

**TOWN OF NEWMARKET, NEW HAMPSHIRE
TOWN COUNCIL REGULAR MEETING**

May 4, 2016 7:00 PM

PRESENT: Council Chairman Gary Levy, Council Vice Chairman Phil Nazzaro, Councilor Dale Pike, Councilor Amy Thompson, Councilor Toni Weinstein, Councilor Amy Burns, Councilor Kyle Bowden

ALSO PRESENT: Town Administrator Steve Fournier, Mr. Bill Watson of NHDOT, Mr. Phil MacDonald of Underwood Engineers, Town Planner Diane Hardy, Public Works Director Rick Malasky, Recreation Director Jim Hilton

AGENDA

Chairman Gary Levy welcomed everyone to the May 4, 2016 Newmarket Town Council Meeting and called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance.

PUBLIC FORUM

Chairman Levy opened the Public Forum at 7:01 pm and asked if anyone from the public would like to speak.

Mr. Doug Marino stated that he was a student at the University of New Hampshire with family in Newmarket, and he wanted to speak in favor of the Resolution on the floor this evening relative to equal rights for citizens who are transgender. He said Durham had already taken that step and other Towns were following suit. He felt that as elected officials and public servants, the most important thing the Councilors could do is to protect the civil rights of its citizens, and he looked forward to their voting "yes" on the resolution.

Dr. Joelle Ruby Ryan stated that she was a Professor of Women's and Gender Studies at UNH. She said she grew up in Newfields and was currently living in Newmarket. She said that as a transgender person she felt it was important for her to come to the meeting to talk about her support for the resolution. She said that an effort had been made at the State level in 2009 which would have prohibited discrimination on the basis of gender identity but was defeated. She said transgender people face tremendous discrimination and the need for protection on the basis of gender identity is very strong. She said that

Town Council Regular Meeting
May 4, 2016

New Hampshire was the only state in New England that did not have such protections, and she felt the Newmarket vote would send a clear and strong message to the people of New Hampshire and the State Legislators that Newmarket was a non-discriminatory community.

Chairman Levy closed the Public Forum at 7:06 pm.

PUBLIC HEARING – None

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Acceptance of the Minutes of the Non-Public Meeting of April 20, 2016

Vice Chair Nazzaro made a motion to approve the minutes of the Non-Public Meeting of April 20, 2016 which was seconded by Councilor Thompson.

Town Administrator Fournier polled the council and the motion to approve the minutes of the Non-Public Meeting of April 20, 2016 passed by a vote of 7-0.

Acceptance of the Minutes of the Regular Meeting of April 20, 2016

Councilor Weinstein made a motion to approve the Minutes of the Regular Meeting of April 20, 2016 which was seconded by Councilor Burns.

Changes/Corrections: Councilor Pike asked that a correction be made on page 2 of the minutes under Committee Reports to change “the next Planning Board meeting would be Public” to “the next Planning Board meeting would be a *Public Forum*”.

Town Administrator Fournier polled the Council and the motion to approve the minutes of the Regular Meeting of April 20, 2016 were approved as amended by a vote of 7-0.

REPORT OF THE TOWN ADMINSTRATOR

Town Administrator Steve Fournier first reported on the Town **Auditors**, stating that pursuant to the Town Charter they needed to solicit proposals for a new auditing firm every three (3) years. He said the Town’s previous auditors were unable to conduct the FY2015 audit and a one-year agreement was signed with MacPage to complete it. He said they were currently interviewing auditing firms and would have a new firm for Council approval by June. He said that a **Meeting with the County Commissioners** and the communities of Rockingham County, to discuss their services and how they could work together, was scheduled for May 25th which he planned to attend. He stated that he had received the final contribution letters from Primex for **Liability and Workers Compensation Insurance** and that overall they would experience a budget shortfall of \$435. He said Primex was expecting to see an increase in expenditures of 6.9% for Workers Compensation and 9% for Property liability. Town Administrator Fournier provided FY2017 appropriations as compared to the contributions renewal with a breakdown of the rates. He said that **Senate Bill 328 Local**, which allows the Town and the School District to enter into agreements and to

share administrative and other functions, was signed into Law by Governor Hassan and would take effect on July 2nd.

Route 108 South Bike Path Project

Town Administrator Steve Fournier provided the background and history of the Route 108 South Bike Lane Project to date, and said the project was originally submitted for funding under the Congestion Mitigation and Air Quality (CMAQ) Program in 2001 by New Hampshire Department of Transportation Division 6. He said it was originally packaged to include improvements in Newmarket and Newfields and that the length of the original project was 2.2 miles including Rockingham Junction Bridge at a cost of \$809,292. He said 80% of the funding would come from Federal Highway Funds and the remaining funds from the State NHDOT, with no funds from the Town. He said the project was to be municipally managed between the towns, but Newfields withdrew from the project in 2007. He said the Town entered into an agreement with NHDOT in 2009 to manage the project and it was approved at the Annual Town Meeting in 2010 contingent on all funds being paid by NHDOT and FHWA. The project lay dormant for several years and the Town filed an extension of the agreement in May 2013 which was granted until December 31, 2015.

Town Administrator Fournier said a scoping meeting was held with NHDOT in June 2013 to discuss the 80%/20% funding, and in late July 2013 a letter was received saying that State Toll Credits were available for the completion of the project. He said they were then authorized by the State to begin negotiations with Underwood Engineers, and a contract in the amount of \$37,600 for the engineering study was approved by the Town Council in May 2014. A meeting was held in October 2014 with NHDOT to discuss the two alternatives for the project, and it was noted at that time that both alternatives were estimated at beyond the current funding level. In December 2014 the Town requested a time extension to December 31, 2016 which was granted, and Underwood Engineers submitted a Draft Engineering study in February 2015. The Town sponsored a public information meeting to receive input on the planning and design of the project, with a second Public Hearing held on July 22, 2015.

Town Administrator Fournier stated that the engineering report was completed and submitted to the State on September 16, 2015, along with a request from the Town to meet with NHDOT staff to review the findings of the report and the possibility of additional funding and/or the option of scaling back the project to stay within budget. They were told at the meeting that any further funding would be available on an 80%/20% basis and NHDOT was informed that it was unlikely the Town would support funding of the project. He said comments were received from the State on February 1, 2016, suggesting the Town review the budget with an eye to a reduced scope of work. He said in March 2016 the Town Council approved scaling back the project and decided not to approve town matching funds, which was conveyed to NHDOT. At a coordination meeting with NHDOT questions were raised about the status of the project's review under the National Environmental Protection Act (NEPA) process, and Underwood Engineers completed and sent the information on April 22, 2016. He said the engineers were also asked to provide a more complete budget analysis showing what the reduced scope would entail for preliminary design, final design and bidding, construction, and construction engineering, which was currently being addressed.

Town Administrator Fournier stated that during his vacation, a communication was received from Mr. Bill Watson of NHDOT with concerns over the cost of the project and the liability of the Town. He said they wanted to make sure the Town understood the risks before putting any further money into the project, as there could be cost overruns and unforeseen difficulties and the Town Council needed to understand that in that case the Town would be expected to pay 20% of any additional costs. He said the project also needed to be carefully planned with the addition of Bid Alternatives. He said the NHDOT wanted to make sure the Town understood that there was a risk of the Town having to pay back the \$37,600 if the project could not be completed. He said NHDOT was willing to scale back the project only so much before the purpose of doing the project was defeated, and said a resolution could be acted on at the May 18th Town Council meeting if the rules are suspended. He stated that Mr. Bill Watson of the NHDOT was present to answer any questions on the project.

Discussion: Councilor Thompson felt that paying the \$37,600 for the engineering study was contrary to the wishes of the voters, as well as any construction costs that go over the voter-approved amount. Town Administrator Fournier said it was a reimbursement issue and that Motor Vehicle Registration fees had been used to offset the \$37,000 cost.

Mr. Bill Watson of the **New Hampshire DOT Bureau of Planning and Community Assistance** said that within the Department of Transportation (DOT) he oversaw a bureau that managed approximately \$75 million in Federal and State funds for New Hampshire communities. He said his office had distributed approximately \$177,000 to the Town of Newmarket this year for highway and roadway construction and maintenance. He said he managed State funds for local bridges, local highways that were State roads, and for planning-related studies, and that he had worked with the Strafford Regional Planning Commission for state-wide planning work, traffic data audits, and safety work. He said he distributed approximately \$25 million annually for Federal Aid projects, which included the Route 108 shoulder project.

Mr. Watson stated that the funding came from the Air Congestion Mitigation and Air Quality Program, and that a documented air quality analysis showing a reduction in vehicle emissions needed to be done as a criteria for funding, with any reduction in scope also needing to meet these requirements. He explained that this was not a grant program but rather a reimbursement program. He stated that the municipal agreement signed by the Town in 2009 and executed in 2010 formed a legal contract between the State and the Town and was approved by the State. He said the department had questions with regard to “no taxpayer dollars” being spent and were concerned that if the Municipal agreement were defaulted on for any reason, the Town would be responsible to pay back any money reimbursed to date. He said the Town had spent \$37,600 and was reimbursed by the Department for the engineering study work through December 2016, and that Underwood Engineers had not yet completed their work.

Mr. Watson said that as a State and Local Public Agency (LPA) project, the Department required that the Town understand the context of the environmental and design requirements as well as the risks involved in order to move forward. He said they had a certification process in New Hampshire that required any person in charge of a project to be trained and certified by them. He said that currently Town Planner Diane Hardy and Interim Finance Director Matt Angell were certified for Newmarket, and that Mr. Phil MacDonald and Underwood Engineers were also certified as consultants and contractors. He stated that the first step in the design of the project was the requirement of an Engineering Study which needed to

be submitted and accepted. He said the Engineering Study would show feasibility and costs of the project, and that until this was completed they were unable to answer feasibility questions.

Mr. Watson stated that there were several concerns for the NHDOT. He said it had been two years since the notice to proceed had been given which was a very long time to be under development. He felt once the Engineering Study was complete it would take another year to get through the design process once a contract was negotiated with Underwood Engineers and another 6-12 months, depending on what the impacts were, plus the length of the construction cycle. He said they needed the completed Engineering Study and the final design and right-of-way acquisitions for putting together bid plans, and until the engineering study was complete they did not know what the reasonable alternative implications were for changing the scope of the project. He said another concern was the Town's position on local funds and whether the project would be funded if it moved forward and went above the \$809,000. He stated that the Federal Government required projects to be constructed with ten (10) years of the project start, and said that 2020 was not that far away in terms of the design contracts. He said the Town needed to consider the schedule moving forward and have a good understanding of potential success and potential risks.

Discussion: Councilor Pike said they already knew they were short on funding under the original budget, but did not know how much they could shorten the project and still qualify and he asked for a summary of the financing. Town Administrator Fournier said they had expended \$37,600 and were reimbursed for that amount, and that the original project estimate was \$1.2 million. He stated that a special Town Meeting would have to be held as they could not go over the original amount without voter approval. Mr. Watson suggested that a potential reduction in the project to the Hersey Lane area would work from their standpoint and still meet the CMAQ requirements. Town Administrator Fournier said that procedurally if the Council wanted to move forward they would need the final Engineering Report and would then need to take the next step to contract with Underwood Engineers to determine the exact cost. He said that the Council had the right to say they did not want to continue at that time.

Councilor Pike asked how long they had been waiting for the Engineering Report and Town Planner Diane Hardy said a preliminary review had been done and Underwood had taken care of the NEPA process now being reviewed by NHDOT, and that Mr. MacDonald was also working on some cost estimates. Mr. Phil MacDonald of Underwood Engineers stated that underfunding of the project from the beginning contributed to the length of time taken for the study as the limits had been refined several times. He said they submitted the report to DOT in September of 2015, had received comments in February 2016, and were working to provide responses to the questions. He said they initiated the NEPA process and needed to include the environmental impact studies. He said they were also asked to provide a more detailed cost including preliminary design, right-of-way work, construction, and engineering fees so DOT and the Town have a better picture of the total project. He said they had a draft of their response comments and would be submitting them along with the NEPA material around the end of May.

Vice Chair Nazzaro stated that he understood the government worked slowly but that it was over two years, and they had gotten essentially nowhere. He said he felt that they would find a way out of fees to cover the \$37,600 spent, but felt the project was a disaster and he could not see things getting cleaner as they moved forward. Councilor Thompson said she seconded that and said she appreciated all the efforts so far but felt they should take their losses at this point. Mr. Watson said DOT was also frustrated with

the project. Chairman Levy asked Mr. Watson to explain what information was “incorrect and incomplete” as stated in his letter to the Town Administrator. Mr. Watson replied that the intent of an engineering study was to look at the project topography and look at historical and environmental constraints. He said most of that work had been done by Underwood but it took two years to complete, and that 6-9 months was typical for a project of this size. He said DOT made a coordinated effort working with many bureaus to review all aspects of the project, which had taken from September to February to complete. He said the September submission did not include any of the environmental work, which was clearly outlined as part of the required consultant training. He felt there was a lack of communication and a lot of confusion between the consultant and the Environmental Bureau as to what needed to be done.

Chairman Levy said he thought that Town Administrator Fournier and DOT needed to get together with Underwood Engineers quickly and look at any other issues to determine how quickly the information could be provided to DOT and how fast they could turn things around as the Council needed to know the timeline so they could make a decision. Town Administrator Fournier said his position as Town Administrator was to recommend or not recommend what the next step would be after the Engineering Study was completed, and that the Council needed to think about whether or not to go forward. Vice Chair Nazzaro said there were seams between all the organizations involved here including the Town, the NHDOT, and the engineers, and they needed to be fixed. He said they needed to get a very close to hard number in the most conservative way possible, and needed to become a team very quickly. Town Administrator Fournier said that a team needed a direct line of communication, and that the Town, the NHDOT, and the engineers each had a chain of command that needed to be followed. Mr. Watson said his project manager Mr. Tom Jameson talked to Town Planner Diane Hardy and that Mr. Phil MacDonald should only be contacting him through her. Chairman Levy felt that after this phase they needed to make sure the engineering firm was capable of furnishing the information. He thanked Mr. Watson for taking the time to meet with the Council and provide the update.

Town Administrator Fournier recommended to the Council that the order of the Agenda be changed to take up the resolutions in the first reading at this time, and to suspend the rules to act on resolutions 44 and 45 this evening. The Council approved the change in the Agenda.

ORDINANCES AND RESOLUTIONS IN THE 1ST READING

Town Administrator Fournier provided a review of both resolutions together. He stated that they had received two construction bids from GW Brooks and Son and Target Construction for the Downtown Pedestrian Improvement Project. He said he has the bidders to break down the costs into four (4) parts which included: 1) the Base Bid, 2) Alternative 1 including LED lighting for downtown, 3) Alternative 2 including the addition of a cantilevered deck at Newmarket Mills, and 4) Alternative 3 to add landscaping and trees. He said that Target Construction was the lowest with a Base Bid of \$356,000 (Resolution-44). He said in addition, they also awarded a contract for the engineering for the construction phase of the project with Dubois & King, Inc. for \$98,418 (Resolution-45), which was already completed. The total project cost approved came to \$584,374 with DOT paying \$467,499 (80%) and the Town and Newmarket Mills splitting the 20% contribution at \$58,437 each, with \$3,437 to come from the General Fund to make up the difference. He said that due to concern over the timeline expressed by DOT it was requested to act on these resolutions this evening, and they had received a 30-day extension from Target Construction.

Resolution #2015-2016-44 Resolution Authorizing the Town Administrator to Enter into an Agreement with Target Construction for the Construction of the Downtown Pedestrian Improvements not to Exceed \$356,000 (TA Requests the Suspension of the Rules)

Chairman Levy read *Resolution #2015-2016-44 Resolution Authorizing the Town Administrator to Enter into an Agreement with Target Construction for the Construction of the Downtown Pedestrian Improvements not to Exceed \$356,000* in full.

Councilor Weinstein made a motion to suspend the rules which was seconded by Councilor Pike. Town Administrator Fournier polled the Council and the motion to suspend the rules was approved by a vote of 6-1.

Discussion: Chairman Levy asked if the LED lighting and the trees were originally included, and Town Administrator Fournier replied they were included but had to be removed as the cost of the project came in higher. Chairman Levy asked if there was sufficient lighting and there were no safety issues. Town Administrator Fournier said there were no issues and he had been talking with Eversource on what projects might be available for replacing the lights with energy-efficient lighting.

Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015-2016-44 Resolution Authorizing the Town Administrator to Enter into an Agreement with Target Construction for the Construction of the Downtown Pedestrian Improvements not to Exceed \$356,000* passed by a vote of 7-0.

Resolution #2015-2016-45 Resolution Authorizing the Town Administrator to Enter into an Agreement for Engineering Services for the Construction Phase of the Downtown Pedestrian Improvements Project not to Exceed \$99,418 (TA Requests the Suspension of the Rules)

Chairman Levy read *Resolution #2015-2016-45 Resolution Authorizing the Town Administrator to Enter into an Agreement for Engineering Services for the Construction Phase of the Downtown Pedestrian Improvements Project not to Exceed \$99,418* in full

Councilor Pike made a motion to suspend the rules which was seconded by Councilor Weinstein. Town Administrator Fournier polled the Council and the motion to suspend the rules was approved by a vote of 6-1.

Councilor Burns made a motion to approve *Resolution #2015-2016-45 Resolution Authorizing the Town Administrator to Enter into an Agreement for Engineering Services for the Construction Phase of the Downtown Pedestrian Improvements Project not to Exceed \$99,418* which was seconded by Councilor Pike.

Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015-2016-45 Resolution Authorizing the Town Administrator to Enter into an Agreement for Engineering Services for*

the Construction Phase of the Downtown Pedestrian Improvements Project not to Exceed \$99,418 passed by a vote of 7-0.

COMMITTEE REPORTS

Councilor Weinstein reported on the *Joint Town Council/School Board Sub-Committee* meeting. She said that she and Councilor Pike met with their counterparts on the School Board, Ms. Kim Shelton and Mr. Al Zink as a sub-committee to set a date and develop an agenda for the Joint Meeting between the School Board and the Town Council. She said they had agreed on proposing the dates of May 24th and May 31st at 7:00 pm. Councilor Pike felt it would be fortunate if all School Board members and all Council members were available on any particular evening, and that it was important to have the Town Administrator there as well as a representative of the School Administration. He said they expected the new School Superintendent to be there and they could discuss beforehand whether it would be productive to have a representative of MRI present as well. Councilor Weinstein said they discussed the purpose of the meeting and they saw this as an opportunity to look at ways they could potentially combine resources, look at current projects, School Facilities, etc. and get a plan in place. Councilor Pike expressed preference for May 24th and Town Administrator Fournier asked if the Council had any issues with that date. The Council agreed and Town Administrator Fournier said he would tell the School Board the meeting would be held on May 24th. Councilor Pike said he was expecting the School Board to discuss the agenda at their next meeting and they were looking at having some presentations to preface remark to make the meeting as efficient as possible. He said both bodies were very interested in ways they could enhance and save resources and start identifying steps to move forward, and that this would be well documented.

Chairman Levy stated that the Planning Board would be having a Public Hearing on the Economic Development Committee (EDC) recommendations of the CCRC. Councilor Pike said that the role of future land use would be discussed at next Planning Board meeting.

OLD BUSINESS

ORDINANCES AND RESOLUTIONS IN THE 2ND READING

Resolution #2015/2016-41 Resolution Relating to Supporting the Equality of all Individuals without Regard to Actual or Perceived Sexual Orientation, Gender Identity, or Gender Expression – Sponsored by Councilors Weinstein, Nazzaro, and Burns

Councilor Bowden made a motion to approve *Resolution #2015/2016-41 Resolution Relating to Supporting the Equality of all Individuals without Regard to Actual or Perceived Sexual Orientation, Gender Identity, or Gender Expression* which was seconded by Vice Chair Nazzaro.

Councilor Weinstein thanked Mr. Marino and Dr. Ryan for sharing their perspectives with the Council. She said she had sponsored the resolution after hearing of the passage of a similar resolution in Durham and had approached Town Administrator Fournier for assistance. She said that what Durham passed focused on the State of New Hampshire to add language specific to protecting the rights of transgender individuals. She said the resolution would insure that Newmarket did not discriminate against people based on gender

identity, and felt it needed to be clear that all LGBTQ individuals were included. She felt it was important to use their voice as a community to insure all people were treated with dignity and respect. Vice Chair Nazzaro said he was happy to co-sponsor the resolution as his primary issue was individual liberty, a part of which was civil liberties and human rights. He said that as a municipality they already codified civil liberties and human rights and that this would just formally extend that to another minority group and assure that hiring would be based on ability to do the job and not on self-identification. Councilor Burns said she was also happy to co-sponsor this and was in full support of the resolution.

Town Administrator Fournier stated that clearly his position in Town would be the implementation of any policies as enacted by the Council. He said their personnel policies already had an anti-discrimination clause but that Councilor Weinstein asked that he clarify this and he spoken with the Town Attorney who stated they could not discriminate based on the gender identification of an individual. He said the passage of the resolution would relate only to the Town of Newmarket and only affect their operations, not any other government entities in town such as the Newmarket School District nor private businesses in the community. He stated that this resolution would allow individuals to use bathrooms and locker rooms they choose in a non-discriminatory manner consistent with the employee's gender identity or expression.

Discussion: Councilor Thompson felt the resolution was a good idea but that the current wording should be sufficient. She felt they were getting too specific and that the wording should be kept as general as possible to protect the rights of all. Councilor Bowden thanked Mr. Marino and Dr. Ryan for being there to bring the issue forward, and said discrimination and inequality were not right and he was in full support of this resolution. Chairman Levy said he would be in support of the resolution if there had been some clarification from the State on a non-discrimination policy and guidance provided on this issue. He said that based on the letter from the Town Attorney he felt the wording was too specific and felt the Town should not take that position. Vice Chair Nazzaro said he felt the bathroom issue was akin to the fight for integration and did not see how this would be different.

Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015/2016-41 Resolution Relating to Supporting the Equality of all Individuals without Regard to Actual or Perceived Sexual Orientation, Gender Identity, or Gender Expression* passed by a vote of 5-2.

Resolution #2015-2016-42 Resolution Authorizing the Town Administrator to Enter into an Agreement to Install a New Preschool Playground Structure at Leo Landroche Recreation Complex

Vice Chair Nazzaro made a motion to approve *Resolution #2015-2016-42 Resolution Authorizing the Town Administrator to Enter into an Agreement to Install a New Preschool Playground Structure at Leo Landroche Recreation Complex* which was seconded by Councilor Thompson.

Recreation Director Jim Hilton said they had looked at four different types of playgrounds from four different companies and decided they basically wanted to put together a similar playground, replacing only the wooden structure which always needed maintenance. He said this would allow them to move the playground and the amenities they already had and have more space for future projects. He said they had anticipated the cost would be \$27,000 but it came to only \$16,425.

Discussion: Councilor Pike asked if they would be moving the other pieces of playground equipment besides the central one and Recreation Director Hilton said everything he needed was in the old playground except this structural piece. Chairman Levy asked if any additional equipment was being purchased and Recreation Director Hilton said there would be an additional slide. Chairman Levy asked the material and the lifetime of the structure, and Recreation Director Hilton said it was a tough plastic resin and the lifespan was approximately 35-40 years.

Town Administrator Fournier polled the Council and *Resolution #2015-2016-42 Resolution Authorizing the Town Administrator to Enter into an Agreement to Install a New Preschool Playground Structure at Leo Landroche Recreation Complex* was approved by a vote of 7-0.

Resolution #2015-2016-43 Resolution Relating to New Road Drainage Improvements and Beech Street Extension Drain Investigation

Councilor Weinstein made a motion to approve *Resolution #2015-2016-43 Resolution Relating to New Road Drainage Improvements and Beech Street Extension Drain Investigation* which was seconded by Vice Chair Nazzaro.

Town Administrator Fournier said the first thing was to seek to withdraw funds from the Storm Water Management Capital Reserve Fund as part of the Administrative Order of Consent entered into with the EPA. He stated that the first part of the project involved drainage improvements on New Road extending approximately 2,500 feet from Exeter Street to Cove Lane. The improvements would include mitigation to reduce flows to the Route 108 “bowl area” and introduce flooding and storm water treatment, followed by road reconstruction. He stated that the second phase would entail improvements to the New Road water system by the replacement of the existing water main extending from Route 108 to Youngs Lane. He said the final phase involved the Beech Street Extension issue where the exact location and condition of the drainage pipe from Beech Street Extension to Route 108 was unknown. He said the work would involve field investigations, dye testing to determine the location, and inspection of the existing pipe. Public Works Director Rick Malasky said that this tied in with the Moonlight Brook Project and would be part of that grant match to divert drainage out of the “bowl area” on Route 108.

Discussion: Councilor Thompson said that part of the letter from Interim Finance Director Matt Angell stated that he was seeking \$75,900 rather than the \$63,900 requested in the resolution. Town Administrator Fournier said the resolution was for \$63,900 with \$12,000 to come from the Water Department.

Town Administrator Fournier polled the Council and *Resolution #2015-2016-43 Resolution Relating to New Road Drainage Improvements and Beech Street Extension Drain Investigation* was approved by a vote of 7-0

ORDINANCES AND RESOLUTIONS IN THE 3RD READING - None

ITEMS LAID ON THE TABLE – None

Town Council Regular Meeting
May 4, 2016

NEW BUSINESS/CORRESPONDENCE

TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS

Veterans Memorial Trust Committee

Candidate: *Donald R. April – Term Expires March 2019*

Vice Chair Nazzaro made a motion to approve the nomination of *Donald R. April – Term Expires March 2019* as a member of the *Veterans Memorial Trust Committee* which was seconded by Councilor Weinstein.

Town Administrator Fournier polled the Council and the appointment of *Donald R. April* to the *Veterans Memorial Trust Committee* was approved by a vote of 7-0.

CORRESPONDENCE/CLOSING COMMENTS

Councilor Weinstein stated that Alliance for Substance Abuse Prevention (ASAP) hosted another Community Forum on Monday with remarks by Mr. Rick Bodette from the Newmarket Police Department. She said there was a presentation on prevention from the Newmarket School Youth Alliance and a presentation on recovery coaching to partner with the Safe Harbor Recovery Center opening in Portsmouth in mid-May.

Chairman Levy said that he had called Town Administrator Fournier several times about needles found on New Road. He said he also wanted to thank Mr. Bill Watson for the funding with respect to the DOT extension of the traffic project from before Elm Street to the Route 108 "bowl area".

ADJOURNMENT

Vice Chair Nazzaro made a motion to adjourn the meeting, which was seconded by Councilor Burns. The meeting was adjourned at 9:13 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary

Approved May 18, 2016