

**TOWN OF NEWMARKET
TOWN COUNCIL REGULAR MEETING
January 18, 2017 at 7:00pm
TOWN COUNCIL CHAMBERS**

Approved February 1, 2017

COUNCILORS PRESENT: Gary Levy, Chair; Phil Nazzaro, Vice Chair; Dale Pike, Amy Thompson, Toni Weinstein, Amy Burns and Kyle Bowden.

ALSO PRESENT: Town Administrator Steve Fournier, Newmarket Housing Authority Executive Director Ernie Clark, CDBG Consultant Donna Lane and Recording Secretary Wendy Chase.

PLEDGE OF ALLEGIANCE

Chair Levy convened the Meeting at 7:03pm and led the Pledge of Allegiance.

PUBLIC FORUM

Chair Levy opened the Public Forum at 7:04pm, and closed the Public Forum at 7:04:05 without public comment.

PUBLIC HEARING

Resolution 2016/2017-18 – Authorizing the Town Administrator to submit an application for a Community Development Block Grant for Housing Upgrades at Great Hill Terrace and to Sign the Town Housing and Community Development Plan and Residential and Anti-displacement and Relocation Plan.

Chair Levy opened the Public Hearing at 7:07pm.

Ms. Lane made available, packets of information for the Council and the public.

Ms. Lane read the following statement into the record:

“Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for public facility and housing projects, up to \$500,000 for economic development projects and up to \$350,000 for emergency activities. All projects must directly benefit low and moderate income persons. Up to \$12,000 per study is available for Planning Grants.

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. The town will retain up to \$25,000 for administrative expenses and the remainder will be used for upgrades to 50 residential units at Great Hill Terrace, Newmarket's low income public housing project (NH13-01), operated by the Newmarket Housing Authority, 34 Gordon Avenue, Newmarket, New Hampshire.

This project conforms with Newmarket's Housing and Community Development Plan's Goal of: Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal)."

Ms. Lane asked for public comment.

There was no one from the public in attendance; therefore no public comment.

Mr. Clark read the list of proposed improvements to the Great Hill Terrace Apartments that will be covered by the CDBG Grant:

- Sewer lines from building to street
- Domestic water supply upgrades (40 years old)
- Remove underground propane tanks and replace with above ground tanks.
- Renovate the bathrooms (last done in the 1970s)
- Bring all CO and Smoke Detectors up to code
- Make office building handicapped accessible

Mr. Clark explained that they currently have two buried propane tanks they can't use because they are under water due to faulty installation approximately 8 years ago. He said at the time of installation the town required all propane tanks to be buried.

Councilor Bowden asked if all the improvements would be covered by the grant money.

Ms. Lane explained they can request \$500,000 from CDBG. The Housing Authority will contribute \$300,000; no money will come from town taxpayer funds; it comes from federal taxes. She further explained that a portion of the grant money may be used to pay an Administrator to oversee the project and to cover lawyer fees so that it doesn't cost the town anything.

Chair Levy closed the Public Hearing at 7:20 p.m. without public comment.

Chair Levy opened the Public Hearing for the Housing and Community Development Plan at 7:21 p.m.

Ms. Lane explained that there has to be an adopted Housing and Community Development Plan in order to receive CDBG money, and that it has to be updated every 3 years.

Ms. Lane read the Housing and Community Development Plan into the record:

"The Town of Newmarket commits to the following goals to meet its Housing and Community Development needs:

Goal: Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Goal: Encourage economic development activities to increase quality industrial and commercial

development. Encourage the expansion and retention of employment opportunities for residents. (Short-term and Long-term goal).

Goal: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

Goal: Preserve and promote the town's historically and culturally significant structures. (Short-term and Long-term goal).

Goal: Encourage improved social services which provide assistance to low and moderate income persons. (Short-term and Long-term goal).

Goal: Promote activities that protect the health and safety of residents and visitors. (Short-term and Long-term goal).

As a matter of policy, Newmarket will minimize the involuntary displacement of households from their neighborhoods.

These goals are consistent with Newmarket's Master Plan and Ordinances.

Any federal CDBG grant funds awarded to address any of these goals shall be expended consistent with national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, be used for public facility projects, employment opportunities, or feasibility studies. All CDBG funded projects, shall primarily benefit low and moderate income persons or households, and shall not benefit moderate income persons to the exclusion of low income persons."

Chair Levy closed the Public Hearing at 7:24 p.m. without public comment.

Chair Levy opened the Public Hearing at 7:24:05 for the Displacement and Relocation Certification Assistance Plan.

Ms. Lane explained that this plan needs to be adopted in order to receive CDGB money, but the Housing Authorities renovation project will not involve relocating anyone. The construction will be worked around the tenants.

Councilor Nazzaro asked if it was the responsibility of the Housing Authority to relocate the tenants if needed.

Ms. Lane said that legally it is the town's responsibility to relocate the tenants and they would have to be relocated to housing comparable to their current living conditions. Ms. Lane said there are no additional requirements under federal obligations. She said it's important to hire an Administrator to ensure nothing will go wrong with the process.

Mr. Clark explained that once they sign the agreement to accept the grant money they will be signing an agreement to extend low income housing for 20 years.

Ms. Lane commented that all of the work related to the renovations will go out to bid and they will be bonded.

Chair Levy closed the Public Hearing at 7:38 p.m. without public comment.

Motion by Councilor Thompson to authorize the Town Administrator to submit an Application for a Community Development Block Grant for housing upgrades at Great Hill Terrace and to sign the Town Housing and Community Development Plan and Residential and Anti-displacement and Relocation Plan. Seconded by Councilor Pike. Motion carries 7-0.

Town Administrator Fournier informed Mr. Clark and Ms. Lane that he would sign the application tomorrow.

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Acceptance of the January 4, 2017 Meeting Minutes

Motion by Councilor Thompson to approve the January 4, 2017 Town Council Meeting Minutes. Seconded by Councilor Pike.

Minor typographical changes were made to the January 4, 2017 Minutes.

Councilor Pike commented on “bolded” and capitalized words and phrases peppered throughout the minutes that had no reason to be. Those corrections were made.

Motion carries 6 in favor, 0 opposed and 1 abstention. Councilor Nazzaro abstained because he was not present at the January 4, 2017 meeting.

REPORT OF THE TOWN ADMINISTRATOR

Town Administrator Fournier asked the Council for a motion to authorize the Town Administrator to enter into a Purchase and Sales Agreement for Map R4, Lot 50-2 commonly known as a portion of the Tucker property for \$435,000, and to withdraw said funds from the Water Capital Reserve Fund.

Town Administrator Fournier explained that the town is purchasing a 12.74 acre parcel from Sharon Tucker for a potential new town well. It distributes 275 gallons of water per minute and will assist with the town’s water supply.

Motion by Councilor Nazzaro to authorize the Town Administrator to enter into a Purchase and Sales Agreement for Map R4, Lot 50-2 commonly known as a portion of the Tucker property for \$435,000, and to withdraw said funds from the Water Capital Reserve Fund. Seconded by Councilor Burns. Motion carries 7-0.

Town Administrator Fournier said that the town received an invoice from NH DOT in the amount of \$34,564.00 for the cancellation of the Route 108 bike path project. He replied by letter indicating that the town will not be paying the invoice under the authorization from town meeting not to use tax payers money to fund this project. A copy of the letter was forwarded to the town’s attorney and Town Administrator Fournier will keep the Council apprised of what transpires.

Town Meeting – Deliberative Session

Town Administrator Fournier informed the Council that the Deliberative Session is scheduled to take place on Saturday, February 4, 2017 at 9:00 a.m. at the Newmarket Junior/Senior High School. Election Day will be March 14, 2017 from 7:00 a.m. to 7:00 p.m. at the High School as well. Councilors, or Acting Councilors are needed to attend except for those Councilors running for re-election whose names will appear on the

ballot. The Moderator has the ability to appoint Acting Councilors for the Election. The filing period for Candidacy begins January 25th and ends February 3rd.

Town Administrator Fournier presented the Town Warrant for Council's signature.

Meeting with the Planning Board

Councilor Pike informed the Council that the Chair of the Planning Board will not be able to meet on February 1st. He opined that it would be important to have the Planning Board Chair at the meeting.

After a brief discussion it was decided to hold a joint meeting with the Planning Board on March 1, 2017 at the regularly scheduled Council Meeting.

Director of Facilities

Town Administrator Fournier explained that the Director of Facilities job description was reviewed by the joint committee a few months back. He and Superintendent Nadeau revised it to reflect a higher level position, looking at similar positions in the City of Manchester and UNH. He further explained that the memorandum of understanding is similar to the previous agreement between the Town and School for finance director services. He informed the Council that they did further tweaking to the memorandum of understanding and will supply copies of the updated version to the Councilors tomorrow. The position would be budgeted at \$65,000 for salary.

Chair Levy commented that for the amount of qualifications required for the position the salary seems a bit "lean".

FY17 Budget

Town Administrator Fournier reported that half of FY17 is completed. At this point in time, 55% of the total operating budget and 54% of the General Fund Budget has been expended. He said that we are right on target to where we were last year at this point in time. There is nothing out of the ordinary for expenses, except the Library. The Librarian informed the Town Administrator that they have expenses that will be offset by withdrawals from capital reserve funds.

Town Administrator Fournier also reported that revenues continue to remain strong. The town is approximately \$500,000 higher in revenues than last year at this point in time. Motor vehicle registrations have increased approximately \$40,000 and building permits increased \$21,000, and the revenues are up slightly due to the sale of the Eagles building for \$85,000.

Councilor Thompson thanked the Department Heads for their monthly reports and asked if Matt Angell is still writing the finance report. Town Administrator Fournier said that Matt Angell is the Interim Finance Director until March 1, 2017.

Councilor Thompson informed the Town Administrator that the January 12, 2017 Budget Committee Meeting is not displayed on *townhall streams*. He said he would look into that.

Councilor Weinstein referred to the Police Department's report and said she appreciates the information on the number of police calls, and would like to have last year's numbers to compare and see how we are doing as a town. She referred to the Recreation Department report and said the numbers look fantastic. She mentioned that the Sunrise Sunset Center is putting together a cookbook for the community and are

currently collecting recipes. People can submit their recipes to Kim Tilton at the Sunrise Sunset Center. There are also opportunities to sponsor the cookbook.

Councilor Thompson referred to the Planning Department report regarding the pedestrian crossing in front of the Big Bean restaurant. There is a pot hole that people have been complaining about. Town Administrator Fournier said that the contractor is going back out to fix the pot hole. They are waiting for the weather to warm up a bit.

Councilor Pike asked how the hiring process was going for the Recreation Director position. Town Administrator Fournier said that they have an Interim Director in place and he is looking over the resumes. He said he should have something within a month. He said that he will be interviewing for the Channel 13 Station Manager position next week.

Chair Levy referred to the Cable TV Franchise agreement and wondered if they could negotiate the ability to receive channel 13 *on demand*, so that cable customers can watch a specific board meeting whenever they want on T.V.

COMMITTEE REPORTS

Councilor Burns reported that the Planning Board held a workshop meeting last week to discuss signage restrictions and regulations. The Board has a regular meeting scheduled for next week.

Councilor Weinstein said that the Budget Committee met to review the School's Warrant Articles. They also held a Public Hearing on the School Budget and on the Bond. The Budget Committee voted unanimously to recommend the School Budget as proposed.

Councilor Bowden said the CIP Committee met last week and discussed the High School and Elementary School proposal.

Chair Levy asked the Town Administrator to talk to the Finance Director and come up with a realistic bond rate and report back to the Council.

OLD BUSINESS

Ordinances in the 2nd Reading – Public Hearing above Resolution 2016/2017-18.

Ordinances in the 3rd Reading – None

Items Laid on the Table - Resolution #2015/2016-52 – Resolution Authorizing the Designation of a portion of Rt. 152 as an Economic Recovery Zone (This Resolution is tabled from the June 15, 2016 Council Meeting pending Planning Board action).

NEW BUSINESS/CORRESPONDENCE

Town Council to Consider Nominations, Appointments and Elections – None

Resolutions/Ordinances in the 1st Reading

Resolution 2016/2017-19 – Approval of Memorandum of Understanding Between the Town and School for Facilities Director Services.

Chair Levy read Resolution #2016/2017-19 into the record.

Resolution 2016/2017-20 – Approval of Director of Facilities Job Description.

Chair Levy read Resolution #2016/2017-20 into the record.

Resolution 2016/2017-21 – Resolution Regarding 12-Month Extension of Current Cable Television Franchise with Comcast.

Chair Levy read Resolution #2016/2017-21 into the record.

CLOSING COMMENTS/CORRESPONDENCE

Town Administrator Fournier commented that the two biggest things that cannot be negotiated in the Cable Television Franchise Agreement are the channel lineup and the prices.

NEXT MEETING: The next regular meeting of the Town Council is scheduled for February 1, 2017.

ADJOURNMENT

Motion made by Councilor Thompson to adjourn the meeting at 8:13 p.m. Seconded by Councilor Weinstein. Motion carries 7-0.

Respectfully submitted,

Wendy V. Chase
Recording Secretary