



**TOWN COUNCIL MINUTES -- OFFICIAL**  
**Regular Meeting**  
**Wednesday, July 13, 2016**  
**6:30 PM**  
**Council Chambers**

**ITEMS 1-6A LED BY TOWN ADMINISTRATOR**

**1. CALL TO ORDER**

Dr. Dean Shankle, Town Administrator, called the meeting to order at 6:50 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. CEREMONY - SWEARING IN OF NEW COUNCILORS BY TOWN CLERK**

Dr. Shankle announced July 1<sup>st</sup> as the turnover date of the Town Council. All incumbent councilors have been sworn in.

**4. ROLL CALL #1**

In attendance: Councilors Donald Winterton, James Levesque, Robert Duhaime, Marc Miville, David Ross, and Chairman James Sullivan. Absent: Councilors Timothy Tsantoulis and Adam Jennings.

**5. TOWN COUNCILOR DISTRICT 6 - NOMINATION, APPOINTMENT & SWEARING IN**

Town Council District 6 Application - John Giotas

[DISTRICT 6 TC 070116.doc](#)

[Giotas App.pdf](#)

*Chairman Sullivan moved, second by Councilor Levesque, to waive the rule for appointing a councilor. Motion passed unanimously, 6-0.*

Mr. John Giotas of 306 Bicentennial Drive applied for the one-year appointment as Town Councilor for District 6. Mr. Giotas rose and stated that he had lived in Hooksett for close to 40 years and would be honored to serve the people of District 6. He said he was a retired public school teacher having taught math at Hillside Middle School and was co-owner of a landscaping business since the late 80s. Mr. Giotas said that his family has owned property in Hooksett since the early 1940s.

*Councilor Levesque moved, second by Councilor Ross to appoint John Giotas to a one year term, through June 30, 2017, as Councilor of Hooksett's District 6. Motion passed unanimously, 6-0.*

Town Clerk, Todd Rainier, conducted the swearing-in of Mr. Giotas. To the applause and congratulations of those in attendance, Councilor Giotas assumed his position as a duly appointed voting member of the Council.

## **6. TOWN COUNCIL REORGANIZATION - PART I**

Election of Chair, Vice-Chair and Secretary

*Councilor Duhaime moved to nominate Councilor Sullivan as Chair. Motion passed unanimously, 7-0.*

*Councilor Levesque moved to nominate Councilor Duhaime as Vice Chair. Motion passed unanimously, 7-0.*

*Councilor Duhaime moved to nominate Marc Miville as Secretary. Motion passed unanimously, 7-0.*

## **7. SPECIAL RECOGNITIONS**

## **8. APPROVAL OF MINUTES**

Public: 0622/2016

[TC Minutes 062216-U.pdf](#)

*Councilor Duhaime moved, second by Councilor Levesque, to approve the June 22, 2016 meeting minutes, as amended. Motion passed 6-0-1 [Councilor Giotas abstained].*

Public: 06/29/2016

[TC Minutes 06292016-U.pdf](#)

*Councilor Levesque moved, second by Councilor Winterton, to approve the June 29, 2016 meeting minutes, as presented. Motion passed 5-0-2 [Councilors Ross and Giotas abstained].*

Non-Public 06/8/2016

Non-public: 06/29/2016

## **9. AGENDA OVERVIEW**

## **10. PUBLIC HEARINGS**

Public hearing for Town Council to accept 25' x 100' parking area from CTH Building and Development LLC to the Town of Hooksett located at Tax Map 15, Lot 3 northern end of the Class 5 section of Chester Turnpike east side of roadway Hooksett, NH (tabled from 6/22/16 Town Council Meeting)

[071316 TC CTH.doc](#)

In accord with NH RSA 36-A and NH RSA 477:45-47, Chairman Sullivan opened the public hearing at 7:13 p.m. and read the posting. The purpose of the public hearing is for the Town Council to accept a 25x 100 parking area from CTH Building and Development, LLC to the Town of Hooksett located at Tax Map 15, Lot 3 northern end of the Class 5 section of Chester Turnpike on the east side of the roadway. This easement will service the Clay Pond Conservation area. Jim Donison, Town Engineer, said that the town agreed, as part of construction, to maintain the lot. Dr. Shankle said part of the reason for wanting the area is to allow people to have access and to allow people to park legally. There will be 10 parking

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spots. In response to Councilor Miville on whether the lot would be paved and if there was an incline, Mr. Donison said the lot would be gravel up to the incline so there would be no leveling necessary. Mr. Donison said the cost is approximately \$20,000 but there are no funds to do the work right now. Councilor Ross said this matter has been ongoing for awhile and significant discussion has occurred about how to maintain the lot and there may only be nine spaces available. Mr. Donison said a public hearing was required because it was thought to be a conservation easement. It has turned out not to be a conservation easement but a regular easement that doesn't have to come to the Council.

Chairman Sullivan left the public hearing open, and adjusted the meeting agenda, taking up Agenda Item 16 prior to continuing here.

## **11. TOWN COUNCIL REORGANIZATION - PART II**

Adopt RSA 31:104,31:105 and 31:106 to provide immunity and indemnification  
Motion to have the Town Council Chair sign ancillary document as agent to expend  
Adopt the Town Council Rules of Procedures  
[TC Rules 081215.pdf](#)

*Councilor Winterton moved, second by Councilor Miville, to adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Hooksett. Motion passed unanimously, 7-0.*

*Councilor Duhaime moved, second by Councilor Winterton, to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents. Motion passed unanimously, 7-0.*

Appointment of Councilors to Sub-Committees . tabled to 07/17/16 Town Council Meeting  
[TC subcom 060816.pdf](#)

Adopt the Administrative Code - tabled to 07/27/16 Town Council Meeting

## **12. CONSENT AGENDA**

## **13. TOWN ADMINISTRATOR'S REPORT**

Dr. Shankle announced that he would not be attending the next Council meeting since he will be out of the country. He reminded the Council that Fire Rescue and Police Departments will hold a forum on the opioid epidemic in NH on August 3<sup>rd</sup>, at 6:30 at the Hooksett Public Library. The presentation will be led by Lt. Joseph Stalker, EMS officer and paramedic, and Sgt. Janet Bouchard, supervisor of the Detective Bureau.

Dr. Shankle received a letter of resignation from Lt. Michael Labrecque who has retired from full time status to take a part time position as Canterbury's Police Chief. The Council expressed thanks to Mr. Labrecque for his service.

Councilor Miville, Chairman Sullivan, and Dr. Shankle attended the Governor & Council meeting earlier in the day and the breakfast at the Hooksett Library prior to the meeting.

**14. PUBLIC INPUT - 15 MINUTES**

**15. NOMINATIONS AND APPOINTMENTS**

**16. SCHEDULED APPOINTMENTS**

Kathie Northrup - Heritage Commission  
[Heritage Commission - Veterans' Park.pdf](#)

Kathie Northrup, Chair of the Heritage Commission, and Frank Silva of the American Legion came forward. Materials provided in the Council packet indicated that the Heritage Commission was asked to formulate some recommendations for additions to Veterans Park at Jacob Square. Ms. Northrup said there were two new requests: Battle of the Bulge and Gold Star Mothers. The Battle of the Bulge request was withdrawn since placing their monument at the Holy Rosary Church fit their needs more appropriately. Ms. Northrup said she had done a lot of research including visiting the Veterans Cemetery in Boscawen. Ms. Northrup referenced information provided in the Council packet. She indicated that any monuments installed prior to adoption of guidelines will be grandfathered and Veterans Park will be closed to any future monuments to preserve the unity, historical character, and aesthetics of the park. She said the park now honors all servicemen and women who served in individual wars up through Vietnam, an area dedicated to all who served and their families, and POW/MIAs. Ms. Northrup said the Commission considered alternate sites. A sketch of Veterans Park was provided; it is recommended that the Gold Star monument be placed near the tree line symbolizing mothers and families and would apply to all wars. Ms. Northrup said 1/3 of the park belongs to the Congregational Church and in a 2013 agreement, plants could be on their land but all permanent markings would be on town land. Ms. Northrup also indicated that a history of when things happened was included in the Council packet.

Mr. Silva showed the Councilors a picture of what the Gold Star Mothers insignia looks like. He said at the time this project was approved, the American Legion had no objection to coordinating with the Heritage Commission on location and size. His Board approved the location and size. The only problem that arose was changing the verbiage on the monument since the legionnaires solicited funds for a monument dedicated to Gold Star Mothers. Mr. Silva said the Gold Star Mothers was formed in the U.S. shortly after World War I and chartered by the United States Congress in 1984. The Heritage Commission's recommendation is to include a family dedication, the Blue Star Mothers. Mr. Silva brought the recommendation to his Board and they were adamant about that not being what monies were raised for. The monument is for Gold Star Mothers and that is what they got the permit for from the town. He said they had no problem with the location and size but the text should be left to the American Legion of Hooksett.

Councilor Levesque said if that is what the money was collected for, it should stay as is. Ms. Northrup said the Heritage Commission was unaware of the Legion's fundraising and they were simply looking to be more inclusive. Councilor Ross said Veterans Park is a memorial park and if someone is currently serving, they are not being memorialized. Councilor Duhaime asked Ms. Northrup what made her want to include the Blue Star. Ms. Northrup said she saw it in Boscawen and they were looking to be all inclusive. Mr. Silva said that when Ms. Northrup mentioned it to him he thought it was a great idea but it was too late.

There was discussion about closing Veterans Park to additional monuments, alternate locations and guidelines about the size and look of monuments to try to honor without detracting. Ms. Northrup said some people don't want the park to look like a cemetery since Veterans Park is not a memorial park. The Commission was just trying to be more inclusive.

Mr. Silva distributed a copy of what the monument would look like that reads "Honor and Remember To Honor All Gold Star Mothers of Hooksett . Freedom is Not Free+ The bottom of the monument included the date of November 11, 2015 and the words "Erected by Post 37 American Legion and the People of Hooksett, NH+ Mr. Silva was anxious to proceed pending the Council's approval. The value of the Legion's donation was estimated at \$3,500.

*Councilor Ross moved, second by Councilor Duhaime, to approve the location of the Gold Star Mothers monument as recommended by the Heritage Commission and as presented by the American Legion at Veterans Park. Motion passed unanimously, 7-0. Chairman Sullivan felt the location of the monument was appropriate since mothers overlook others.*

*Councilor Winterton moved, second by Councilor Levesque, to accept, with thanks, the donation of a monument valued under \$5,000. Motion passed unanimously, 7-0.*

Don Riley, Moderator

Town Moderator, Don Riley, congratulated the newly and re-elected councilors and reminded Councilors of the State Primary being held in 60 days and Presidential Election in 120 days. He said he needs all the help he can get and hopes Councilors will continue to be gracious with their time.

Mr. Riley said he didn't anticipate being the moderator beyond June 30<sup>th</sup> and he, too, was not aware that Cindy Robinson would be precluded from serving as Moderator while she served on the Planning Board. He said he talked with two other charter committee members and it seems there was no burning issue on any of their minds that caused that wording when the charter was written. Mr. Riley said one of the reasons he chose not to run for Moderator is that he is not going to be here in September. He, the town clerk and the chair of checklist supervisors talked before he threw in a name as alternative. Mr. Riley said he had not yet formally appointed someone but expects to have Cindy Robinson serve as *pro tem* moderator on September 13<sup>th</sup>. He said Cindy Robinson is very qualified and is as up-to-date as anyone else in town to serve in that capacity. He has met with Cindy Robinson and will do so again, and he feels the integrity of the team will be in tact whether he is there or not. Councilor Ross asked if the state had a say in the decision. Mr. Riley said "no" by state law, the moderator can appoint. The Council thanked Mr. Riley for his service.

## **17. 15 MINUTE RECESS**

## **18. OLD BUSINESS**

14.a. Annual Town & School Report  
[Staff Report 71316 Town Report.pdf](#)  
[Town Council.pdf](#)

In accordance with the Town Charter, each year the Town Council includes a report in the Annual Town & School Report. The Council, at its last meeting, authorized the Chair to draft TC Minutes 071316-O

the Council's annual report which was included in the Council packet. Councilors reviewed the report prepared by Chairman Sullivan and recommended a number of changes noted by Katie Ambrose, Project Coordinator.

*Councilor Winterton moved, second by Councilor Duhaime, to approve the Council's Annual Report, as amended, and to include it in the 2015-2016 Annual Town & School Report.*

A draft cover of the 2015-2016 Annual Town and School Report was provided to the Council for approval. It was mentioned that the cover was put together by Kathie Northrup.

*Councilor Ross moved, second by Councilor Levesque, to approve the report cover and theme, as presented. Motion passed unanimously, 7-0.*

## **19. NEW BUSINESS**

### 15.b. Contract Award RFP#16-0 Peters Brook Athletic Field

[Staff Report 7-13-16 Contract Award RFP#16-09 Peters Brook Athletic Field Construction.pdf](#)

Jim Donison, Assistant DPW and Town Engineer, said that one bid was received on July 8<sup>th</sup> for RFP#16-09 for the Peters Brook Athletic Fields construction. The contract is for an irrigation system, lighting pole bases and electrical conduits and loam and establishment of grass for one full size soccer field, one reduced size soccer field, one lacrosse field and three smaller soccer fields. The project includes: 6,000 LF of irrigation piping, nine lighting pole bases, 2,200 LF of electrical conduit and loam and Establishment of Grass with Athletic Field Mix. The base bid is for Establishment of Grass using a Slice Seeder Method (preferred) and Bid Alternate No. 1 is for Establishment of Grass using Hydroseed Method. The establishment of grass portion included bid item 18 for 1,000 tons of additional loam. The existing quantity of loam presently on site will provide at least six inches of loam which is acceptable to establish grass for the athletic fields. As a result, this item valued at \$31,000 can be deleted from the bid award. The project completion date is October 8<sup>th</sup>, 2016.

Mr. Donison recommends that the Town Council vote to approve the award and contract to Alvin J. Coleman & Sons, Inc. of Conway, NH for the amount of \$211,619 which is the base bid amount of \$242,619 less the bid item no. 18 valued at \$31,000. The funds for this contract are from Parks and Recreation impact fees that has an available balance of \$217,000.

Councilor Ross asked why the RFP wasn't sent out separately. Mr. Donison said they wanted one general contractor to do everything; loaming, pole setting, etc. and have it done by September. Councilor Ross said perhaps that's why only one bid was received since it is too big of a job for one contractor. In the future, he recommends breaking the project apart. In this case, we might have gotten three bids and maybe ended up with a better project at a cheaper price. Councilor Miville pointed out that having too many contractors would delay the project since one contractor would have to finish their work before another could start. Mr. Donison acknowledged that the cost might be greater by making one contractor responsible for getting it done on time. Councilor Ross suggested if a problem occurs with electronics, subcontracting could enter into the mix. Mr. Donison said the company has a performance warranty. Councilor Levesque said he could see the pros and cons of both approaches but having one contractor saves a lot of finger pointing. If the warranty is on the

general contractor, the town can have building inspector oversight. Mr. Donison said he will be responsible for inspecting the work. Councilor Ross asked if impact fees being used were about to expire. Public Works Director, Diane Boyce, said the fees have already been designated.

*Chairman Sullivan moved, second by Councilor Winterton, to waive the requirement for getting three bids. Motion passed 6-1 [Councilor Ross opposed].* Mr. Donison said a second bid was received three minutes too late and a third bid was too late as well.

*Councilor Miville moved, second by Chairman Sullivan, to award the RFP #16-09 to Alvin J. Coleman & Sons, Inc. of Conway NH for the amount of \$211,619 for Peters Brook Athletic Fields construction project.*

Councilor Ross said having heard that two bids were late, he wondered whether there is an opportunity to get these bids by putting out a second call, especially since the Council is looking to expend \$200,000 of taxpayers money. Chairman Sullivan said there is a process for bidding. Dr. Shankle said the RFP can be re-bid, but he understood the HYA was in a rush to get this field in. Director Boyce stated that it takes HYAA two years to establish a field ready. She said if the field is not done this year, HYAA will have to wait two years before the grass is put in.

Dr. Shankle said he didn't have strong feelings on the matter but to re-bid would require re-posting in the newspaper and handling of other procedural matters. Chairman Sullivan said that the project cannot go out for re-bidding if there is no change in requirement. Jim Donison said he could change the completion date to next June. Councilor Winterton asked if anyone was planning on playing on these fields until two years from now, the fall of 2018. Director Boyce said HYA has lost a field and are struggling with play time now.

Councilor Miville and Chairman Sullivan withdrew their motion. At Dr. Shankle's suggestion, *Councilor Levesque moved, second by Councilor Duhaime, to re-consider the vote on waiving the rule of requiring a minimum of three bids on RFPs. Roll Call #3: Councilor Giotas-yes, Councilor Ross-yes, Councilor Miville-yes, Councilor Duhaime-yes, Councilor Levesque-yes, Councilor Winterton-yes, Chairman Sullivan-yes. Motion passed unanimously, 7-0.*

*Councilor Winterton moved, second by Councilor Duhaime, to waive the rule of getting a minimum of three bids on RFPs. Roll Call #4: Councilor Levesque-no, Councilor Ross-no, Councilor Duhaime-no, Councilor Miville-no, Councilor Winterton-no, Councilor Giotas-no, Chairman Sullivan-no. Motion failed, 0-7.*

15.c. Sidewalk Easement with Cigna on College Park Drive  
[Staff Report 7-13-16 College Park Dr Sidewalk Easement with Cigna-Healthsource Properties.pdf](#)  
[3633B EASE PLAN \(5-2-16\).pdf](#)

Jim Donison, Assistant DPW/Town Engineer, stated that the College Park Drive sidewalk project is ready to be advertised for construction bids in late July with construction scheduled for the fall 2018. This project is a NHDOT Congestion Mitigation and Air Quality (CMAQ) project to improve pedestrian facilities. A 5,105 square foot sidewalk easement will be necessary as part of the project. In accordance with NHDOT requirements and prior to their

approval to proceed with the advertisement for bids, the town is required to certify that all easements have been obtained. The sidewalk easement with Health Source properties (Cigna) is required. The town's assessed value of the easement which has been approved by NHDOT is \$4,143.60 based upon an easement value of \$0.90/sf. Cigna has challenged this assessed value and is requesting 90 percent of \$4.00/sf or \$18,374.40. Construction costs are estimated at \$336,900. As part of the CMAQ program, the project costs are shared 80% state/20% town; however, NHDOT will only participate in the cost sharing portion of the approved assessed value of \$4,143.60. Mr. Donison said the town responsibility is 20 percent of the total project costs of the approved amount of \$4,143.60. The balance of the easement costs with Cigna for the College Park Drive sidewalk easement will be from impact fees.

In response to Chairman Sullivan, Mr. Donison stated that the town assessor has looked at the matter. Councilor Miville asked for confirmation that Cigna was demanding \$18,374 for the easement. Mr. Donison confirmed that fact and said the easement is valued at 90 percent of \$4.00/sf, or \$18,374. Councilor Duhaime asked if the setback from the roadway would not put the sidewalk further back on Cigna land. Mr. Donison said, yes, the setback from the roadway would put the sidewalk further back on Cigna's land and take less from state land. Councilor Winterton asked if the impact fees are coming from roadway impact fees in that zone. Mr. Donison said yes. The Council discussed restrictions in accepting federal funds such as a CMAQ grant.

*Chairman Sullivan moved, second by Councilor Duhaime, to authorize the Town Administrator to negotiate and execute a 5,105 square foot sidewalk easement with Health Source Properties (Cigna) for an amount not to exceed \$18,374 and that the amount over the NHDOT approved cost shared value of \$4,143.60 be appropriated/allocated from impact fees. Roll Call #5: Councilor Ross-yes, Councilor Duhaime-yes, Councilor Levesque-yes, Councilor Winterton-yes, Councilor Miville-yes, Councilor Giotas-yes, Chairman Sullivan-yes. Motion passed unanimously, 7-0.*

15.e. Amendment to CMA Engineers, Inc contract for Construction Phase Engineering services - College Park Drive Sidewalk Project  
[Staff Report 7-13-16 CMA Engineering Contract Admendment.pdf](#)

Jim Donison indicated that the College Park Drive sidewalk project is ready to be advertised for construction bids in late July with construction scheduled for the fall 2016. CMA Engineers is currently under contract for the engineering design phase of the project. In accordance with NHDOT requirements and prior to their approval to proceed with the advertisement for bids, the town is required to enter into a contract amendment with CMA Engineers for the construction phase of the project. Their current engineering contract amount is \$60,878. The construction phase engineering services cost is \$70,562. Construction costs are estimated at \$336,900. The total project costs are estimated at \$486,483 compared to the original approved amount of \$370,649. The town's 20 percent portion of this increase will be \$94,496 compared to the original commitment amount of \$74,129.80 reflecting a \$20,366.80 increase plus the cost of the non-participating sidewalk easement cost of \$14,000 with Cigna. Mr. Donison noted that funds for this College Park Drive sidewalk are from impact fees. Councilor Winterton confirmed that there would be sufficient impact fees to cover the costs.



*Councilor Duhaime moved, second by Councilor Winterton, to approve a contract amendment with CMA Engineers for the amount of \$70,562 for construction phase engineering services and that they authorize a \$20,366.80 increase in the town's 20 percent total project share from the original approved amount of \$74,129.80 to \$94,496. Roll Call #6: Councilor Miville-yes, Councilor Levesque-yes, Councilor Winterton-yes, Councilor Giotas-yes, Councilor Ross-yes, Councilor Duhaime-yes, Chairman Sullivan-yes. Motion passed unanimously, 7-0.*

15.h. Land Use Agreement with Jason Pritchard DBA Pritchard Farms or land off of Merrimack Street  
[2016-22 Hooksett Land Use Agreement with Pritchard Farms.pdf](#)

Jim Donison, Assistant DPW and Town Engineer, presented the Council with a proposed Land Lease Agreement between Jason Pritchard d/b/a Pritchard Farms and the Town of Hooksett to allow Pritchard to use Hooksett's land off of Merrimack Street and surrounding fields for agricultural purposes. Legal counsel has reviewed the proposed agreement and has suggested including the address and lot number. Councilor Ross said this has been an ongoing thing and that the property has been farmed all along and the state wants to encourage agricultural use. He said it is a benefit for the town to allow this to continue.

Councilor Levesque asked where the hay went. Councilor Miville asked if proposed changes had been negotiated with Mr. Pritchard. Mr. Donison said no. Dr. Shankle pointed out that the town is not changing anything that has yet been signed by Mr. Pritchard. *Chairman Sullivan moved, second by Councilor Ross, to table the matter pending discussion with legal counsel. Motion passed unanimously, 7-0.*

*Chairman Sullivan moved, second by Councilor Ross, to extend the meeting to 10:00 p.m. Motion passed unanimously, 7-0.*

15.i. Sidewalk Easement with McDonalds Matins Ferry Road  
[Staff Report 7-13-16 Sidewalk Easement with McDonalds.pdf](#)  
[Sidewalk NHDOT-Hooksett-McDonalds Project No 12537A US Rte 3 sheet 8 of 21 10-15-2010.pdf](#)

Jim Donison, Assistant DPW/Town Engineer, indicated that as part of the proposed sidewalk construction on Martins Ferry Road a 270 square foot sidewalk easement will be necessary. He provided the Council with a plan illustrating the location of the easement area.

*Councilor Miville moved, second by Councilor Ross, to authorize the Town Administrator to negotiate and accept a sidewalk easement with McDonald's for a sidewalk on Martins Ferry Road. Motion passed unanimously, 7-0.* Dr. Shankle indicated that there may be need for a public hearing dependent on the in-kind value.

Acceptance of 140 acres of conservation easement land from Pike Industries, Inc. to the Town of Hooksett locate at Tax Map 7, Lots 23, 24 & 25 Off Hackett Hill Road & F.E. Everett Turnpike in Hooksett, NH  
[Staff Report 7-13-16 Accept 140 acre conservation easement from Pike Industries inc.pdf](#)  
[Pike Industries Conservation Easement Letter of Truck Affidavit 7-5-16.pdf](#)  
[Pike Industries Conservation Easement Pending Items Truck Tire removal 7-5-16.pdf](#)  
[Pike Industries Conservation Easement Stamped survey plan 7-5-16.pdf](#)

Ryan Crosbie of Pike Industries and Robert Dietel of Gallagher, Callahan & Gartrell Law came forward. Mr. Crosbie indicated that the remaining conditions required by the Conservation Commission have been addressed. One condition was blazing the entire perimeter of the conservation land. Mr. Crosbie provided a slide of what blazing looks like.

A final version of the Easement Deed was provided for the Council's review and approval. Mr. Crosbie said the Conservation Commission and NH Department of Environmental Service (NHDES) have reviewed the document. Matt Serge, Town Counsel, provided some comments to the document but found it acceptable.

Councilor Duhaime indicated that the black and white checkered area on the colored property expansion map didn't line up with the yellow property line and the vernal pool will not exist anymore. Mr. Crosbie said the wetlands permit allowed them to remove the pools and the property boundary includes that portion. He said the original permit for the quarry did not include the wetlands and he referenced everything included as part of the new 140 acres conservation area. Councilor Duhaime also noted that the Public Service has a right-of-way through the property. Mr. Crosbie confirmed that Eversource did have that right.

Mr. Crosbie said the Conservation Commission will be receiving a stewardship check which is ready to be provided once approval and acceptance of the conservation easement is granted. Councilor Ross moved, second by Councilor Duhaime, to approve the acceptance of the conservation easement as presented from Pike Industries of approximately 140 acres.

There was concern that the easement deed had to be with the Conservation Commission as a legal document with DES. Councilor Ross said it prohibits the town from doing anything else with this property. Chairman Sullivan was concerned that the Council did not have authority. Mr. Dietel indicated that the Council is not authorizing the Conservation Commission but rather accepting the Conservation Commission's recommendation. He indicated that town counsel, Matt Serve, has reviewed the file and believes that the Council can approve the agreement. He also stated that they don't want to run up against NHDES deadlines. Councilor Duhaime indicated that the land is strictly for conservation. Councilor Miville noted that the money is being granted to the Conservation Commission for maintenance of the property. Councilor Ross said the Conservation Commission has been looking at this for a long time and the town needs to get it done. Chairman Sullivan said he was concerned about the process since the Council has only seen the documentation twice. Councilor Ross said David Hess has been over this from the beginning and would have expressed his concern if he had any.

*Councilor Ross moved, second by Councilor Duhaime, to approve/accept the conservation easement deed as presented by Pike Industries, Inc. Rolls Call #2: Councilor Duhaime-yes, Councilor Miville-yes, Councilor Ross-yes, Councilor Levesque-yes, Councilor Giotas-yes, Councilor Winterton-yes and Chairman Sullivan-abstained. Motion passed, 6-0-1 [Chairman Sullivan abstained].*

Roadway name for Bluebird Self Storage driveway

[Staff Report 7-13-16 Roadway Name Blue Bird Self Storage.pdf](#)

[Staff Report 7-13-16 Roadway Name Blue Bird Self Storage APPROVAL FORM.pdf](#)

[Street Names request July 6 2016.pdf](#)

[Street Names request July 6 2016.pdf](#)

Jim Donison, Assistant DPW/Town Engineer, indicated that in accord with 9-1-1 compatibility, five street names are proposed for the private access roadway serving the Blue Bird Self Storage site. Police, Fire, Code Enforcement, and Highway/Public Works have approved the five names. It is the responsibility of Town Council to select one of the names. The five proposed names are: Scholar Way, Hall Road, Academy Drive, Major Drive and Bursar Road. Mr. Donison said there were no costs associated with the roadway name. The developer will be responsible to the street sign and installation cost.

*Councilor Duhaime moved, second by Councilor Miville, to approve the naming of Bursar Road for the private roadway serving the Blue Bird Self Storage site. Motion passed unanimously, 7-0.*

## **20. SUB-COMMITTEE REPORTS**

Councilor Winterton said the Sewer TIF Committee met yesterday. Katie Ambrose is spearheading the group along with Town Engineer, Jim Donison. The Committee will meet every two weeks on a 90-day schedule. Councilor Winterton will keep the Council updated.

Councilor Miville said the Budget Committee meeting scheduled for July 14<sup>th</sup> was cancelled.

At 9:54 p.m., Chairman Sullivan closed the public hearing on accepting the parking area from CTH Building and Development to the Town.

Councilor Ross suggested working up a form of recognition for Officer Labrecque. Donna Fitzpatrick said she is working on that and will include it as subject matter for the Council's workshop.

## **21. PUBLIC INPUT**

## **22. NON-PUBLIC SESSION**

NH RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her.

NH RSA 91-A:3 II (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself.

***J. Sullivan motioned to enter non-public session at 9:55pm. Seconded by J. Levesque.***

### **Roll Call**

D. Ross . yes

D. Winterton . yes

J. Levesque . yes

R. Duhaime . yes

M. Miville . yes

J. Giotas - yes

J. Sullivan - yes

***Vote unanimously in favor.***

***J. Sullivan motioned to exit non-public at 10:10 pm. Seconded by Councilor D. Ross.  
Vote unanimously in favor.***

***J. Sullivan motioned to seal the non-public minutes of 07/13/16 at 10:11pm  
Seconded by Councilor D. Ross.  
Vote unanimously in favor.***

**23. ADJOURNMENT**

***Motion to adjourn the public session by J. Sullivan, at 10:12pm Seconded by J,  
Levesque.  
Vote unanimously in favor.***

**Note:**

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

Respectfully submitted,

Suzanne Beauchesne