



**LACONIA CITY COUNCIL MEETING
JULY 13, 2015
CITY HALL – CONFERENCE ROOM 200A
7:00 P.M.**

CALL TO ORDER:

Mayor Edward Engler called the meeting to order at the above date and time

SALUTE TO THE FLAG:

Councilor Henry Lipman led the salute to the Flag.

Kalena Graham will be the Acting Recording Secretary for this meeting.

ROLL CALL:

Deputy City Clerk Anders called the roll with the following Councilors present: Councilor Doyle, Bownes, Lipman, Baer, Hamel, and Bolduc and Mayor Engler. The quorum is established with 6 Councilors present.

Staff present: Finance Director Woodaman and City Manager Myers.

ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

1. Regular and budget hearing minutes of June 22, 2015
2. Special Meeting minutes of June 29, 2015

*Councilor Bolduc moved to adopt the budget hearing minutes from June 22, 2015. Seconded by Councilor Hamel. **The motion passed unanimously.***

*Councilor Bolduc moved to adopt the amended June 22, 2015 regular meeting minutes. Seconded by Councilor Hamel. **The motion passed unanimously.***

*Councilor Bolduc moved to adopt the special meeting minutes of June 29, 2015. Seconded by Councilor Hamel. **The motion passed unanimously.***

CONSENT AND ACTION CALENDAR: NONE

CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA:

Mayor Engler stated this is the when anyone present could offer comment on any item not on the agenda.

Steve Whalley of 54 Pendleton spoke in regard to Lakeport Landing. He is a resident and business owner in Laconia and stated his concern as tax payer. He asked if the sale of Lakeport Landing had a notice for everyone to make a bid. Mayor Engler stated there was never a solicitation of open bids on the property.

INTERVIEWS:

Mayor Engler noted the rules. Policy and procedure is to do the interviews at one meeting and do the actual appointment elections at the following meeting. Elections will be held on the July 27, 2015 meeting.

Planning Board: Mayor Engler stated there are 2 regular positions and 2 alternate positions available:

1. Warren Hutchins - seeking reappointment to the Planning Board for a three-year term expiring at the end of June, 2018

Warren Hutchins of 31 Boathouse Road, spoke on his current position as chair. He feels being on the Board is a real opportunity to serve the City. He has been on for 3 terms and is on the Lakes Region Planning Commission (LRPC) Executive Board as well. That term is for only two years, and this will be his last year. He complimented Council for their involvement in the Master Plan process. W. Hutchins also complimented City Manager Myers, Assistant Director for Public Works, and Planning Director Shanna Saunders for a great job in leadership with applicants. Councilor Baer would like a range of wards for diversity. W. Hutchins is in ward 6.

2. Edwin R. Bones - seeking appointment to the Planning Board for a three-year term expiring at the end of June, 2018

Edwin R. Bones of 110 Water Street spoke. His intent was to get involved in the community in which he has been in for a long time. He has been to many meetings but never served on any Boards.

3. Charlie St. Clair - seeking appointment to the Planning Board for a three-year term expiring at the end of June, 2018

Charlie St. Clair of 39 Messer Street spoke. His interest is due to the decisions of the Board in the past few years. Specifically the Hathaway house and the amount of time spent on the Weirs Blvd zone change. C. St. Clair is in ward 3.

4. Michael Limanni - seeking appointment as an alternate to the Planning Board for a three-year term expiring at the end of June, 2018

Michael Limanni of 122 High Street spoke. He has never been involved in the City. He is involved in the Newfound School District and night time meetings wouldn't be an issue. M. Limanni is ward 5.

COMMUNICATIONS: NONE

PUBLIC HEARING:

1. Establishing a Parks and Recreation Revolving Fund for Community Center Gymnasium Floor Maintenance

Mayor Engler stated notice of this public hearing was made in the Wednesday, June 24, 2015 edition of the Laconia Daily Sun, at City Hall, the Gale Memorial Library, the Laconia Community Center and the offices of the Laconia School District.

Mayor Engler opened the public hearing at 7:20 pm.

There were no public comments

Mayor Engler closed the public hearing at 7:21 pm.

PRESENTATIONS:

1. Master Plan Advisory Team: This item will be rescheduled

MAYOR'S REPORT:

Mayor Engler stated they are on schedule for closing on the Colonial Theatre on Friday. The renovation funding could take up to 18 months.

CITIZEN REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS:

Mayor Engler pointed out that now is the time to address the Council on anything on the agenda tonight.

Judy Krahulec of 76 Lakeside Ave and a voter in Ward 1 spoke with regard to Lakeport Landing. Erica Blizzard had reached out to J. Krahulec regarding the Council meeting 10 years ago and the lease of the property. She stated that the City isn't a money making business. J. Krahulec understood the way the package was between the City and Blizzard, not Irwin. Blizzard had first right of refusal and if there was to be a bidding war it should have been for everyone and not just one. There should have been the option of right of first refusal. J. Krahulec remembered a discussion at that meeting years ago with two reporters on it as well, Michael Kitch and John Koziol.

Former Mayor Fraser, spoke in regard to Lakeport Landing. He had been called by 3 different people about the issue. He remembered that the topic was removed from the Council agenda 10 years ago as recommendation of the subcommittee because there were no votes to declare the land as surplus property. There was a number of properties on the list to be looked at. He and Blizzard had lots of contact in that time and doesn't remember anything about right of refusal.

Judy Krahulec spoke again noting the issue was voted on because the lease had to be renewed.

Bob Luther, spoke in regard to Lakeport Landing. He has known Michael Kitch for a number of years and he wouldn't insert something into a story without facts. He feels the Council should move to set the rules aside and reconsider it.

Matt Lahey of Cottonwood Ave spoke in regard to Lakeport Landing. He was in the audience at that meeting and remembers Council voting. It was election time. He also remembered Councilor Bolduc was an advocate for the issue and for Blizzard. He feels M. Kitch's quotes were accurate in his article about the meeting that night.

Mike Persson of 43 McGrath Street spoke on the budget. He opposed the reduction on the tax cap. He is on number of boards but spoke as resident and tax payer. He is not one to advocate for higher taxes but feels the City needs to plan carefully for future years. Cuts will carry forward to future and now is not the time to reduce taxes. M. Persson asked Council to look at the real impact of a reduction.

Bruce Wright, owner of Irwin Marine spoke in regard to Lakeport Landing. He is surprise to hear new options after 6 months of the process. He feels this should have come up first, not last. Irwin has expressed continued interest in the property since 1985. He noted that Council stated the highest offer would be taken.

Kerren Horn, of 36 River Street, spoke on the temporary traffic order for River Street. Her concerns were about the trucks going down River Street. She called Public Works about the "no truck" signs that are posted on either end of River Street and noted that it was hard to hear back from people in the City on the issue. The trucks that haul from the River's Edge apartments being built by Laconia Area Community Land Trust (LACLT) are causing erosion on the street. She had spoken with the LACLT and was told the trucks would be off Union Ave. Those trucks are too heavy and the main concern is the road not being held up. She is upset that that the construction company will be monitoring the banks. She feels the City should monitor the shoreline. She feels this is not the City's best interest to pass the ordinance to use River Street for access. She is excited for the apartments but not at the road's expense. Councilor Hamel noted that once the construction done, the City will be responsible and the under footings should not be used by heavy trucks. Councilor Bolduc feels that the Public Works Committee should have heard about this before tonight.

Erica Blizzard owner of Lakeport Landing spoke. She reminded Council that the City Manager was the authorized person to conduct informal conversations for the sale of Elm Street and hoped for a reconsideration.

COMMITTEE REPORTS:

1. FINANCE: (Lipman, Hamel, Baer)

- a) WOW Trail Fund
- b) Downtown TIF Financing

No report on any item in committee

2. PUBLIC SAFETY: (Baer, Doyle, Bownes)

- a) Fair St./Court St. traffic problems and accidents

No report on any item in committee

3. GOVERNMENT OPERATIONS & ORDINANCES: (Doyle, Bolduc, Bownes)

- a) Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns
- b) Review of Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers

No report on any item in committee

4. PUBLIC WORKS: (Bolduc, Baer, Bownes)

No report on any item in committee

5. LAND & BUILDINGS: (Hamel, Lipman, Bolduc)

- a) Repair & maintenance of City Buildings

No report on any item in committee

LIAISON REPORTS: NONE

MANAGER'S REPORT:

- 1. Financial & Operational Trends Report
- 2. Monthly Economic Development Report

City Manager Myers went over the reports.

NEW BUSINESS:

- 1. Restoring Lots 63 and 65 Belvidere Street, Laconia, NH to their pre-merger status

City Manager Myers reviewed the requirement and there were no objections to the pre-merger status.

*Councilor Bolduc moved to restore Lots 63 and 65 Belvidere Street to their pre-merger status as requested. Seconded by Councilor Hamel. **The motion passed unanimously 6-0.***

- 2. Request from Gilford Women's Baseball Team to hold a fundraising event for the NH Food Bank at Opechee Park on August 9, 2015 from 12 noon to 3 pm

This is a new request and has been approved by the Parks & Recreation Commission.

Kylie Sanville, founder of the Gilford Women's Basketball League, spoke. Their league would like to host a family fundraiser day for the NH Food Bank. Participants who would like to participate, would donate a non-perishable food item. This is done quarterly around the area.

*Councilor Bolduc moved to approve the request from Gilford Women's Basketball League to hold a fundraiser for the NH Food Bank at Opechee Park on August 9, 2015 from 12:00 noon to 3:00 p.m. as requested. Seconded by Councilor Doyle. **The motion passed unanimously 6-0.***

3. Temporary Traffic Order 2015-12, Truck & Equipment Access to River Street

This request is being made to accommodate the construction of the River's Edge Apartments. City Manager Myers gave a brief presentation. Staff has been taking the issue seriously, and the reason for using River Street was sight distance on Arch Street. Jewett Street was the best access. The reason for the engineer or contractor monitoring was to save on city hours. He respects Horn's concerns. Staff will look into a fee on any impact of River Street. Councilor Hamel would rather see truck traffic on Arch Street than River Street. City Manager Myers recommended to kill the request tonight if concern is the integrity of River Street.

*Councilor Bownes moved to continue the temporary traffic order 2015-12, Truck & Equipment Access to River Street, to July 27, 2015. Seconded by Councilor Lipman. **The motion passed 5-1 Councilor Hamel no.***

City Manager Myers noted that tomorrow a notice would be sent to River's Edge and no trucks will be allowed down River Street until the issue is subsided.

UNFINISHED BUSINESS:

1. **Second Reading of a Resolution Relative to Establishing a Parks and Recreation Revolving Fund for Community Center Gymnasium Floor Maintenance**

*Councilor Bolduc moved to approve a second reading of a resolution relative to establishing a Parks & Recreation Revolving Fund for the Community Center Gymnasium Floor Maintenance. Seconded by Councilor Hamel. **The motion passed unanimously 6-0.***

2. **Request for reconsideration of the Council vote to authorize the City Manager to enter into a purchase and sales agreement with Irwin Marine for surplus property located at 21 Elm Street**

Mayor Engler briefed the Council on procedure. The conversation will be limited to those at the table. In order for approval four (4) Councilors that voted at the June 8, 2015 meeting would be needed, if not, the issue dies. If approved, the motion would be to reconsider the vote on June 8, 2015, then put up for discussion and a vote. At that point a motion to rescind the vote would be needed.

*Councilor Baer moved to suspend the Rule of Procedure #20 requiring motions for reconsideration of selling the 21 Elm Street property to Irwin Marine. Seconded by Councilor Bownes. **The motion passed unanimously 6-0.***

Councilor Bownes moved to reconsider the vote on June 8, 2015 to authorize the City Manager to enter into a purchase and sales agreement with Irwin Marine for surplus property located at 21 Elm Street. Seconded by Councilor Baer.

Discussion:

Councilor Baer reminded the Board of the authorization of the City Manager to negotiate informally with the interested parties and get back to the council. She believes the intention was for City Manager Myers to make the discussions and return to the Council with that information. During the non-public meeting the vote was taken to give to Irwin Marine. She would like to be fair for reconsideration for Lakeport Landing.

Councilor Bolduc was in shock after the nonpublic session prior to the June 8, 2015 meeting.

City Manager Myers briefed council on the night of Sept 26, 2005. There are no minutes from that meeting from the Land and Buildings committee and no mention of the item except that it was removed from the agenda. There is no record found for resolutions to provide a right of first refusal to do any kind of addendum to the existing lease agreement. Legal Counsel has no record either. Mayor Engler understands that there was correspondence after the September 2005 meeting. City Manager Myers agreed. Councilor Baer feels that having more than one offer for the parcel made this confusing.

Councilor Lipman reminded Council that originally the parcel was leased because of a Supreme Court decision. Councilor Lipman ran through the history of the process. In his mind the two bids were too far apart and he wanted it to be close to the market value. He felt it was helpful to get all the thoughts and opinions of Council on the table as government should do. Looking at whole picture, the amount wasn't close and Council was not in a position to exclusively ignore Irwin's proposal. Market Appraisals are not the same as property tax appraisals.

Councilor Hamel was on Council in 2005. He remembers the surplus properties but doesn't remember offering Blizzard first refusal of the property. If there was a legitimate vote he feels that it should have been up to the City Manager and Blizzard to redo the lease right away. He feels it should have been taken care of back then.

Councilor Bolduc remembers voting on it in 2005 and wonders why the appraisal was so little.

Councilor Doyle stated the discrepancy in the offers was huge to ignore. A concern for her was the exact amount was resubmitted by Lakeport Landing after already being rejected. As the seller, a second appraisal would not have had any bearing on what the City was looking for. Councilor Doyle noted that she understands anything in real estate has to be in writing, not verbal. Paperwork should have been done up right away and wasn't. She doesn't feel Council has done anything wrong.

Councilor Hamel thinks with the previous lawsuit that, Irwin would have been here stating Council could not do that.

Councilor Bownes thinks not undoing the motion to reconsider is the wrong thing to do. In the end the right path is to treat everyone fair. He thinks Council should reconsider, rescind and make clear after that there was no enforceable right of refusal and put this issue back out in a clear fair format. He agreed with Councilor Lipman and Doyle that the amount was not enough. Councilor Bownes was encouraging Attorney Dyer in June for more time.

Mayor Engler noted there is no consensus on one major area from Council. He will not vote to reconsider the motion. His reason was the final offers. Both Irwin and Lakeport Landing received the same letter and had no reason to suspect any different from what the letter stated.

Councilor Baer disagrees with the fact that the highest offer to be in hand by Council.

Councilor Hamel stated that Council requested the City Manager have discussion with the owners. There is no other way to get a price other than what was done.

Councilor Baer questioned why the Council went into nonpublic session. Councilor Lipman added that certain terms and conditions were discussed.

*The motion to reconsider the vote was 3-3. **The motion failed** with Councilor Baer, Councilor Bolduc, and Councilor Bownes, voting in favor and Councilor Hamel, Councilor Lipman, and Councilor Doyle not in favor. Deciding vote by Mayor Engler not in favor.*

3. **Gilford and Laconia Transfer Station Memorandum**

City Manager Myers made the presentation.

*Councilor Hamel moved to approve the Memorandum of Understanding between the Town of Gilford and the City of Laconia regarding the Handling of Revenue from the Laconia Transfer Station as presented and to authorize the City Manager to sign the Memorandum of Understanding on behalf of the City. Seconded by Councilor Doyle. **The motion passed unanimously 6-0.***

4. **Budget Resolutions**

*Councilor Bolduc moved to waive the reading of resolutions a-i in their entirety and to read by title and amounts only. Seconded by Councilor Lipman. **The motion passed unanimously 6-0.***

a. **Second Reading of a Resolution relative to making itemized appropriations for the General Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

Mayor Engler stated at the last meeting there was informal agreement on a number of changes. The motion to be put on the floor is for \$37,297,601.

City Manager Myers went over the changes: cut \$42,500 out of capital outlay for Fire Dept radios which was half the amount to fund half this year and half next year. Increasing the Lakes Region Public Access line item under the administration budget by \$6,700 to tie into the amount billed for this year. Add \$30,000 to the contingency line item. Increase the finance principal of interest portion by \$1,200, which ties into window replacement for City Hall. Reduce overtime line items in the Fire Dept by \$50,000. Reduction from the school budget for \$100,000. Increase \$30,000 in revenue from the return of premium from NH Interlocal Trust. Amend the assessed increase \$1,849,646,944. The total tax rate increase to \$19.3. The sum total of reductions \$84,600. Reducing the City Mangers appropriation sum total of \$184,600.

Councilor Hamel moved to adopt resolution 2015-11, Resolution relative to make itemized appropriations for the General Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. A grand total appropriation of \$63,989,938 less total revenue of \$26,692,337 leaving a balance to be raised by property taxes of \$37,297,601. Seconded by Councilor Lipman.

Discussion:

Councilor Hamel moved to remove additional \$25,000 in the Fire Dept over time budget and move into the contingency account. Seconded by Councilor Baer. **The motion passed unanimously 6-0.**

Councilor Baer moved to reduce the capital outlay budget for the Fire Dept radios by \$42,500. Seconded by Councilor Lipman.

Chief Erickson spoke about the radios. The compatibility and frequency of the radios is poor and new radios would help across all aspects. They were bought in 2007 with a State grant and already were five years old.

Councilor Hamel amended the motion to remove the \$42,500 to be put into contingency for further investigation on the radios. Seconded by Councilor Baer. Councilor Doyle would like see the money left and used for only the radios and would prefer it go into a separate account. **The motion passed unanimously 6-0 for the amendment as amended.**

Councilor Bolduc moved to extend the meeting to 10:30 pm. Seconded by Councilor Doyle. **The motion passed unanimously 6-0.**

Councilor Baer moved to take the money for City Hall window repair from the Land and Buildings account. City Manager Myers was not opposed to that and noted that the guidelines should be updated for housekeeping. Councilor Baer amended the motion to reduce the Principal and interest budget in the finance by \$1,200 and transfer an equal amount into the contingency budget. Seconded by Councilor Lipman. **The motion passed unanimously 6-0.**

Councilor Bear would like updates on the cost of the new Fire Dept and Councilor Hamel stated as of Friday everything was OK. They did go through the contingency but are saving in other areas.

Councilor Bownes moved to raise the general appropriation for the school district by \$50,000. Seconded by Councilor Lipman for discussion. Councilor Lipman thinks the points made earlier in the evening about the tax cap have been interpreted to benefit the City. **The motion failed 1-5** with Councilor Bownes in favor and Councilor Doyle, Councilor Lipman, Councilor Baer, Councilor Hamel and Councilor Bolduc not in favor.

The motion to raise a grand total of \$6,989,938 less total revenue \$26,692,337 leaving balance to be raised by property tax \$37,297,601. **The motion passed 5-1** Councilor Bownes, Councilor Doyle, Councilor Lipman, Councilor Hamel and Councilor Bolduc in favor and Councilor Baer not in favor.

- b. **Second Reading of a Resolution relative to making itemized appropriations for the Sewer Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

Councilor Doyle moved to adopt resolution 2015-12, Resolution relative to making itemized appropriations for the Sewer Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. \$3,642,929 less total revenue of \$3,642,929 and capital outlay of \$366,000 a year. Seconded by Councilor Bownes. **The motion passed unanimously 6-0.**

- c. **Second Reading of a Resolution relative to making itemized appropriations for the Internal Services Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

Councilor Bolduc moved to adopt resolution 2015-13, Resolution relative to making itemized appropriations for the Internal Services Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. \$1,048,440 less total revenue \$1,048,440. Seconded by Councilor Doyle. **The motion passed unanimously 6-0.**

- d. **Second Reading of a Resolution relative to making itemized appropriations for the Special Revenue Fund-Motorcycle Week for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

Councilor Doyle moved to adopt resolution 2015-14, Resolution relative to making itemized appropriations for the Special Revenue Fund-Motorcycle Week for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016 in the appropriation of \$171,988 less total revenue \$171,988. Seconded by Councilor Bolduc. **The motion passed unanimously 6-0.**

- e. **Second Reading of a Resolution relative to making itemized appropriations for the Water Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

Councilor Doyle moved to adopt resolution 2015-15, Resolution relative to making itemized appropriations for the Water Fund for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. \$1,896,069 less \$1,896,069 plus capital of \$461,000. Seconded by Councilor Bownes. **The motion passed unanimously 6-0.**

- f. **Second Reading of a Resolution relative to making itemized appropriations for the Tax Increment Finance District-Lakeport for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

*Councilor Bolduc moved to adopt resolution 2015-16, Resolution relative to making itemized appropriations for the Tax Increment Finance District-Lakeport for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. \$2,777 offset by revenue \$2,777. Seconded by Councilor Doyle. **The motion passed unanimously 6-0.***

- g. **Second Reading of a Resolution relative to making itemized appropriations for the Tax Increment Finance District-Downtown for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

*Councilor Baer moved to adopt resolution 2015-17, Resolution relative to making itemized appropriations for the Tax Increment Finance District-Downtown for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. \$185,190 less total revenue \$185,190. Seconded by Councilor Lipman. **The motion passed unanimously 6-0.***

- h. **Second Reading of a Resolution relative to making itemized appropriations for the Tax Increment Finance District-Weirs for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

*Councilor Doyle moved to adopt resolution 2015-18, Resolution relative to making itemized appropriations for the Tax Increment Finance District-Weirs for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. \$11,465 minus \$11,465. Seconded by Councilor Bolduc. **The motion passed unanimously 6-0.***

- i. **Second Reading of a Resolution relative to making itemized appropriations for Anticipated Grants for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016**

*Councilor Hamel moved to adopt resolution 2015-19, Resolution relative to making itemized appropriations for Anticipated Grants for the Fiscal Year Beginning July 1, 2015 and terminating June 30, 2016. \$866,334 less revenue \$866,334. Seconded by Councilor Bolduc. **The motion passed unanimously 6-0.***

5. Milfoil Treatment Funding Request
6. WOW Trail
7. Master Plan
8. EPA Update
9. Sewer & Water Master Plan
10. Single Stream Recycling/Concord Co-Op/Solid Waste Disposal Cost Reduction
11. Strategic Planning/Goal Setting

NOMINATIONS, APPOINTMENTS & ELECTIONS:

COUNCIL COMMENTS:

Councilor Hamel asked that the cameras for the parking garage that are being taken out of TIF money be put on the next agenda under new business.

Mayor Engler stated that Council needed to go into nonpublic session and vote to extend the meeting from 10:30 to 10:45 pm.

Robert Fortier of Franklin Street had question on nonpublic sessions. He wants to see where a vote is allowed in nonpublic session. Mayor Engler stated the rules were amended in 1991 and will provide Robert Fortier with that. R. Fortier asked for diagrams of the TIF districts. He also asked who will manage the theater when the City takes over.

*Councilor Bolduc moved to extend the meeting time from 10:30 pm to 10:45 pm. Seconded by Councilor Hamel. **The motion passed unanimously 5-0.** Councilor Bownes was out of the room.*

*Councilor Bolduc moved to go into nonpublic session According to 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. **Seconded by Councilor Hamel.***

On a roll call vote of the Council it was voted 6-0 to enter into non-public session at 10:30 p.m. The non-public session was convened in Room 200B.

NON - PUBLIC SESSION: According to RSA 91-A:3, II:

- (a) The dismissal, promotion or compensation of any public employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.
- (b) The hiring of any person as a public employee.
- (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting.
- (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.
- (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.
- (i) Consideration of matters relating to the preparation for and the carrying out of emergency functions including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

ADJOURNMENT:

*Councilor Baer moved to come out of non-public session at 10:39 pm. Seconded by Councilor Bolduc. **The motion passed unanimously 6-0.***

*Councilor Hamel moved to seal the minutes for two (2) years. Seconded by Councilor Bolduc. **The motion passed unanimously 6-0.***

*Councilor Bolduc moved to adjourn. Seconded by Councilor Baer. **The motion passed unanimously 6-0.***

The meeting adjourned at 10:40 p.m.

Respectfully Submitted,
Kalena Graham

Acting Recording Secretary