



Town Council Regular Session

September 20, 2023 at 7:00 PM

Town Council Chambers

MINUTES

1. Pledge of Allegiance

Chair Conley called the meeting to order at 07:10 PM. Councilor White led the Pledge of Allegiance.

2. Roll Call

Present: Council Chair Katanna Conley, Council Vice-chair Brian Ward, Councilor Scott Blackstone, Councilor Joe LaMattina, Councilor Colin White, Councilor Sonke Dornblut, Councilor Justin Glazebrook.

Staff Present: Town Manager Stephen Fournier, Community Development Director Bart McDonough, Town Engineer Lyndsay Butler and Wendy Chase, Recording Secretary.

3. Public Forum

Chair Conley opened the public forum at 7:12 PM.

There was no one from the public in attendance.

Chair Conley closed the public forum at 7:12 PM without public comment.

4. Public Hearing

a. Ordinance No. 1 - 2023/2024 - To Amend Chapter 32, Sections 32-2; 32-11 & 32-240 of the Municipal Code

Chair Conley opened the public hearing at 7:13 PM.

Community Development Director McDonough did a brief overview of the proposed ordinance. He presented a PowerPoint presentation on the proposed zoning amendments to clarify the regulation of illicit discharge.

There was no one from the public in attendance.

Chair Conley closed the public hearing at 7:21 PM without public comment.

5. Town Council to Consider Acceptance of Minutes

a. August 23, 2023 Town Council/School Board Joint Non-Public Meeting Minutes

Motion: **Councilor White** made a motion to approve the August 23, 2023 Town Council/School Board Joint Non-Public Meeting Minutes

Second: **Councilor Ward**

Vote: **Approved (5-0-2) Councilors LaMattina and Dornblut abstained because they were not present at the August 23, 2023 Non-public Session.**

b. September 6, 2023 Meeting Minutes

Motion: **Vice-chair Ward** made a motion to Approve the September 6, 2023 Meeting Minutes

Second: **Councilor White**

Vote: **Approved (6-0-1) Councilor Dornblut abstained because he was not present at the September 6, 2023 meeting.**

6. Report of the Town Manager

a. TM Report September 20, 2023

Town Manager Fournier explained that the Departments are working on the budget and Town Manager Fournier will present the budget to the Town Council by the October 15th deadline. He recommended the following budget calendar:

- 09/15/2023 - Capital Improvement Plan must be submitted by CIP Committee
- 10/15/2023 - Town Manager must submit budget to Council
- 10/28/2023 - Town Council Budget Workshop 9:00 AM
- 11/15/2023 - Town Council must submit budget to Budget Committee
- 01/09/2024 - Last Day to Post Public Hearing
- 01/16/2024 - Last Day for Bond Hearing
- 01/16/2024 - Last Day for Budget Public Hearing
- 01/25/2024 - Last Day for Budget Committee to approve budget
- 02/03/2024 - Deliberative Session
- 02/10/2024 - Deliberative Session (Snow Day)
- 03/12/2024 - Election Day
- 04/01/2023 - Officials Sworn in

Town Manager Fournier said that he would share the calendar with the School District and Municipal Budget Committee.

- The Town of Newmarket has contracted engineers from Wright-Pierce to evaluate the condition of the existing pedestrian bridge over the Lamprey River, located just downstream of the Macallen Dam. This evaluation will include cleaning of the bridge substructure and non-destructive field testing and analysis. Representatives from Wright-Pierce and their subcontractor, John Turner Consulting (JTC), will be on-site for cleaning and testing on Monday, September 25, 2023, and Tuesday, September 26, 2023. The bridge will remain open and passable to pedestrian traffic during performance.

- The Newmarket Community Development Corp (NCDC) have been discussing with the Town Manager a way to secure the parking lot at the intersection of Dame Road and North Main Street for a parking facility. NCDC would lease the lot to the town and the town would sell permits for resident parking. DPW will paint and stripe the lot and maintain it.
- The Town Manager met with Committee/Board/Commission Chairs to discuss the right-to-know law and to explain their role as a Chair. He informed them that they would have staff support and all municipal files were to be kept at the town hall, not at their homes. Their designated staff person will be responsible for reviewing contracts and grants for review and submission to the Town Manager.
- FY24 Expense and Revenue Report: 24% of the budget has been expended, which is normal. Revenues are still on track with nothing out of the ordinary.

Councilor Blackstone asked about the stability of the pedestrian bridge over the Lamprey River.

Town Engineer Butler explained that the bridge is structurally sound for pedestrian traffic, not heavy equipment or vehicular traffic.

b. Department Reports - August 2023

Chair Conley thanked the departments for all the wonderful work they are doing.

7. Committee Reports

Councilor Dornblut reported on the CIP Committee meetings:

The CIP met twice to discuss budget requests and the Capital Improvement Plan was forwarded to the Town Manager by the deadline date.

Councilor Ward reported on the September 14th Conservation Commission Meeting:

Guest Speaker Aaron Anderson from The Xerces Society spoke about conserving beneficial insects. They have been monitoring the baby oysters in the Lamprey and they are doing well.

Councilor Glazebrook reported on the Arts, Culture and Tourism Commission's September 5th meeting:

The Commission received one of the two grants they had applied for in the amount of \$5,100.00 to go toward the Willey House project.

Councilor Blackstone reported on the Planning Board's September 12th meeting:

The proposed 55 + community project was discussed. A number of local residents were in attendance. The applicant's representatives redid the presentation based on comments at the previous meeting. The Planning Board members thought the project was too big for the area, so they are reevaluating to see if they can come up with something better to present to the board at the next meeting.

8. Old Business

9. Resolutions/Ordinances in the 2nd Reading

- a. Ordinance No. 1 - 2023/2024 - To Amend Chapter 32 Sections 32-2, 32-11 & 32-240 of the Municipal Code

Motion: **Councilor Ward** made a motion to Approve Ordinance No. 1 - 2023/2024 - To Amend Chapter 32 Sections 32-2, 32-11 & 32-240 of the Municipal Code

Second: **Councilor LaMattina**

Discussion: Community Development Director McDonough explained that the proposed ordinance will address redevelopment projects that do not require site plan approval to regulate what goes into the town's drainage system.

Vote: **Unanimously Approved (7-0-0)**

- b. Resolution #2023/2024-07 - to Reclassify a Class VI Road, Old Lee Road, Into a Class A Trail

Motion: **Councilor Ward** made a motion to Approve Resolution #2023/2024-07 - to Reclassify a Class VI Road, Old Lee Road, Into a Class A Trail

Second: **Councilor Dornblut**

Discussion: Councilor Ward said that the Conservation Commission has worked on the reclassification of the portion of Old Lee Road into a Class A Trail for awhile and will be glad to see it done. Chair Conley said she is glad to see it preserved as a trail.

Vote: **Unanimously Approved (7-0-0)**

- c. Resolution #2023/2024-06 - To Authorize the Town Manager to Enter Into a Contract With Strafford Regional Planning Commission to Update the Town's Master Plan and Appropriate up to \$90,000.00 From the Master Plan Capital Reserve Fund for Their Services.

Motion: **Councilor Dornblut** made a motion to Approve Resolution #2023/2024-06 - To Authorize the Town Manager to Enter Into a Contract With Strafford Regional Planning Commission to Update the Town's Master Plan and Appropriate up to \$90,000.00 From the Master Plan Capital Reserve Fund for Their Services.

Second: **Councilor Ward**

Discussion: Town Manager Fournier explained that the original Resolution was not written correctly and did not include the full amount of the grants the town will receive into the total. The correction has been made.

Vote: Unanimously Approved (7-0-0)

10. Items Laid on the Table

a. Resolution #2023/2024-04 - Flag Display Policy

Motion: **Councilor Ward** made a motion to remove Resolution #2023/2024-04 - Flag Display Policy from the table

Second: **Councilor LaMattina**

Vote: **Unanimously Approved (7-0-0)**

Motion: **Councilor Glazebrook** made a motion to Approve Resolution #2023/2024-04 - Flag Display Policy

Second: **Councilor Ward**

Discussion: Town Manager Fournier explained the recommended amendments made by the Ordinance Oversight Committee after its review of the original Resolution #2023/2024-06 to include: "The Town of Newmarket is exempt from the application process and any time limits" and "This policy shall be in compliance with the United States of America Flag Code". To remove: "If appropriate, the Town of Newmarket Flag may be lowered to allow for a second flag display". To add in the application: "an image of both sides of the flag must be submitted with the application".

Motion: **Councilor Dornblut** made a motion to approve the amendments to Resolution #2023/2024-04.

Second: **Councilor Ward**

Discussion: Councilor White questioned why the policy did not specifically include the display of the American Flag. Chair Conley suggested an amendment under *Purpose* by adding "beneath the American flag" after the word *display* in the first paragraph, second sentence.

Vote: **Unanimously Approved Amendments (7-0-0)**

Motion: **Councilor Ward** made a motion to approve the amendment to the first paragraph, second sentence by inserting "beneath the American flag" after *display*.

Second: **Councilor Glazebrook**

Vote: **Unanimously Approved (7-0-0)**

Discussion: Councilor LaMattina asked why the policy didn't include all flag poles on town property. Town Manager Fournier said that the town can put flags on their own flag poles, but the public can only apply to put a flag at Arbor Park.

Vote: **Unanimously Approved Resoluton #2023/2024-04 (7-0-0)**

11. Town Council to Consider Nominations, Appointments, Elections, and Resignations

a. Jamie Knauer - Resignation - Arts, Culture & Tourism Commission - Term Expiration April 2024

Motion: **Councilor Glazebrook** made a motion to accept Jamie Knauer's Resignation to the Arts, Culture & Tourism Commission - Term Expiration April 2024

Second: **Councilor Dornblut**

Vote: **Unanimously Approved (7-0-0)**

- b. Shannon Culpepper - Appointment to the Arts, Culture & Tourism Commission - Term Expiration April 2024

Motion: **Councilor White** made a motion to appoint Shannon Culpepper to the Arts, Culture & Tourism Commission - Term Expiration April 2024

Second: **Councilor Ward**

Vote: **Unanimously Approved (7-0-0)**

- c. Cris Blackstone - Resignation from the Racial Equity, Inclusion and Human Rights Committee - Term expiration April 2025

Motion: **Councilor Ward** made a motion to accept Cris Blackstone's Resignation from the Racial Equity, Inclusion and Human Rights Committee - Term expiration April 2025

Second: **Councilor White**

Vote: **Approved (6-0-1) Councilor Blackstone abstained due to family relationship.**

12. Resolutions/Ordinances in the 1st Reading

- a. Resolution # 2023/2024 - 08 Bay Rd Forcemain Repair Additional Costs
Chair Conley read Resolution #2023/2024-08 into the record.

- b. Resolution #2023/2024-09 - Sealed Non-public Meeting Minutes - *Town Manager Requests Suspension of the Rules to Act on it this Evening*

Motion: **Councilor Ward** made a motion to approve suspending the rules and vote on the Resolution this evening.

Second: **Councilor LaMattina**

Discussion: Town Manager Fournier explained the reason he requested the suspension of rules is that the deadline for the law regarding sealed minutes takes effect October 2nd, two days before the next Council meeting.

Vote: **Unanimously Approved (7-0-0)**

Motion: **Councilor Blackstone** made a motion to approve Resolution #2023/2024-09 - Sealed Non-public Meeting Minutes

Second: **Councilor Dornblut**

Vote: **Unanimously Approved (7-0-0)**

- c. Resolution #2023/3034-10 - Meeting Minutes Policy
Chair Conley read Resolution #2023/2024-10 into the record.

- d. Resolution #2023/2024-11 CPCNH Cost Sharing Agreement
Chair Conley read Resolution #2023/2024-11 - CPCNH Cost Sharing Agreement.

13. New Business/Correspondence

a. Correspondence to the Town Council

There was no correspondence.

b. Closing Comments by Town Councilors

Councilor LaMattina stated that there will be a Council Work Session on October 4th at 6:00 PM to discuss the documents relative to Resolution #2023/2024-11 - CPCNH Cost Sharing Agreement.

c. Next Meeting

- i. October 4, 2023

14. Adjournment

Chair Conley adjourned the meeting at 8:07 PM without objection.

Respectfully submitted,

Wendy V. Chase
Recording Secretary