

# **TOWN OF NEWMARKET, NEW HAMPSHIRE**

## **TOWN COUNCIL REGULAR MEETING**

September 1, 2021 7:00 PM

Town Council Chambers

### **6:30PM NON-PUBLIC MEETING PURSUANT TO RSA 91-A:3,II(d) - CONSIDERATION OF THE ACQUISITION, SALE OR LEASE OF REAL OR PERSONAL PROPERTY**

Councilor Sanders made a motion to Approve *Sealing the September 1, 2021, Non-public Meeting Minutes*, which was seconded by Councilor Conley.

Motion was Passed by a vote of 6-0-0.

## **AGENDA**

***APPROVED 09/15/2021***

Councilors Present: Council Chair Toni Weinstein, Council Vice-chair Helen Sanders, Councilor Jonathan Kiper, Councilor Megan Brabec, Councilor Katanna Conley, and Councilor Brian Ward.

Excused: Councilor Scott Blackstone

Staff Present: Town Manager Stephen Fournier and Wendy Chase, Recording Secretary.

Chair Weinstein convened the meeting at 7:00 PM followed by the Pledge of Allegiance.

## **PUBLIC FORUM**

Chair Weinstein opened the Public Forum at 7:02 PM.

Chair Weinstein closed the Public Forum at 7:03 PM without public comment.

## **TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES**

### **July 21, 2021 Non-Public Meeting Minutes**

Councilor Sanders made a motion to Approve *the June 21, 2021, Non-public Meeting Minutes*, which was seconded by Councilor Conley.

Motion was Passed by a vote of 6-0-0.

### **August 18, 2021 Meeting Minutes**

Councilor Sanders made a motion to Approve *the August 18, 2021 Meeting Minutes*, which was seconded by Councilor Conley.

Motion was Passed by a vote of 6-0-0.

### **REPORT OF THE TOWN MANAGER**

#### **Town Manager's Report**

- **COVID-19/VACCINATION UPDATE:** As of August 25, there are 19 active cases in the community and have had 614 cumulative cases. The Seacoast Health Region has seen a 7.1% increase in new cases over the past week and Rockingham County has seen an increase of 7.7%. 60% of the community has been vaccinated by at least one shot. Pfizer has just been approved by the FDA. Lamprey Health Care will be hosting a mobile vaccination clinic at Cheney Properties on Exeter Street on September 9th. We are monitoring whether or not changes need to be made to the mask mandate.
- **Peterborough:** The Town of Peterborough was a victim of internet-based fraud and had \$2.3M stolen from them. Finance Director Bill Tappan will look at this case and see how it may impact our operations. 1. Newmarket's ACH exposure is relatively low; 2. Most invoices are paid by paper check and mailed to the physical address and confirmed; 3. employees will engage in training on basic cyber security through Primex; 4. When we change banks we will work with them to implement payment security in the form of Positive Pay (for ACH and checks) and make more payments through the TD Bank purchasing cards.
- **FY21 Budget:** We expended 93% of our total operating budget, with \$897,743 remaining. this is much higher due to the various COVID funds we received. As for revenues, we ended up \$651,067 higher than anticipated. Motor vehicles were \$139,000 higher than anticipated and Room and Meals was \$54,114 higher.
- **Website Redesign:** We have been working with our website hosting company to redesign the Town website. The way people access the web has changed dramatically since we last redesigned the website. More people are using mobile devices to access information.

Councilor Sanders commended the Town Manager for his efforts to increase the vaccination rate and thanked him for the updates on our financial internal controls. She reminded people that banks, the IRS, etc. do not contact individuals by email.

Councilor Brabec commended the Town Manager on the proposed redesign to the town's website. Chair Weinstein agreed. She asked for an update on the South Main Street water main project.

Town Manager Fournier explained that the construction on South Main Street and Bay Road has taken longer than expected because of the amount of ledge in the area. They estimate to be complete by the end of the month and then they will pave next year.

Town Manager Fournier said that they are meeting with ARG consultants on September 8th to

discuss the Economic Development Plans for the Gateway Projects. He also said that they are still negotiating on the right-of-way issues for the solar array project.

Chair Weinstein congratulated Newmarket resident Liza Corso who took home the Silver in the women's 1500 meter at the summer paralympic games in Tokyo. She said that the Recreation Department is working on an event to honor her.

## **COMMITTEE REPORTS**

Councilor Ward said that the Budget Committee met on Monday, August 30th. The Board accepted member Michael Mattozi's resignation; he is moving out of town. The Budget Committee now has an open seat where they can appoint a member until the next Election. They received a presentation from the School. Due to COVID-19, they spent less than anticipated and received more revenue from the State than anticipated. They have \$1.3M left in the funds. They can either use the money to lower the tax rate for next year or, pursuant to RSA 197:3-a Special Meeting for Change in Education Funding, they can change the use of the funding allowing the money to be used in the 2021/2022 fiscal year budget by a special meeting to be approved by the voters. The Special meeting would have to take place prior to setting the tax rate in November. The School is also considering a Warrant Article to change the amount of money they can retain from unexpended funds from 2.5 % to 5%. On the Town side: the revenues are slightly over than expected and expenditures are slightly under what was expected.

Councilor Conley reported that the CIP Committee met on Monday and Wednesday to start the planning process. There is a meeting scheduled on September 8th and 13th. The first meeting was informational and in the second meeting, they received reports from the Departments of Public Works, Facilities, Water, and Recreation.

Chair Weinstein said she met with Dale Pike and the Town Manager. Dale Pike is involved in many coastal and conservation committees. Mr. Pike reached out to them to suggest holding a townwide webinar and/or all boards and committees seminar to talk about what's been done by the various agencies involving sea-level rise and climate change. Town Manager Fournier said that everyone is not mandated to attend, but is invited to do so.

## **OLD BUSINESS**

### **RESOLUTIONS/ORDINANCES IN THE 2ND READING**

#### **Resolution #2021/2022-07 - Request for Legal Interest in Gaziano Tract - Neal Mill Road**

Councilor Sanders made a motion to Approve *the amendment in the third section pursuant to the Town Manager's comments*, which was seconded by Councilor Brabec.

Town Manager Fournier explained that the current information from S.E.L.T. was not received in time of the Agenda being set and the writing of the Resolution. He suggested that the Council make an Amendment to the Resolution by changing "legal interest" to "executory interest" in the third section as suggested by the Conservation Commission.

Motion was Passed by a vote of 6-0-0.

Councilor Sanders made a motion to Approve *Resolution #2021/2022-07 - Request for Legal*

*Interest in Gaziano Tract - Neal Mill Road*, which was seconded by Councilor Conley.

Town Manager Fournier explained that the Conservation Commission authorized the expenditure of \$75,000 from the conservation funds for this acquisition. This is an important tract of land along Neal Mill Road that will add to other conservation tracts of land surrounding it.

Mr. Hart from S.E.L.T. said he met with the Police Chief and Public Works Director to discuss potential parking at the trail site. He said that there are 3 options, but none of them are ideal. He suggested monitoring the situation to see if additional parking is really necessary. He also suggested putting up "do not block driveway" signs.

Motion was Passed by a vote of 6-0-0.

## **NEW BUSINESS/CORRESPONDENCE**

### **TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS**

#### **John Greene - ZBA Alternate Member - Expiration April 2022**

Councilor Sanders made a motion to Approve *the Appointment of John Greene as an Alternate Member of the ZBA with a term expiration of April 2022*, which was seconded by Councilor Conley.

Motion was Other by a vote of 6-0-0.

#### **Capital Improvement Plan Committee (CIP) - Russell Simon - Term Expiration August 2023**

Councilor Sanders made a motion to Approve *the Appointment of Russell Simon to the Capital Improvement Plan Committee with a term expiration of August 2023*, which was seconded by Councilor Conley.

Chair Weinstein mentioned that Mr. Simons has been on the CIP Committee for a number of years and is a very knowledgeable and important member of the CIP Committee.

Motion was Passed by a vote of 6-0-0.

### **Resolutions/Ordinances in the 1st Reading**

#### **Resolution #2021/2022-08 ReVision Energy as Preferred Vendor for the Solarize Newmarket Project**

Chair Weinstein read Resolution #2021/2022-08 into the record.

### **CLOSING COMMENTS BY TOWN COUNCILORS**

There were no closing comments

## **NEXT COUNCIL MEETING**

**September 15, 2021**

## **ADJOURNMENT**

Chair Weinstein adjourned the Meeting at 7:50 PM without objection.

Respectfully submitted,  
Wendy Chase, Recording Secretary