**TOWN OF NEWMARKET, NEW HAMPSHIRE**

**TOWN COUNCIL REGULAR MEETING**

**NOVEMBER 5, 2014 7:00 PM**

PRESENT: Council Chair Gary Levy, Council Vice Chair Dale Pike, Councilor Dan Wright, Councilor Phil Nazzaro, Councilor Toni Weinstein, Councilor John Bentley

EXCUSED: Councilor Ed Carmichael

ALSO PRESENT: Town Administrator Steve Fournier

**AGENDA**

Chairman Levy called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance. He announced that Councilor Carmichael was absent on business.

**PUBLIC FORUM**

Chairman Levy opened the Public Forum and asked if anyone present wished to speak. As there was no public comment, Chairman Levy closed the Public Forum at7:04 pm, moving on to approval of the minutes of the prior meeting.

**PUBLIC HEARING - None**

**TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES OF OCTOER 15, 2014**

**Acceptance of Minutes of Regular Meeting of October 15, 2014:**

Councilor Nazzaro made a motion to accept the minutes of October 15, 2014, and Councilor Bentley seconded.

Three (3) corrections to the minutes of the Regular Meeting of October 15, 2014 were proposed. The first was to correct an error in the date under Town Council to Consider Acceptance of October 1st Minutes: 1914 should be 2014. The second was under Committee Reports, first paragraph: Peter Wellington should be Peter Wellenberger, and in the second paragraph Silverman Pier should be Silverman Schneer.

Town Administrator Fournier polled the Council and the motion to accept the minutes of the regular meeting of October 15, 2014 as amended passed unanimously, 6-0.

**Acceptance of Minutes of Non-Public Meeting of October 15, 2014:**

As several corrections to wording were recommended, it was agreed that the Council would go to “Non-Public” at the end of the meeting to address these changes. Therefore a “no vote” was recorded.

Councilor Weinstein made a motion to approve the Non-Public minutes after the regular meeting ended, and Councilor Pike seconded.

**REPORT OF THE TOWN ADMINSTRATOR**

Town Administrator Steve Fournier first commended all the staff, especially Town Clerk-Tax Collector Terri Littlefield, on all their efforts on Election Day, November 4, 2014. He stated that it was intended this be the last election held at the Town Hall, due to lack of available parking. He added that it was held in Town Hall due to the difficulty of scheduling with the School, and said that he would was working with Interim School Superintendent Mike Martin and the moderator to make improvements for March. Councilor Weinstein agreed that Town Clerk Terri Littlefield had done a great job, and recommended that a schedule be worked out with the School yearly after the March election. Town Administrator Fournier noted that the only “moving” election date was for the Presidential Primary, but that all other dates were fixed.

Town Administrator Fournier then addressed the Tax Rate. He stated that the rate had gone up to $25.75/1,000 due to the 4.4% devaluation of the Town, with an increase of $1.29. He then presented the breakdown of the rates. The Town was at $6.22/1,000 with a difference of 15 cents, the School saw an increase of 98 cents at $16.00, the State School was up 8 cents to $2.43, and the County rate was $1.10 with a difference of 48 cents. With the 4.4% devaluation of the Town, the value had dropped from $744,537,983 to $711,970.612. Town Administrator Fournier next compared what the impact would be using last year’s rates, with no change in the value of the Town. He stated that the tax rate would have dropped from $6.07 to $5.95, due to the increase in revenues and reduced spending in last year’s budget. He added that there would have been a 70-cent impact for the School, a 30-cent drop for the State School, and an increase of 30 cents for the County. Chairman Levy asked how much of the $1.29 drop for the Town was due to the revaluation. Town Administrator Fournier stated that there was a total impact of $1.13 for everything. He reminded the Council that tax bills were due December 9, 2014, and that any questions should be addressed to the Assessor. He added that staff would be available for two (2) days this year and could be contacted at: 603-659-3073, extension 1313.

Councilor Nazzaro voiced concern from several people regarding a difference between the revaluation letter from the Assessor and the actual tax bill, stressing that these should be the same. Chairman Levy brought up that usually there was not much difference between the two (2) yearly tax bills. Town Administrator Fournier clarified that the first bill was actually based on half of last year’s rate, with the second bill using half of the new tax rate. He added that if the amount of the second tax bill was higher than he first, the difference was added to the bill, and credited if lower. Vice Chair Pike noted that in that case, the brunt of the full year’s increase was taken in one bill. Councilor Nazzaro said that he had received emails from business owners regarding the tax rate increase due to a major change in the process to using the Income Approach. Town Administrator Fournier clarified that this approach was based on income the Town received as rent from the businesses, which were impacted by the increased valuation of the buildings. It was noted by Councilor Wright that this result was not a good incentive for other businesses to move to Newmarket.

Town Administrator Fournier next presented the Town Council schedule for next year, with the Budget Review sessions for next year already scheduled. Vice Chair Pike noted an improvement in scheduling, with calendars being available one month in advance. Town Administrator Fournier next announced the Budget Committee schedule for reviewing the proposed Town budget, with the first meeting set for November 17th and the second for November 24th. He announced that a conference was coming up in Manchester, which was a great training opportunity for Councilors. He next stated that he had received a letter from the Police Benevolent Association citing that their contract would expire on June 30, 2015, and they wanted to begin negotiations for renewal. He added that the deadline for completion of the contract was January 13, 2015, as it would be on the March ballot if any changes were made.

**COMMITTEE REPORTS**

Vice Chair Pike gave a brief update on the Budget Committee stating that most of the last meeting had be taken up with setting the schedule, in preparation for what is to come.

Councilor Weinstein updated the Conservation Committee meeting, and stated that she had attended an easement monitoring with Drew Kiefaber, walking property lines and checking boundaries. She added that no encroachment issues had been found.

Chairman Levy reported that the next Economic Development Committee meeting was scheduled for next week to review the scope of the work needed. He stated that they were looking into uses and different options for Elderly Housing, and for Recreation they were looking into potential uses of Town land.

Chairman Levy next gave an update on the School Joint Advisory Committee. He stated that Mr. Randy Bell had gone over building options, and that Interim Superintendent Mike Martin had gone over costs per square foot and potential additions which would then be put into a document for review. He stated that they were also planning two (2) focus groups with the community, but that they were trying to get answers to questions the Committee had raised before scheduling those meetings. Councilor Weinstein asked the current standing with demographics, and whether or not another study would be commissioned. Councilor Wright pointed out that Mr. Bell had decided that current demographic formulas no longer worked. Chairman Levy said that Mr. Bell was reevaluating figures over the last twenty (20) years based on anticipated needs. He pointed out that most of the school districts consulted felt uncapable of handling grades 6-12, but that Epping could take everyone, and that their empirical data had not resulted in accurate planning of space. Councilor Weinstein next brought up the issue of the possible rennovation of the Junior-Senior High School for grades K-8, and emphasized the differences in classroom size needed for kindergarten students. Chairman Levy noted that he had only been asking to investigate whether this was a feasible idea, and what the costs might be. Councilor Weinstein then raised a question as to whether or not a structural engineer had already looked at the building. Chairman Levy replied that Mr. Bell had spoken to a structural engineer, and that Mr. Mike Hoffman had addressed “structure” at the last meeting. He added that Mr. Hoffman felt the structure of the Junior-Senior High School was relatively sound. Chairman Levy said he would verify whether or not a structural engineer had indeed visited the School, and would provide a schedule for the Councilors for visiting the School in small groups. A last question was raised by Councilor Weinstein regarding whether or not regular progress reports would be provided by the School Joint Advisory Committee.

Vice Chair Pike next reported that a Dam Committee meeting was scheduled for the next evening, and that they were looking at requests for proposal as well as further engineering work. Town Administrator Fournier added that engineering work was first needed in order to devise a plan of attack, and that there were no warrant articles coming up this year.

**OLD BUSINESS**

As there were no ordinances in the 2nd or 3rd reading presented and no items on the table, Chairman Levy proceeded to New Business.

**NEW BUSINESS/CORRESPONDENCE**

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

**One Vacancy in December for Council Appointment to NCDC: Rod Bowles**, Term to Expire December 2017; **Michael Provost**, Term to Expire December 2017

Town Administrator Fournier first clarified that the Council could only elect two members to the NCDC Committee, and that they were voting on one of those two seats. Councilor Bentley mentioned that one of the applicants had submitted his name very early in the year, and asked when the Council would be voting on the next vacancy. Town Administrator Fournier replied there would be another vacancy at approximately the same time next year. Several Councilors voiced the difficulty in choosing between two (2) excellent and qualified candidates. Chairman Levy asked Mr. Michael Provost, who was present, if he would like to give a quick overview on his reasons for applying for the NCDC Committee.

Mr. Michael Provost, of 16 Beech Street, then addressed the Council. He stated that he had been a resident of the town since 1970 and that he was a member of the original Community Development Corporation in 1980. In 1999 he had been asked to come back to NCDC and he worked on a number of town projects, and had served as representative for the Fifth District for the NCDC. He added that he had worked on property acquisition, demolitions and in securing Mill space, and was anxious to do another term. He pointed out that NCDC was a private organization with a public purpose, and that meetings were now held quarterly instead of monthly. Chairman Levy asked if the NCDC had any other properties besides the Coffee Kiosk lot, and Mr. Provost replied that they had divested of all property. He added that RSA79 assisted with funding, but there was little help from the State. He stated that he enjoyed the committee work and felt he still had more projects left to tackle.

Town Administrator Fournier stated that Mr. Rod Bowles was unable to attend the meeting in person due to a medical emergency, and that he was still interested in the appointment. Chairman Levy decided that they would proceed as before, with each Councilor stating his preference of preferred candidate for the appointment. **Mr. Michael Provost** was recommended by all Council members for the **December Vacancy for Council Appointment to NCDC**, with the Council vote unanimous, 6-0.

**ORDINANCES AND RESOLUTIONS IN THE 1ST READING (*TA Requests to Suspend the Rules for All Resolutions*)**

The Council decided to make one motion to suspend the rules for all resolutions to be approved that evening. The motion was made by Councilor Nazzaro and seconded by Councilor Bentley.

Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-19 Approval of the Fiscal Year 2016 Budget**

A motion was made by Vice Chair Pike to approve Resolution #2014/2015-19, and Councilor Bentley seconded the motion.

Chairman Levy read Resolution #2014/2015-19 Approval of the Fiscal Year 2016 Budget in full.

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-20 Recommending a Contribution to the Town of Newmarket Tri-Centennial Expendable Trust Fund**

A motion was made by Vice Chair Pike to approve Resolution #2014/2015-20 and was seconded by Councilor Bentley,

Chairman Levy read Resolution #2014/2015-20 Recommending a Contribution to the Town of Newmarket Tri-Centennial Expendable Trust Fund in full.

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-21 Recommending a Contribution to the Revaluation Capital Reserve Fund**

Vice Chair Pike made a motion to approve Resolution #2014/2015-21 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-21 Recommending a Contribution to the Revaluation Capital Reserve Fund in full.

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-22 Recommending a Contribution to the Police Vehicle Capital Reserve Fund**

Vice Chair Pike made a motion to approve Resolution #2014/2015-22 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-22 Recommending a Contribution to the Police Vehicle Capital Reserve Fund in full. He questioned the reality of the clause in every resolution that there was “no impact on tax rates”, and Town Administrator Fournier replied that the money would otherwise remain in the fund balance.

Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-23 Recommending a Contribution to the Police Dispatch Capital Reserve Fund**

Vice Chair Pike made a motion to approve Resolution #2014/2015-23 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-23 Recommending a Contribution to the Police Dispatch Capital Reserve Fund in full. A question was raised as to why two (2) separate funds for Police were needed, and Town Administrator Fournier replied that one was for vehicles and one for dispatch.

Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-24 Recommending a Contribution to the Fire Department Capital Reserve Fund**

Vice Chair Pike made a motion to approve Resolution #2014/2015-24 and the motion was seconded by Councilor Bentley

Resolution #2014/2015-24 Recommending a Contribution to the Fire Department Capital Reserve Fund

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-25 Recommending a Contribution to the Macallen Dam Capital Reserve Fund**

Vice Chair Pike made a motion to approve Resolution #2014/2015-25 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-25 Recommending a Contribution to the Macallen Dam Capital Reserve Fund in full.

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-26 Recommending a Contribution to the Storm Water Management Capital Reserve Fund**

Vice Chair Pike made a motion to approve Resolution #2014/2015-26 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-26 Recommending a Contribution to the Storm Water Management Capital Reserve Fund in full. He raised a question regarding what would happen if the funds could not be found. Town Administrator Fournier stated that the Town was under mandate and could not be forced but could be fined.

Town Administrator Fournier then polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-27 Recommending a Contribution to the Public Works Capital Reserve Fund**

Vice Chair Pike made a motion to approve Resolution #2014/2015-27, seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-27 Recommending a Contribution to the Public Works Capital Reserve Fund in full.

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-28 Creation and Contribution to the Master Plan Capital Reserve Fund**

A motion was made by Vice Chair Pike to approve Resolution #2014/2015-28 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-28 Creation and Contribution to the Master Plan Capital Reserve Fund in full. Town Administrator Fournier clarified that the board devised a master plan and did the hiring, with the Council then approving the withdrawal of funds.

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-29 Recommending a Contribution to the Compensated Absences Capital Reserve Fund**

A motion was made by Vice Chair Pike to approve Resolution #2014/2015-29 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-29 Recommending a Contribution to the Compensated Absences Capital Reserve Fund in full. A discussion followed regarding the meaning of Compensated Absences. Chairman Levy asked if the funds were used only on retirement, and Town Administrator Fournier stated that it was only at separation from the Town either by retirement or termination. Chairman Levy mentioned that towns normally take the money from their general fund, with yearly reconciling of accounts with employees. Town Administrator Fournier replied that towns were now using CIP funds due to pending Baby Boomer retirement, and that instead of impacting the general fund yearly, money is being put aside for those eligible to retire. He added that the Town of Newmarket had a current liability of $300,000.

Town Administrator Fournier then polled the Council and the motion passed unanimously, 6-0

**Resolution #2014/2015-30 Creation and Contribution to the Road Maintenance Capital Reserve Fund**

A motion was made by Vice Chair Pike to approve Resolution #2014/2015-30 and the motion was seconded by Councilor Bentley.

Chairman Levy read Resolution #2014/2015-30 Creation and Contribution to the Road Maintenance Capital Reserve Fund in full.

As there was no discussion, Town Administrator Fournier polled the Council and the motion passed unanimously, 6-0

**Correspondence/Closing Comments**

Councilor Nazzaro had received comments from the townspeople regarding difficulty hearing when the Councilors were sitting back in their chairs, and reminded them to speak forward into their mikes. Councilor Weinstein reported hearing conversation in the town regarding Welfare cuts, and added that the Town Welfare Department was difficult to find on the Town website and should be made more accessible.

A motion was made by Councilor Bentley to move into Non-Public Session. Vice Chair Pike seconded the motion, which passed unanimously, 6-0. The Public Session of the Town Council Meeting ended at 8:23 pm.

**Acceptance of Minutes of Non-Public Meeting of October 15, 2014:**

Vice Chair Pike recommended several changes be made to the Non-Public minutes of October 15, 2014.

Councilor Nazzaro made a motion to approve as amended, and Councilor Bentley seconded the motion. The motion passed unanimously, 6-0.

**ADJOURNMENT**

Councilor Nazzaro later made a motion to adjourn the meeting and Councilor Bentley seconded.

Respectfully submitted,

Patricia Denmark, Recording Secretary.