2006

SOLID WASTE MANAGEMENT ADVISORY BOARD.

Chairman DiBitetto stated the following:

John Brock to move up from alternate to full member, fill-in, exp. 6/2006.

D. St. Pierre moved to appoint the slate of officers as presented. Seconded by G. Longfellow. **Motion carried unanimously.**

P. Rueppel nominated Judy Casey to the Solid Waste Management Advisory Board, alternate, exp. 6/2006.

OLD BUSINESS:

SOLID WASTE TRASH COLLECTION POLICY.

P. Loiselle stated there are issues relevant to solid waste trash collection for reimbursing condo associations at \$45 per ton equaling \$ \$18,000 - \$20,000 per year and other condo associations wanted to address the entire procedure of trash collection. He and the Solid Waste Department are striving to make the collection fair for all involved; all condos would be reimbursed at 31pounds per week, per household, and the current rate is \$65 per ton soon to be \$68 per ton. The policy would be for every resident, homeowner, condo association; mobile park to have their trash collected or would be reimbursed on a fair basis. The impact or additional expense to the Town will be approximately \$40, 000 - 45,000 per year. He proposes putting this into effect for January 1, 2004 with a semiannual reimbursement review on costs.

M. Ruel move to take paragraph #4 and move it to the last sentence in paragraph #3 because both paragraphs relate to condos. The word reimbursement doesn't seem exactly right; perhaps the words "reimbursement at these rates will be made semiannually" would be better.

M. Jolin stated the Town would reimburse each association for a portion of their tipping costs.

Chairman DiBitetto stated the third paragraph to read as follows:

Condominiums will be required to provide for the collection and disposal of domestic trash within their communities. The Town will reimburse tonnage at a maximum of 31 pounds per unit, per week, at the rate of \$65/ton (adjusted annually at the then current Town rate). Move up the 4th paragraph to last sentence of the third paragraph to read "Paid semiannually upon submission and verification of paid invoices by association."

M. Ruel moved to accept the Transfer Station Solid Waste Collection Policy as amended to be effective on January 1, 2004. Seconded by P. Rueppel. **Motion carried unanimously.**

Chairman DiBitetto requested that a final version of the Policy be attached to these minutes. **(Attachment #1)**

D. St. Pierre stated that he hopes that this is a funded policy; he doesn't want to set a policy without the funds being there.

D. Boyce stated that she feels comfortable with the funding situation.

K. Holt asked what is the situation with a waiver for private roads.

Chairman DiBitetto stated it's in the policy.

P. Loiselle stated that he has requested that the Town's attorney draw up a waiver.

Chairman DiBitetto stated there would be a uniform waiver for any damage caused by the Town's trucks while on private ways.

M. Ruel stated she has a concern for the Town to not be held liable for damage on private roads.

P. Loiselle stated the Town's attorney would review the liability issue.

COUNCIL RULES – REPORT OF THE SUBCOMMITTEE.

Chairman DiBitetto presented a written report of additions and changes to the Council Rules as discussed by the Rules Subcommittee on August 14, 2003. **(Attachment #2)**

M. Ruel stated the members of the subcommittee are G. Longfellow, D. St. Pierre, M. DiBitetto and herself.

P. Fitanides asked is there a book in the Town Hall building that has a set of rules that subcommittees must follow.

Chairman DiBitetto stated that generally we apply the Town Council rules to the subcommittees but they do not need to post meetings and cannot conduct meetings for the Town Council. There is no formal draft and maybe that's something that should be done.

M. Ruel stated on the public input section, to be so specific on a person speaking no more than five minutes and no more than twice in a meeting is too restrictive. Some issues may not need to be referred to a department head; a councilor or an individual may follow up on some issues therefore, sending the issue to the department head also seems too restrictive. If an issue is brought up and further discussion is needed maybe it should be put on the next agenda and allowed the appropriate time to be discussed. She feels the proposed section of public input is too limiting.

D. St. Pierre stated that at Manchester's City Councilor meeting they have a set of red and green lights for speaking time. One must not deny access but restrict time; remember Hooksett's population is almost 13,000 and growing.

M. Jolin stated it's mainly a guideline for the Chairman, for he has control of the meeting.

P. Rueppel stated let the public speak or put it on the next agenda if it needs further discussion or is turning out to be a lengthy discussion.

D. St. Pierre moved to adopt the changes to the Council Rules. Seconded by P. Loiselle.

Roll call vote.

M. Ruel	no	M. Jolin	yes
P. Rueppel	yes	P. Loiselle	yes
D. St. Pierre	yes	G. Longfellow	yes
D. Belanger	yes	M. DiBitetto	yes
P. Fitanides	yes		

Motion carried.

TOWN ADMINISTRATOR SEARCH UPDATE.

M. Ruel stated that approximately 80 applications were reviewed and 14 were selected via half hour phone call with each candidate. From that, eight candidates were selected to attend the assessment center on Sunday September 21st. The assessment will take place at Town Hall and will last all day, that evening there will be at Town Council dinner with the candidates. Monday the candidates will meet the Department Heads in their own setting for a question and answer session. Some candidates are out of the area and there would be a cost to the Town for hotels, meals and some travel in the amount of approximately \$5,000. She would like a general consensus from the Town Council on spending \$5,000 and would like to do one billing at end of the process.

M. Ruel stated we approved \$7,000 so far. Priority was given to local candidates however one is from New York, one is from Pennsylvania and one is from Arkansas.

P. Loiselle stated we are up to \$10,000 with Jacques and the \$5,000 would be an additional cost.

M. Ruel stated that six candidates will be here on 9/21/03 and there are three issues to deal with. One is that three candidates are from out of state and \$5,000 would be needed for their travel, hotel and food. The second issue is to do a one-time billing and the third issue is that everyone must be available on September 21st.

Chairman DiBitetto asked if a meeting would be needed for Council to set up some criteria for what they would be looking for in a Town Administrator. It was his recollection that Jacques Personnel was going to poll each Councilor and get a profile of what they would be looking for in a Town Administrator before trimming down the list. He was expecting a subcommittee meeting or a questionnaire be given to the Councilors to help set up this criteria. It seems that perhaps the consultant has a view of what the Council is looking for and he will tell them who they should be looking at.

M. Ruel stated that's not how the process has been working. During the first subcommittee meeting there were several Councilors there that provided information on what they were looking for. Initially she thought that time would allow for the consultant to meet with each Councilor and to meet with the Council as a whole to get all that feedback. What the committee has found is that the more feedback given to the consultant the issues are the same; the same feedback is coming up to the top. In moving this quickly with such a short time table, in no way did the consultant say this is what you need. He said things like, based on what I've heard this what I think you are looking for and is this what you are looking for. He has always given them the control and in no way did the consultant control the process. The feeling was that the decision of who would be the finalist was always up to the Council.

Chairman DiBitetto stated the logistics of the meeting would be worked out as for whether to post or not post the meeting for September 15th.

M. Jolin suggested that all Councilors receive a copy of the resumes of the eight candidates that will be attending the Assessment Center.

M. Ruel stated that there would be a meeting on Monday September 15th and the first half hour would be for review of the eight candidates and then discuss the assessment center procedure. It is critical that the entire Council be available for the entire day on Sunday, September 21, 2003.

D. Belanger thanked the subcommittee for their time and all their hard work so that the entire Council did not have to be involved. Their recommendations should be reviewed. Spending \$5,000 for travel money, to get candidates here who are viewed by the subcommittee as the best choices, leading up to the one candidate who will lead this town for three years, is money well spent.

OLD BUSINESS:

RE-CLASSIFICATION: ADMINISTRATIVE ASSISTANT-TO-ASSISTANT TOWN PLANNER.

Chairman DiBitetto stated we currently have a position of Administrative Assistant and want to reclassify the position to Assistant Town Planner.

M. Ruel stated she has concerns with creating a new position. She would prefer to reclassify a position because the same person will be in the reclassified position. Then it won't need to be posted.

P. Fitanides stated the position of Administrative Assistant should be left alone. He would like to see a comparative analysis on wages for the Town Planner, the Administrative Assistant and the Assistant Town Planner.

D. Belanger stated he has no problem reclassifying the old position as long as the old position is gone.

D. St. Pierre moved to reclassify the Planning Department's Administrative Assistant to Assistant Town Planner therefore the Administrative Assistant position will no longer exist. Seconded by P. Rueppel.

Roll call vote.

D. Belanger	yes	M. Ruel	yes
P. Fitanides	no	P. Rueppel	yes
M. Jolin	yes	D. St. Pierre	yes
P. Loiselle	yes	M. DiBitetto	yes
G. Longfellow	yes	<u>Motion carried.</u>	

BUDGET GOALS, COUNCIL GOALS AND OBJECTIVE WORKSHOP.

Chairman DiBitetto stated he would like to have a workshop at the next Council meeting to discuss 2004/1005 budget goals.

M. Ruel stated that Diane Savoie, Finance Director, has done some preliminary work and presented it at the last meeting and it is a good plan to move forward with. She asked if there is any direction that Council would like to give the Department Heads that would be helpful.

Chairman DiBitetto stated we spoke of having a joint CIP meeting to review criteria.

D. St. Pierre stated he is on the CIP committee and would like to have such a meeting. There is no expectation for any decisions at this meeting but to give some thought into these goals for the next meeting.

Chairman DiBitetto stated he would coordinate with the Budget Chairman to meet for about 2-3 hours for CIP on the fourth Thursday of this month.

D. Savoie stated she would contact the library for the third for fourth Thursday of this month for a joint meeting.

ACTING TOWN ADMINISTRATOR'S REPORT: P. Loiselle stated that –

1. Chief Howard has resigned, ***to retire***, and his last day will be September 30, 2003. Search for a new Fire Chief will start tomorrow at the Fire Academy in Concord.

NEW BUSINESS:

NOISE ORDINANCE:

D. St. Pierre would like to discuss the Town's noise ordinance. Please review the paperwork he recently sent so that it can be on future agenda. He will need advanced notice as to when it will be on the agenda, so that he can arrange to have a police prosecutor and a member of code enforcement present at the meeting.

Chairman DiBitetto stated the noise ordinance would be on the agenda for the next Council meeting on September 24th.

P. Fitanides requested that Police Chief Agrafiotis be present for that meeting.

D. St. Pierre stated that the Police Prosecutor is the liaison for the Police Department and reports directly to the Police Chief.

P. Fitanides stated he understands that but he would like the Police Chief to be present for this discussion.

TOWN CHARTER SUBCOMMITTEE:

Chairman DiBietto asked if a Charter Subcommittee should be reconvened to clear up the charter inconsistencies. It would require that the subcommittee review it and bring it up to date.

G. Longfellow stated that he feels the Charter Subcommittee should consist of three citizens and two Town Council members.

Chairman DiBietto stated that the Charter subcommittee would be an advisory committee to the Council and then the Council would then have to vote on the recommendations. At the next Council meeting we will discuss if a subcommittee should be formed and take nominations for members of that subcommittee.

PUBLIC INPUT:

Chairman DiBietto stated in the interest of starting the Nonpublic Session on time that Public Input would be limited to P. Fitanides reading a letter he received, and he has three minutes of floor time to do so.

P. Fitanides stated he received a letter from Vincent Lembo and the sender requested that it be opened and read in its entirety to the Town Council. Copies were made at the meeting for each Councilor.

P. Fitanides read the letter into the record. (Attachment #3).

Chairman DiBietto stated that the Council now needed to enter nonpublic session.

NONPUBLIC SESSION:

D. St. Pierre moved at 9:22pm to enter into nonpublic session under RSA 91-A:3,II,(e) "Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled." Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

P. Loiselle moved at 9:45pm to exit nonpublic session. Motion seconded by M. Jolin. **Motion carried unanimously.**

The Council announced that it had voted to divulge a portion of the June 11, 2003 minutes relating to the Burke property on Cate Road and hiring a replacement for the Town Administrator.

Chairman DiBietto adjourned the meeting at 9:45pm.

Respectfully submitted,

Tina M. Paquette
Administrative Assistant

Mary A. Ruel
Secretary