

**TOWN COUNCIL MEETING MINUTES**  
**Wednesday, July 10, 2013**

**CALL TO ORDER**

Dr. Shankle called the meeting to order at 6:30 pm.

**ROLL CALL – ATTENDANCE**

Dr. Dean E. Shankle, Jr. (Town Administrator), James Sullivan, Nancy Comai, Donald Winterton, David Ross, James Levesque, Todd Lizotte, Susan Lovas Orr (arrived at 8:02 pm), Robert Duhaime, and Leslie Boswak

**PLEDGE OF ALLEGIANCE**

**CALL FOR NOMINATIONS:**

a. Chair

***J. Levesque motioned to nominate J. Sullivan as Chairman. Seconded by T. Lizotte. Vote unanimously in favor.***

b. Vice Chair

***D. Ross motioned to nominate Leslie Boswak as Vice Chair. Seconded by J. Levesque. T. Lizotte motioned to nominate Nancy Comai as Vice Chair. Seconded by J. Sullivan.***

T. Lizotte: I would like to hear why they are interested in the position.

N. Comai: I contribute to the team effort of the council and am willing to be here early; I'm prepared for what is discussed and to lead future discussions; and I believe it is the right thing to do.

L. Boswak: I was not aware I was going to be nominated; I am honored. I have not given it any thought, but I would serve if the council so wishes.

As I discussed at the last meeting, the need for us to be role models and work toward building communication and fostering positive relationships and maintaining a positive, respectful atmosphere here. That is what I would do as Vice Chair.

**Roll Call**

**T. Lizotte – N. Comai**

**J. Levesque – L. Boswak**

**D. Winterton – L. Boswak**

**D. Ross – L. Boswak**

**J. Sullivan – N. Comai**

**N. Comai – N. Comai**

**S. Lovas Orr - Absent**

**L. Boswak – L. Boswak**

**R. Duhaime - Abstained**

***Vote in favor of Leslie Boswak, 4-3.***

c. Secretary

***J. Levesque motioned to nominate R. Duhaime as Secretary. Seconded by L. Boswak. Vote unanimously in favor***

d. Recognition of former councilors

Former Councilor Downer and Former Councilor Lembo were not able to attend.

**APPROVAL OF MINUTES – June 26, 2013**

a. Public 06/26/13 minutes

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

***D. Ross and D. Winterton abstained from vote.***

b. Non-public 06/26/13 minutes (were not sealed)

***J. Levesque motioned to approve non-public minutes. Seconded by T. Lizotte***

***Vote unanimously in favor.***

***N. Comai, D. Winterton, and D. Ross abstained from vote.***

### **AGENDA OVERVIEW**

Chair Sullivan provided an overview of tonight's agenda.

### **CONSENT AGENDA**

None

### **TOWN ADMINISTRATOR'S REPORT**

- On vacation most of last week (July 1 – 5)
- Mike Horne sent email to Leo Lessard of DPW - Head's Trail Pond parking lot; all the work done last winter is working very well (water diversion)
- No second Town Council meeting in July; possibly schedule July 24 as a workshop to discuss community initiative, town survey, new council member orientation packet.
- ISO insurance rates – 2 water precincts Central and Village are both independent government entities. ISO sets ratings to determine insurance rates. Last done in late 90's; at that time our rating was 4 (within 1000 ft of hydrant), and any other distance was a 9. This time (May 2012) there was some confusion between water districts and ISO. ISO said they were not getting info they needed. The Chief was talking to people and I was talking to people. Attorneys for the district gave them everything they asked for. Letter dated November 26, 2012 to take effect 3/1/13 determined the following water systems did not meet minimum requirements for recognition: Hooksett Village and Central Hooksett Water are not recognized. We are 8b instead of 9 (improvement), which is a fairly new classification for towns that didn't have water hydrants but still had protection through fire department (equip and training). Based on our fire department we have the best rating we can have for areas not within 1000 ft of a hydrant. Everyone in those 2 districts became rated 8b from previously being a 4. For any residents renewing insurance policies after 3/1/13, they may have an increased insurance rate. ISO letter (5/30/13) reiterates 4 and 8b ratings; the difference is they did not say the 2 water districts were not recognized as now they will be recognized, effective 10/1/13. For any resident renewing 3/1/13 – 10/1/13 the rates may be higher depending on their insurance company. If letters from water districts discuss rating error, some companies may accept them and adjust rates. I have informed both water districts of my discussion with the insurance company and suggested they consider sending letters to customers so they can send to their insurance companies. Hopefully they will send letters and the insurance companies will honor those. I don't know what else we can do.

R. Duhaime: Can we follow up with water districts to make sure they send the letters?

Dr. Shankle: They are a separate government entity so I can't tell them what to do. I can ask them.

R. Duhaime: Can we send a letter stating Town Council would appreciate you helping the Town Administrator in solving this issue?

D. Ross: There should be no Town Council involvement; it is between rate payer and water supplier – they are the customer. It's not the council's job to micromanage...it doesn't involve us.

J. Sullivan: What portion of town is not covered by either water entity? If most of the town is affected, I think the council should get involved.

Dr. Shankle: South Hooksett is provided by Manchester Water Works.

R. Duhaime: I am in the Village water precinct but I have a well; it will still affect my insurance.

Deputy Hoisington: South of Mammoth Rd is Manchester water; exit 10 to north end of town is part of Manchester water. Village break is around Memorial School, Memorial Dr. Fire department supplied what they could to ISO.

T. Lizotte: I agree with Mr. Duhaime; I would rather not wait for a letter from the water precincts – we should be proactive on this.

R. Duhaime: No one on water commission is elected so residents will contact us as elected officials to do something about this.

***R. Duhaime motioned to send a letter from Council to the water precincts. Seconded by T. Lizotte. Vote unanimously in favor.***

L. Boswak: For clarification, each water precinct is a separate form of government entity with their own elections; even if you are not a rate payer, you can still attend elections. There is a process of electing reps for water commission.

D. Ross: What will the letter say?

R. Duhaime: Authorizing Dr. Shankle to act as an agent of Town Council to ask them to send letters to customers in response to ISO audits.

Dr. Shankle: They are referring questions to their attorney so I will send a letter to their attorney stating Council would like to see this happen and wondering if it is going to.

### **PUBLIC INPUT**

#### **Dave Dixon, 15 Autumn Run:**

Former Town Council member, current president of Hooksett Kiwanis club

Expressed appreciation from Kiwanis Club on cooperation from the town; everything is running smoothly. We enjoy our partnership.

#### **Sue Wylie, 3 Morningside Dr:**

Hooksett Kiwanis treasurer and chair of 5k race

This year's 5k race is taking place on 9/21 at 8:30 am to coordinate with Old Home Days. It will be the same course as last year. We have received approval from property owners to park in various lots. Waiting for town of Hooksett and Manchester Sand and Gravel approval. We would like to request help from town – police, medics, traffic cones, trash, and use of Head's Pond Trail due to the conservation easement. We have been given certificate of insurance to protect town.

***L. Boswak motioned to support Kiwanis 5k race. Seconded by T. Lizotte. Vote unanimously in favor.***

#### **Michael Sorel, 54 Cross Rd:**

Attended ZBA meeting last night; wanted to offer my congratulations to the councilors and thank you for your service to the community. We appreciate your service; congratulations to the newly re-elected chair and newly elected vice chair.

A couple years ago I spoke and commented on the condition of the lawns at public buildings (safety center, library, town hall); they all now have great lawns. Thank you and congratulations to responding to that. Veterans drive situation – led by Kathie Northrup. What a homerun for community. Parks and Rec is mowing the embankment to the ramp regularly. Sen. Boutin is responsible for exits 9 and 10 being mowed. Thanks and congratulations to him. These roads are the gateway to our community. The intersection of Mammoth and Hooksett roads is controlled by state of NH, and the condition is deplorable. East side of Hooksett Road hasn't been mowed this year, trash has not been removed, and they have not swept the winter sand that has accumulated on curbs. I would hope if this is your district, you would ring a bell with the state to get it cleaned up.

Village center - studies on what is going to happen in the future. Where we are in the community is the hook in the river – that is where the name came from. Many buildings are traditional and colonial, brick...Robie's, Old Town Hall, Robie residence, Prescott Library. First impressions are long lasting so there is a great deal to be looked at. If the council would care to brick face fire station in the village, it would match the other buildings. It will cost money but it can be done in a cost effective way. The current facing does not match the rest of the village. Can we find some money somewhere?

**Tom Praisol, 27 Crawford Lane**

Member of Planning Board and Chair of Parks and Rec Advisory Board

I would like to offer my support if Councilor Winterton is nominated to be council rep on Planning Board I think Councilor Duhaime would be good to take former Councilor Downer's spot as Town Council representative to the Parks and Rec Advisory Board.

**NOMINATIONS AND APPOINTMENTS**

- a. Appointment of Councilors to Boards and Committees
  - i. Board of assessors – 5 members needed
    - J. Levesque will remain
    - T. Lizotte will remain
    - N. Comai will remain
    - D. Ross will join
    - S. Orr will remain
  - ii. Budget committee
    - T. Lizotte will remain; N. Comai will remain as alternate
  - iii. Conservation Commission
    - T. Lizotte is willing to remain on committee
    - D. Ross has previously served on commission – would like to express interest in serving on this commission
    - T. Lizotte: I have 2 positions but would be willing to relinquish to a new member. I could be alternate.
    - D. Ross will serve and T. Lizotte will serve as alternate.
  - iv. Economic Development Advisory Committee
    - L. Boswak to remain
  - v. Heritage Commission
    - J. Sullivan to remain
  - vi. Parks and Rec Advisory Board – currently vacant
    - R. Duhaime: I would like to nominate Don; I could be on the Planning Board for a year and then relinquish to Don. I would abstain from Parks and Rec.
    - N. Comai will serve on the Parks and Rec Advisory Board
  - vii. Planning Board
    - D. Winterton volunteered to serve; I have been an asset and would like to continue
    - R. Duhaime volunteered to serve; I have been on and off the board for 10 years. I was vice chair when I was on the board.

**Roll Call**

**T. Lizotte – D. Winterton**

**J. Levesque – D. Winterton**

**D. Winterton – D. Winterton**

**D. Ross – D. Winterton**

**J. Sullivan – D. Winterton**

**N. Comai – R. Duhaime**

**S. Lovas Orr - Absent**

**L. Boswak – D. Winterton**

**R. Duhaime – R. Duhaime**

***Vote in favor of D. Winterton, 6-2.***

D. Winterton: Would it be appropriate to have an alternate since the board is small in size? There would only be 6 members if I could not attend. Practice of the Planning Board that alternates participate in discussions but not vote. I would be fine having an alternate attend every meeting.

J. Sullivan: If Mr. Winterton can't attend, that could impact attendance.

T. Lizotte: If it is within the ability of charter, it might be a good idea going forward since we have lost some members.

D. Ross: It is a critical operation, and I would make a motion to nominate Mr. Duhaime as alternate.

R. Duhaime appointed as alternate if D. Winterton cannot attend.

J. Sullivan: Future councilors should appoint an alternate as well.

- viii. Recycling and Transfer Committee  
J. Levesque to remain
- ix. Sewer Commission  
T. Lizotte has been attending as time allows; not able to continue.  
R. Duhaime has been appointed (no official capacity)
- x. SNHPC  
R. Duhaime to remain
- xi. Town Hall Preservation Commission  
S. Orr and J. Sullivan to remain
- xii. ZBA  
J. Levesque to remain
- xiii. Union Contract Negotiations (Police)  
L. Boswak and D. Winterton volunteered
- xiv. Perambulation  
R. Duhaime volunteered

#### **SCHEDULED APPOINTMENTS**

None

#### **OLD BUSINESS**

- a. 13-64 Council Community-building initiative

L. Boswak: Possible model (book from ICMA) "Building Citizen Involvement." This is an excellent publication; only drawback is it is relatively expensive. It might be costly to provide multiple copies. UNH Cooperative Extension has papers based on this book – public and free. We can guide people to the website for anyone interested. They are short documents to keep interest (best practices and ideas for action). One is "Strengthening Sense of Community." I think a workshop is a good idea; would like to ask if we can find a place in town as more of a retreat setting/roundtable to have a discussion.

"Effective Community Leadership" is the second document. Our council roles are leaders of the community. Ideas for action: create central core that defines community, continue to maintain landscaping, hold community-wide neutral forums for networking, bring 3 sectors together (public, private, nonprofit), opportunities for fun/celebration/fairs, civic associations to coordinate activities (volunteer effort vs town effort). Effective community leadership – brings the 3 sectors together. We should, if we decide to move forward, send a letter signed by all Council members to each of the schools, SNHU, civic groups, all town boards, committees and commissions, water precincts, Chamber of Commerce, as an initial step.

R. Duhaime: The UNH Cooperative Extension has a good website. I mentioned at the 8<sup>th</sup> grade graduation that the town had no involvement. Are the successes of former graduates anywhere in the Hooksett schools? Are they still in the community? Are they still active in community?

T. Lizotte: There is a janitor at Cawley who posts articles of Cawley students who have participated in high school sports; small enclaves of that around.

- b. 13-65 Approval of Council Annual meeting calendar

Suggest July 24 as a workshop date/retreat to work on community building and town survey.

Dr. Shankle: A retreat might be hard to schedule in summer; I would like to work on the survey so we can get that going or we can do something longer on a Saturday.

D. Ross: July 24 is not a popular date; we would not have time to advertise it as a meeting.

J. Sullivan: We only need a 48-hour meeting notice. This would be a workshop, not regular meeting. Is July 31 good?

Dr. Shankle: There are Nov/Dec dates available for potential Budget Workshop.

***R. Duhaime motioned to approve calendar with addition of July 31 workshop/retreat. (D. Ross and N. Comai are unable to attend). Seconded by J. Levesque. Vote unanimously in favor.***

c. 13-66 Town Report, cover and dedication

***R. Duhaime motioned to approve cover with Cheever Native American Murals. Seconded by J. Levesque. Vote unanimously in favor.***

J. Sullivan: Dedication - 2 former police commissioners passed away this week. Council extends our sympathies to their families and thanks them for service. There is a suggestion to dedicate town report to Gordon Moore (code enforcement officer, school board member, past citizen of the year) and 2 others.

K. Rosengren: The past year or two there has been no official dedication, only citizen of the year recognition, small business of the year, and a memorium page. Deadline for dedication nomination is 7/26.

L. Boswak: The in memorium should include anyone who passed away in the past year who has served the town in any capacity.

J. Sullivan: The list includes 3 residents who have served the town in some capacity.

K. Rosengren: I can get more a comprehensive list from Billie Hebert to make sure we are not missing anyone.

***T. Lizotte motioned to include a memorium page in the town report. Seconded by J. Levesque. Vote unanimously in favor.***

Dr. Shankle: I will send it to you for review as we don't want to miss anyone who should be on it.

D. Ross: We should include a disclaimer apologizing in case we miss anyone should be included.

J. Sullivan: I will create the town council report similar to last year's and send to everyone for review. I will review the accomplishments of last year.

### **NEW BUSINESS**

a. 13-67 Administrative Code Amendments

D. Fitzpatrick: Since the beginning of the year there has been some reorganization within town hall. These amendments encompass the major changes as well as minor housekeeping to keep things consistent.

***D. Ross motioned to accept amendments to the Administrative Code. Seconded by T. Lizotte. Vote unanimously in favor.***

b. 13-68 Discussion of town-wide survey questions

L. Boswak: There is a lot to look over. We need to commit to having a clear decision by our next meeting so Dr. Shankle can send this out in a timely manner.

Dr. Shankle: It is important to look over; some things are standard but some open ended questions are important to what we are trying to do – we should focus on those.

J. Sullivan: We will present items to add or remove from survey at the workshop.

T. Lizotte: How long will the survey be? I think if we had some core things to focus it down a bit – we want to get the most out of it but I am concerned people will throw it in the recycling bin.

N. Comai: Question #11 – we need to make sure everything is listed there that we do offer so it is all encompassing.

D. Winterton: My concern is there is only 1 question about public schools. There is a lot of discussion about this in Hooksett. We are either going to discuss schools or not. We need to decide if this is a school survey or municipal survey only.

J. Sullivan: There was a thorough survey a few years ago regarding education. I think this should be strictly municipal and let the school board dictate their own questions separately.

D. Winterton: We should explain that there are no school questions in this survey.

Dr. Shankle: We have spent time talking about being behind this and pushing it. 1200 are being sent out; need to get 400 back for information to be valid. People need to realize how important they are if they get one and they need to fill them out to gauge performance. Do people think all government is doing poorly or local is better than federal, etc...how are you rated compared to other government agencies? We need to let folks know they should send it back.

R. Duhaime: A lot of people read the Hooksett Banner – we need to stress how important it is to fill some of it out at least.

N. Comai: Are we going to work on customizing questions in the workshop? We should include all the questions we want answers to.

L. Boswak: Dr. Shankle do you have any suggestions or thoughts on customized questions?

Dr. Shankle: I will go through the survey and customize what I can to make it easier to understand prior to the workshop.

D. Ross: We are operating on a default budget. This \$13,000 is like taking \$1 out of everyone's pocket. I would like to have someone who voted affirmatively for this motion to reconsider. I don't think this is a good time to spend \$13,000.

R. Duhaime: We want to improve town and move forward. I think it will help us in the long run be more efficient.

S. Orr: We are representing the people and it is important to know what they are thinking. It is hard to gauge that – some are vocal and some can't come out as much as they would like. It is valuable to get input of the people we make decisions for. Is there a truncated version that would cost less?

Dr. Shankle: No. If we tried to do what the company is going to do (put it together, mail it out, send reminders and follow ups), the physical part will cost us more than \$13,000 without the analysis. This is the only way to do it.

S. Orr: I look it like advertising...if people don't know about you they are not going to utilize your service. Our business is serving the public. This is an investment in future "sales" – it's valuable to know what the public thinks and feels so that I am not making decisions on what I think but what the general feel is. I see the point of not spending money but I look at it as an investment.

D. Ross: We can use the town website to solicit suggestions. We are stewards of the public's money. We are trusted to spend it wisely. I think the timing is terrible – we have things coming up we are not

ready for. Fiscal constraint is paramount to this town. If people want something, they are generally not shy about asking for it. I don't think it would cost \$13,000 to do this. I think it's a bad idea, and I wish someone would make a motion to reconsider.

Dr. Shankle: While thinking about open ended questions, think about it that way – if you were to talk to the average constituent, what would you want to know about what they think about Hooksett? This is a tremendous opportunity.

J. Sullivan: We will discuss further at the workshop.

c. 13-69 Budget Transfers

C. Soucie: The 2013 fiscal year ended June 30. We have a bottom line budget and the administrator with council approval will transfer between departments. These 11 listed are covering various items from previous budgets that have overspent. We are still within the bottom line.

***T. Lizotte motioned to have the Council Chair sign the budget transfer requests for 2012-2013 (#2013-04 through #2013-14) as recommended by the Town Administrator. Seconded by L. Boswak.***

N. Comai: On #2013-09 (Public Works Admin Full Time) - can you explain what goes in there?

C. Soucie: The original Public Works wages budget did not include the 2% at the beginning of the year, so they took money from that line to cover it.

**Roll Call**

**T. Lizotte – Yes**

**J. Levesque – Yes**

**D. Winterton – Yes**

**D. Ross – Yes**

**J. Sullivan – Yes**

**N. Comai – No**

**S. Lovas Orr - Yes**

**L. Boswak – Yes**

**R. Duhaime – Yes**

***Vote in favor 8-1.***

d. 13-70 Involuntary Merger

David Hess, 68 Pine St

In 2011, legislature and governor enacted a new law that gives people the right to undo lots that have been involuntarily merged. RSA 674:39aa states if anyone has been the subject of an involuntary lot merger, they can request it be undone. There is no discretion for Council to deny the request unless you believe an involuntary merger did not occur. It provides that if the merger is undone, the tax maps and zoning ordinances need to be changed accordingly. I received the property on 5/24/78; in 1979-1980 a subdivision plan was drawn up to divide it into 3 lots, and on 4/7/80 we came before the planning board and the subdivision was approved with conditions. Subdivision was recorded and we paid taxes on 3 lots instead of 1. That has since changed from 3 lots to 2 lots. Our house lot remains the same but the 2 adjacent lots merged into a single lot and have been taxed as a single lot for 20+ years. We submitted the application to have the merger undone and the lots restored as subdivision. I cannot find a procedure to undo this. The only thing the statute provides is that zoning ordinances and tax maps need to be corrected if the merger is undone.

***D. Ross motioned that Council instruct the Planning Board and Assessors come up with a remedy for this situation. Seconded by T. Lizotte.***

D. Ross: This was not a good thing for us to be doing. I believe he had an approved subdivision. Unbeknownst to him, some of his legal rights were taken away by the town when they merged those 2 lots. I don't know how that should proceed. I believe we need to remedy this situation as quickly as possible.

T. Lizotte: Dr. Shankle is your recommendation solid? All we need to do is authorize the Assessing Dept. to restore the lots to the pre-merger status?

Dr. Shankle: I think it's what needs to happen.

D. Hess: Board of tax and land appeals did not know the statute existed, and they didn't know what is customarily done with mergers.

Dr. Shankle: Recommendation to add at end "and any other actions that need to be taken."

T. Lizotte: I remove my second.

D. Ross: I think the word "remedy" needs to be in there. I didn't see a request for any tax relief for any overpayment.

D. Fitzpatrick: I did extensive research and looked at the registry of deeds (1980); still has 3 lots. Our Assessing Dept (in 2004) changed it on tax cards and maps. Governing body that made decision would need to change it. Planning Board has it as 3 lots, Assessing Department has it as merged, and Town Council is the governing body that can change it.

D. Hess: I am not asking for a tax adjustment.

D. Ross: I remove my original motion.

***D. Ross motioned to authorize the Assessing Department to restore Map 5, Lots 114-1 & 114-2 to premerger status per RSA 674:39aa. Seconded by T. Lizotte. Vote unanimously in favor.***

T. Lizotte: Going forward I would like to make our motions clearer as it is specific to these lots, this RSA so that it is reflected in the motion.

Dr. Shankle: We have a new updated town charter; please replace any old copies with the new one.

#### **SUB-COMMITTEE REPORTS**

R. Duhaime: I had a great time with the police chief in Allenstown and Dick Stone in Candia at perambulation. We found a granite post with A,D,C,H (Allenstown, Deerfield, Candia, Hooksett) engraved on the post (1885).

J. Levesque: ZBA main topic was Bass Pro shops; positive feedback from audience about how much they liked the project. Sen. Boutin was in attendance. We voted to allow signage on building. The tower they want to put up looks like fire ranger tower – couldn't decide on whether it was a sign or separate building structure. Applicant will return in a month with exactly what variance they want to ask for. I think it will get approved with no problem. Another couple came in with an incomplete application so they will return in the future.

R. Duhaime: How many square feet were approved for signage?

Dr. Shankle: It was 2100, same as Lowes.

R. Duhaime: How many square feet will be added if they do the tower?

Dr. Shankle: 4 signs of 89' each.

J. Levesque: They can proceed with signs on front of the building.

L. Boswak: I also attended that meeting; Mr. Stockdale from Bass Pro Shops indicated how the Missouri location is the largest attraction in Missouri and attracts 5 million people per year from up to 8 hours away. It will be a huge asset to town of Hooksett and the region.

R. Duhaime: Will the sign be in conservation land?

Dr. Shankle: Sen. Boutin met with DOT and as long as the tower is on their (Bass Pro Shops) land, not DOT land, they will send letter to ZBA to clarify. They do have room, the only issue would be the wetland buffer around the pond, but they do have room on their land out of the wetland buffer.

### **PUBLIC INPUT**

**Mark Miville, 42 Main St**

I want to strongly commend the Councilors on their initiatives on community building. I have some supplemental information – Councilor Boswak and I did meet last as we have mutual interest in this regard. NH Listens is a volunteer initiative – organization who trains town facilitators (volunteer basis) on how to establish community building within the community. She also mentioned “Deliberative Democracy Strategies of Civic Engagement” – I wanted to recommend that book as well. We also mentioned some possible options – Old Home Days offers an opportunity as many citizens attend. Perhaps some initiative at Old Home Days as it relates to community building, nothing political - maybe a banner as a pledge for citizens to engage professionally and have signatures on it? I ran into Mrs., Hyde (Old Home Days organizer) and she suggested a float for parade with some sort of positive initiative. I want to thank Councilor Boswak for her commitment.

### **NON-PUBLIC SESSION**

**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. (TAX DEEDED Property issue)

**NH RSA 91-A:3 II(d)** Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

***T. Lizotte motioned to enter non-public (c & d) session at 8:40 pm. Seconded by J. Levesque. Roll Call vote unanimously in favor.***

***D. Ross motioned to exit non-public at 9:15 pm. Seconded by T. Lizotte. Vote unanimously in favor.***

***D. Ross motioned to seal the non-public minutes of 7/10/13. Seconded by T. Lizotte. Vote unanimously in favor.***

### **PUBLIC MEETING CONTINUED – 9:15 PM**

*Merrimack Riverfront - Mason*

***T. Lizotte motioned to amend the Town Council minutes of 5/22/13 re: Merrimack Riverfront – Mason to read:***

***“and further reserving to Mr. Mason, Judith F. Mason and their heirs and lineal descendants, or to their heirs and assigns, an easement to erect, maintain, repair and remove a temporary seasonal dock no larger than 24 feet long by four feet wide, in accordance with all applicable state and federal laws, rules and regulations, (to be in place in the Merrimack River for no more than six months a year) within the surface easement herein reserved to Carlisle B. and Judith F. Mason at the location so specified in the Boundary Line Agreement Plan prepared for the Town of Hooksett and Carlisle B. and Judith F. Mason by McEneaney Survey Associates, Inc. dated April 22, 2013 to be recorded in the Merrimack County Registry of Deeds, upon the condition that the holders of the easement shall: (1) be solely and exclusively responsible for securing said dock so as to prevent any unauthorized use thereof by any person, and (2) be solely and exclusively responsible for any personal injury or property damage arising out of the presence and/or use of said dock.”***

***Seconded by S. Orr.***

**Roll Call**

**T. Lizotte - yes**

**J. Levesque - yes**

**D. Winterton - yes**

**D. Ross - yes**

**J. Sullivan - yes**

**N. Comai - yes**

**S. Lovas Orr - yes**

**L. Boswak - yes**

**R. Duhaime - yes**

***Vote unanimously in favor.***

***T. Lizotte motioned to adjourn at 9:25 pm. Seconded by J. Levesque.***

***Vote unanimously in favor.***

Respectfully submitted,

Tiffany Verney  
Recording Clerk