

## Town Council Approved Minutes August 7, 2013 BM

TOWN OF NEWMARKET, NEW HAMPSHIRE  
TOWN COUNCIL BUSINESS MEETING  
AUGUST 7, 2013  
COUNCIL CHAMBERS

### PRESENT:

Council Chairman Gary Levy, Council Vice Chairman John Bentley, Councilor Dan Wright, Councilor Phil Nazzaro, Councilor Larry Pickering, Councilor Dale Pike, Councilor Ed Carmichael

Town Administrator Steve Fournier

Council Chairman Levy opened the meeting at 7:03 p.m., followed by the Pledge of Allegiance.

Council Vice Chairman Bentley moved to seal the minutes of the non-public session under RSA 91-A: 3II a & c, personnel. Councilor Pike seconded. Town Administrator Fournier polled the Council. Motion carried unanimously, 7 – 0.

### PUBLIC FORUM

Bert Allen of Smith Garrison Road said from his research, there was up to \$1M available from the Interior Department to repair or remove dams. Town Administrator Fournier will forward the information to the Dam Commission. Mr. Allen spoke about the advantages of 501C's in receiving lower bond rates and suggested that the Council look into establishing a training school associated with the new wastewater treatment plant.

Council Chairman Levy closed the Public Forum at 7:10 p.m.

### PUBLIC HEARING

#### Resolution #2012/2013 – 60 Increase of Sewer Rates

Superintendent Greig gave a synopsis of the rate increases, which were lower than originally projected because of the 2 grants the town would receive. In earlier presentations he had reported that the rates would climb \$1.04 per cubic foot per year for 8 years and \$.15 for the next 6 years. With the grant money, the increases, if everything remains the same, would be \$.76 per cubic foot for 7 years and \$.70 for years 9 and 10. Rates will be reviewed annually. He said the average rate payer uses 5,500 cubic feet per year for an increase of \$45 per year. Bert Allen of Smith Garrison Road asked what the average use was for businesses, as he was concerned how the increase would impact restaurants and reduce their competitive pricing edge with other towns. Mr. Greig had not broken down the figures into household and business use, but said any ratepayer could multiply current usage by the additional \$.76. The increase is about 11%. He added that Portsmouth had a current rate of close to \$9.00 which would go higher with its new treatment plant.

Rose-Anne Kwaks of Wadleigh Falls Road asked if Mr. Greig anticipated the town going to level 3 to conserve water. Mr. Greig said that due to the increase in rainfall, the Bennett Well was approaching normal levels, and he did not think it would be necessary. They had also changed some of their pumping strategies and reduced the amount of water loss.

Council Chairman Levy closed the Public hearing on Resolution #2012/2013-60 at 7:20 p.m.

Ordinance #2012/2013-02 Amendments to Sections 1.04 Zoning Map, Sections 1.09 Special Use Permits, Section 2.02 M-2 District, Section 5.08 Downtown Commercial Overlay District, and Section 7.02 Mixed Use Development

Bert Allen of Smith Garrison Road encouraged the Council to vote on the Ordinance. Rose-Anne Kwaks of Wadleigh Road said, although she still had concerns with the high level of multi-family housing in Newmarket, she felt the Council had done a great job in adding safeguards with the amendments. Chris Nickerson, representing Milton Elms LLC, said offered support of the Ordinance and encouraged the Council to act on it at the meeting.

Council Chairman Levy closed the Public Hearing on Ordinance #2012/2013-02 at 7:23 p.m.

#### TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Council Vice Chairman Bentley moved to accept the minutes of the July 24, 2013 Workshop as written, and Councilor Carmichael seconded. There was no discussion. Town Administrator Fournier polled the Council. Motion carried unanimously, 7 – 0.

#### REPORT OF THE TOWN ADMINISTRATOR

Town Administrator Fournier reminded everyone that Newmarket would be holding its Olde Home Weekend on Friday, August 9th and Saturday, August 10th. Music and refreshments will be available beginning at 7:00 p.m. on Friday, followed by fireworks at 9:30. Saturday, the 5K road race will begin at 7:30 a.m., and the festivities will end at 7:00 p.m. Main Street will be blocked off at 10:00 a.m. Saturday. The rain date for fireworks will be September 7th.

The audit of the books from the previous tax collector had been completed, and everything was found to be in good order.

Town Administrator Fournier had been looking into additional parking in the downtown area, and developing off-site parking on Bay Road had been discussed. He had a suggestion that the 10' wide sidewalks on Elm Street near the library and the proposed commercial development could be narrowed to allow for parallel parking spaces, and he felt this would also provide some traffic calming. He wanted to talk with developers to seek their assistance in making this happen. He asked the Council to consider establishing a Parking Commission consisting of representative from the public, the Police Department and business owners. They would review previous parking studies make suggestions for improvements, not just in adding spaces but in different ways of enforcement and encouragement of off- site parking. He said it would be important to get buy- in from the business community.

The State had invited Newmarket to appoint a representative to a group of seacoast communities which will study reducing the impact of sea levels and other coastal hazards. The committee will meet 4 times a year probably in the seacoast area. Town Administrator Fournier said if no Councilor was interested in serving, he could advertize for a volunteer from the community.

Town Administrator Fournier asked the Council to consider eliminating workshops and instead have 2 business meetings per month. He said this would allow the Council to act in a timelier manner. Votes are currently taken at business meetings and the workshops are for in-depth discussion and review. No votes are taken at workshops without suspending the rules. He said this would reduce the confusion about what could be done at which meeting, and both votes and discussions would occur twice a month. He said the Council could call a special meeting to address complex issues. He said if there were no amendments he could prepare an amendment to the Council rules. Council Chairman Levy asked how the current way of suspending the rules affects public comment. Town Administrator Fournier said the public does not expect the Council to vote at a workshop and does not have the opportunity to make comments before a vote, unless the Council also suspends the rules to allow public comment.

Town Administrator Fournier announced that the Town will be receiving \$151,265 rather than the expected \$137,226 in Highway Block Grand Aid.

Town Administrator Fournier said they continue to work with Virtual Towns and Schools to revamp the town's web site. He had included a sample design mock-up with his report. There will be a representative from each department trained to update its part of the web site. He said they would be able to do more newsletters on specific issues, and other information would be available by subscription.

The Council had voted to discontinue portions of Water Street the previous year. The town and developer of 13 Water Street had shared the cost of the survey which had been recorded and executed with the Registry of Deeds.

Four of the five hitching- post- style bike racks had been installed by the DPW. The Newmarket Business Association had donated four and Matt Angell had donated one. Town Administrator Fournier thanked them for their contributions.

Town Administrator Fournier said he had reviewed the amendments to the Zoning Ordinance with the Town Attorney and Town Planner, and with the exception of a few minor grammatical errors, they were fine and could be voted on.

#### Council Questions and Discussion:

Councilor Pickering encouraged Town Administrator Fournier to continue bringing forth good ideas, and said any questions or opposition he might have was not personal. He said he did not agree that Newmarket had a parking problem in the downtown. He said that parking had been reconfigured as part of the Downtown Project, especially in light of safety concerns on the main street. He said that parking was available, but people might have to walk a little to their destinations. He said unless business owners and/or townspeople were willing to buy and level buildings to create more parking, it would always be that way. He felt the idea for adding parking on Elm Street was good and thought they could check on funding that had been used for Nichols Ave. and lighting in the area. He felt the Town did not need a Parking Commission, but that the Highway Public Safety Committee could look at all the possibilities. Councilor Nazzaro thanked those who had donated the bike racks as they would encourage an alternative way to get downtown. He said he understood Councilor Pickering's point, but he had repeatedly heard about a lack of adequate parking from business owners. He also thought the Highway Public Safety Committee could be asked to look into parking solutions.

Councilor Nazzaro stated that Charter Commission members would be manning a booth near Newmarket Mills during Olde Home Day. He encouraged the public to visit them and ask questions and provide input. Councilor Pike said it was still difficult to see the crosswalk by The Big Bean, and he felt the Highway Public Safety Committee could also look at that issue. Council Vice Chairman Bentley said he also received many calls about downtown parking, and thought they needed to take the elderly and disabled into consideration, as well as inclement weather. Council Chairman Levy asked if they could get any hard numbers for creating additional parking on Elm Street. Town Administrator Fournier said they would probably need a streetscape design, and he would get a rough estimate. Council Chairman Levy said he agreed with the idea of the Highway Public Safety Committee looking at parking. He also said he was in favor of having 2 business meetings per month, as they wouldn't have to suspend the rules, but wanted to make sure they were adhering to the Public Hearing rules. Town Administrator Fournier said they had been adhering to the Public Hearing rules even when suspending the rules and voting during a workshop, and added that there are a number of items that do not require a public hearing.

Councilor Pickering said he felt the parking issue had been studied to death, and cautioned that the Highway Public Safety Committee had actually eliminated some parking spaces in the past. He said to create parking they would have to reinstate the eliminated spaces or buy buildings and knock them down. He felt that business owners should have looked at the parking before locating their businesses in the downtown. He said the town had spent a lot of money on the downtown, and he didn't feel they should spend more, but he didn't have a problem with the Board looking at the issue. Councilor Carmichael agreed that with all the past studies, he didn't think they should spend any more money, but thought the Highway Public Safety Committee could look at parking. Town Administrator Fournier said the idea was not just to create parking lots but to look at such things as time limits for spaces or maybe creating motorcycle parking in small, unused areas. Councilor Nazzaro pointed out that the spaces by the old Eagles are routinely empty, and said he thought a lot of the problem was with the time limits not being enforced. Council Vice Chairman Bentley added that they should work with business owners to encourage their employees to park away from their buildings. He said many of the calls he had received about the zoning change involved parking concerns, and he felt it should be looked into.

#### OLD BUSINESS

## Ordinances and Resolutions in the 2nd Reading – Items the Council may act upon

Resolution #2013/2014 -01 Granting the Interim Finance Director Authority to Undertake Small Claims Action against Justin May for Recovery of Unpaid Police Detail Fees

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-01 Granting the Interim Finance Director Authority to Undertake Small Claims Action against Justin May for Recovery of Unpaid Police Detail Fees. Councilor Pike seconded.

Discussion: Councilor Carmichael had suggested at an earlier meeting that in the future detail fees be collected from the front. Council Chairman Levy suggested that the Town Attorney, rather than the Interim Finance Director, pursue the small claims action and Town Administrator Fournier agreed.

Town Administrator Fournier polled the Council. Motion passed unanimously, 7 – 0.

Resolution #2013/2014-02 Repair and Maintenance of the George M. Stevens Tower Clock

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-02 Repair and Maintenance of the George M. Stevens Tower Clock. Councilor Pike seconded.

Discussion: Hazardous pigeon droppings will be removed, and the clock tower screened to prevent further damage.

Town Administrator Fournier polled the Council. Motion carried unanimously, 7-0.

Resolution # 2013/2014-03 Establishing a Recreation Revolving Fund

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-03 Establishing a Recreation Revolving Fund. Councilor Pike seconded.

Discussion: Town Administrator Fournier gave an overview of how the revolving fund would work. Under state law, a legislative body of a municipality must adopt the Recreation Revolving Fund.

Currently, any surplus from the Recreation Department lapses each year and goes into the General

Fund. The budget for the next fiscal year would have 2 recreation funds: one for full-time salaries and benefits for the Senior Center, and a revolving fund for fee-based programs and part-time salaries. Any surplus from programs can be used to offset shortages from less popular programs, and any remaining surplus will remain with the Department at the end of the fiscal year. This would be the first step in making the Recreation Department more self-sufficient. The Department would review its

programs to determine if it wants to continue with those not making a profit from fees charged. The

Resolution would give the authority to establish the Fund.

Council Chairman Levy asked if part-time salaries and equipment costs would be paid for from the Fund.

Town Administrator Fournier said they would, and the largest example would be the summer programs

which have many part-time employees. If there was enough revenue coming into the Department, they could consider paying full-time salaries from the revolving Fund, rather than from the operating budget.

Town Administrator Fournier said this would be very rare. To Council Chairman Levy's question, Town Administrator Fournier said that the coming budget process would show the Revolving Fund as separate from the operating budget, much the same as the water and sewer budget appear. The Revolving Fund budget would show line item costs for programs and the revenue budget would show estimates of anticipated offsetting fees. It is not necessary to establish a separate bank account for the Revolving Fund, only to have its accounting coded separately.

Town Administrator Fournier polled the Council. Motion carried unanimously, 7 – 0.

Resolution #2013/2014-04 Withdrawal of \$99,000 from the Public Works Capital Reserve Fund to Purchase a Trackless Sidewalk Plow

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-04 Withdrawal of \$99,000 from the Public Works Capital Reserve Fund to Purchase a Trackless Sidewalk Plow. Councilor Pike seconded.

Discussion: DPW Director Rick Malasky explained that the 10 year old plow was primarily used to clear side  
was worn out and needed constant repairs. Refurbishing it would be costly, and while

it has been out of service, the downtown plowing was delayed as there is only one other plow that can do the s  
of work. He said they would be able to save the attachments from the existing plow

and use them on the new one. Refurbishing would cost \$70,000 and a new plow would be \$99,000. The wa  
refurbishing or purchasing a new tractor is for one year, because of the way it is used. He

said that he could not guarantee that they could get more money by trying to sell the tractor separately  
rather than trading it in. The tractor/plow has 2300 hours on it, close to the 2500 to 3000 average. It

would be difficult to share a plow with another town as the plow would be needed by both at the same

time. He said they had good luck with the brand they were purchasing, and many other towns were now using the same equipment.

Town Administrator Fournier polled the Council. Motion passed unanimously, 7 – 0.

Resolution #2013/2014-05 Authorize the Town Administrator to Enter into a Two-Year Agreement with Municipal Resources Inc. (MRI) for Assessing Services

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-05 Authorize the Town

Administrator to Enter into a Two-Year Agreement with Municipal Resources Inc. (MRI) for

Assessing Services. Councilor Pike seconded.

Discussion: Town Administrator Fournier estimated the total amount for the 2 years at about \$75,000.

He was recommending an hourly amount for this year, but the following year, when the total revaluation has the town might consider a flat fee. The rates were not in the Resolution, but were in the contract. He said the rates could be added to the Resolution, but it wasn't necessary as

the contract was the legal document. The rates are \$50 per hour for one day a week in the office, plus

25 days a year at no additional cost; \$75 an hour for an abatement appeal and \$175 for a BTLA or Superior Court appearance. There is an Assessor in the Town Hall every Tuesday, and he said they have more staff with more expertise at a lower cost than when assessing was done in-house. An RFP will be prepared for the Revaluation, and some money towards it was appropriated in this year's budget.

Town Administrator Fournier polled the Council. Motion passed unanimously, 7 – 0.

Resolution #2013/2014-06 Withdrawal of \$10,000 from Sewer Impact Fees for Engineering Services of Bay Road Force Main

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-06 Withdrawal of \$10,000 from Sewer Impact Fees for Engineering Services of Bay Road Force Main, Councilor Pike seconded. There was no discussion. Town Administrator Fournier polled the Council. Motion passed unanimously, 7 -0.

Resolution #2013/2014-08 Release of \$14,148 of Comcast Franchise Fees

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-08 Release of Comcast Franchise Fees, Councilor Pike seconded.

Discussion: To Councilor Nazzaro's question, Town Administrator Fournier said this would allow the live broadcast of the Deliberative Session from the High School gym. The necessary equipment will be purchased. All the funds will come from Comcast. IT Director Doug Poulin and Chris Williams had prepared the RFP, and Town Administrator Fournier will check to see if they contact distributorships as well as local firms for prices.

Town Administrator Fournier polled the Council. Motion carried unanimously, 7 – 0.

Items Laid on the Table: Town Administrator Fournier said that Ordinance #2012/2013-02 had already been removed from the table and was now an action item.

Ordinance #2012/2013-02 Amendments to Sections 1.04 Zoning Map, Sections 1.09 Special Use Permits, Section 2.02 M-2 District, Section 5.08 Downtown Commercial Overlay District and Section 7.02 Mixed Use Development

## 7.02 Mixed Use Development

Council Vice Chairman Bentley moved to adopt Ordinance #2012/2013-02 Amendments to Sections 1.04 Zoning Map, Sections 1.09 Special Use Permits, Section 2.02 M-2 District, Section 5.08 Downtown Commercial Overlay District and Section 7.02 Mixed Use Development. Councilor Pike seconded.

Discussion: Councilor Wright said he was going to recuse himself from the vote as he owned property within the district. (Leo Filion said he had comments to make about Resolution #2013/2014-06, and didn't realize the Council had already voted on it. He thought the Public Forum was for non-agenda

items only, but the Council had amended its rules and public comment was for all the action items of the meeting. Council Chairman Levy said that considering the circumstances, he would allow Mr. Filion to make his comments after the current agenda item.)

Councilor Nazzaro said that he had initially supported the zoning ordinance, but he could not agree with 2 portions of the recent amendments and would have to vote against it. He said the unintended consequence of size limitation in Section 2.02B6 would not allow a project like Bryant Rock to be built in the future. He said that if a developer wanted to have a commercial establishment on the first

floor and a 1,500 square foot penthouse on the second floor, it could not be done. He did not think the size limit represented a healthy stimulation for development. In addition, he was not in agreement with the amendment to Section 7.02, which would not allow the addition of residences to an

existing commercial building unless it could be shown that the revenue to the town would be greater than it produces even if the town did receive positive revenue against services provided. He said this does not restrict zoning unnecessarily, but alters the relationship between the town and the

community. He said the goal of zoning is to foster healthy community development and ensure that the

development is in line with what the community wants. He felt that requiring that the municipality of the town receive more money, even though the development would have a positive impact on the community, could prevent the community from having what it wants. He said the amendment goes beyond ensuring that a building is sustainable, by saying that if the business does not line the Town

Hall's pockets more, it cannot be built. He said this put the individual and community below the municipality's needs, and he would have to vote against the Ordinance.

Councilor Pike said he would be voting in favor of the Ordinance as the community members he had spoken to were general not in favor of more apartments in the downtown. Also, the Master Plan,

for economic reason, was against adding more multi-family housing. He felt the amendments met the

goal of decreasing risk to the town and providing a positive fiscal impact. Council Chairman Levy clarified that S 7.02 only applied to existing commercial structures that proposed adding residential units, not to new commercial development. Councilor Nazzaro said that even if the town would be in the black with the addition of residences, if the draw on services reduced the income to the

town below its current level, the development would not be approved.

Town Administrator Fournier polled the Council. Motion passed 5 – 1 – 1, with Council Chairman Levy, Chairman Bentley and Councilors Pickering, Pike and Carmichael in favor, Councilor Nazzaro

against, and Councilor Wright recusing himself.

#### Resolution #2012/2013-60 Increase Sewer Rates

Council Vice Chairman Bentley moved to accept Resolution #2012/2013-60 Increase Sewer Rates.

Councilor Carmichael seconded. There was no discussion. Town Administrator Fournier polled the

Council. Motion carried unanimously, 7 – 0.

#### Resolution #2012/2013-63 Acceptance of a Grant from the Conservation Law Foundation and

Authorization of the Town Administrator to Enter into an Engineering Contract for the Lamprey

River Macallen Dam removal Feasibility and Impact Analysis. (Tabled 7/10/2013 and Revised)

Council Vice Chairman Bentley moved to remove Resolution #2012/2013-63 from the table. Councilor

Pike seconded. Town Administrator Fournier polled the Council. Motion carried unanimously, 7 – 0.

Council Vice Chairman Bentley moved to accept Resolution #2012/2013-63 Acceptance of a Grant from the Conservation Law Foundation and Authorization of the Town Administrator to Enter into an Engineering Contract for the Lamprey River Macallen Dam removal Feasibility and Impact Analysis. Councilor Carmichael seconded.

Discussion: Town Planner Diane Hardy referred to the Council meeting in June, when Wright Pierce

made a presentation on costs for repairs or changes to the dam so that it would meet the 100 year flood Gomez and Sullivan had been recommended to prepare a feasibility study on removing the dam, and Council Chairman Levy had asked that they not charge the town a 10% mark-up fee. The firm had agreed to reduce it to 5%. The Resolution had been tabled as the 2011 Deliberative Session voted to reduce the amount raised for the feasibility study from \$85,000 to \$45,000 because of a \$40,000 grant from the Conservation Law Foundation. By Warrant law, a town has to raise and appropriate the

entire amount of a project before deducting grant money or it is considered there is a deficiency which cannot be covered. In July, the Interim Finance Director found that the funds that were raised were not encumbered the end of the year, and consequently went into fund balance, and the Town Attorney verified the deficiency. A Capital Reserve Fund had been established in 2007 for the Macallen Dam, and currently has a balance of \$41,562, which was being proposed to cover the town's share of the study. They had approached the Conservation Law Foundation about using those funds rather



than the appropriation, and they had approved this as a amendment to the contract as well as extending the

time frame for completion to April, 2014. The Resolution was asking for Council approval of the use of the Capital Reserve Fund.

Councilor Nazzaro asked if they had the original 2007 Ordinance to make sure that the funds could be used for their purpose. Town Administrator Fournier said, as of now, there was no authority to spend even the original \$45,000 that had been appropriated. He said he would get a legal opinion on using the

Capital Reserve Fund. Councilor Nazzaro read the 2007 Warrant Article: "To see if the Town will vote to establish a Capital Reserve Fund under RSA 35:1 for the purposes of maintaining and improving the

Macallen Dam." He said he didn't think studying the removal of the dam fit within the intent of the

Warrant Article. Town Planner Hardy said that was not the original Warrant Article, but the Fund was set up to cover costs that the town would incur in response to the state's letter of deficiency. Town

Administrator Fournier said that studying removal could be considered part of maintenance, and Ms. Hardy added that the CIP Committee seemed to recognize that studies would have to be done, whether

for repair or removal. The study would also be required if Federal Funds were involved in repairs or removal, as all the impacts would have to be studied, and they could do this study at half the cost because of the grant.

Council Vice Chairman Bentley said he thought that the dam had been downgraded, but Mr. Malasky

said the dam had been reclassified as high hazard and they have to increase the flow over the spillway.

Council Vice Chairman Bentley said he remembered from the Wright Pierce study that they reported that there would be damage, but not loss of life. He commended Mr. Malasky for removing the wood from the dam before Hurricane Sandy. Town Administrator Fournier will have the Town Attorney and

DRA look at the 2007 Ordinance to make sure it can be used for the study. Councilor Nazzaro said he was trying to prevent their rewriting the intent of an Ordinance just so they could use the funds, and wondered why they would vote before getting the legal opinion. Town Administrator Fournier said they could table the Resolution, and the legal opinion would depend on the definition of "Maintenance."

The terms of the grant state that the study has to be complete by April 30, 2014 or the funds will go away. The 2011 Warrant Article did not have a "lapse clause" which would have prevented the funds from going into the General Fund. In addition the Council should have been approached before the end of the year to encumber the funds. Council Vice Chairman Bentley asked if the State was forcing the town to do something about the dam. Mr. Malasky said NHDES was forcing them to make repairs to

the existing dam and increase the flow to meet the 100 year storm. Council Chairman Levy said he thought Governor Sullivan should pass through their 10% real costs and add on for sub-contractors as they were getting paid by the hour. Town Planner Hardy said there had been a 10% markup for consultants, but they had reduced the percentage to 5% for a savings of about \$700.

Council Vice Chairman Bentley moved to table Resolution #2012/2013-63. Councilor Carmichael seconded. Town Administrator Fournier polled the Council. Motion carried unanimously, 7 – 0.

## NEW BUSINESS

### Ordinances /Resolutions in the 1st Reading

Resolution #2013/2014-15 Authorizing Town Administrator to Enter into an Agreement with Bell & Flynn of Stratham, NH for Paving Ash Swamp Road and Miscellaneous Small Projects (TA REQUESTS

TO SUSPEND RULES)

Council Chairman Levy read Resolution #2013/2014-15 in full.

Council Vice Chairman Bentley moved to suspend the rules. Councilor Pike seconded.

Discussion: Town Administrator Fournier said the vote was necessary as oil prices fluctuate and

the company was coming to start projects that required paving.

Town Administrator Fournier polled the Council. Motion passed unanimously, 7 – 0.

Council Vice Chairman Bentley moved to accept Resolution #2013/2014-15 Authorizing Town Administrator to Enter into an Agreement with Bell & Flynn of Stratham, NH for Paving Ash Swamp Road and Miscellaneous Small Projects. Councilor Pike seconded. Town Administrator Fournier polled

the Council. Motion passed unanimously, 7 – 0.

Resolution #2013/2014-12 Withdrawal of an Amount Not to Exceed \$8,000 from the Building

Improvements Capital Reserve Fund for the Purpose of Replacing Carpeting. Council Chairman Levy read the Resolution in full.

Resolution #2013/2014-13 Awarding #2 Heating Oil, Liquid Propane, Regular Gasoline and Clear

Diesel Contracts. Council Vice Chairman Bentley read the Resolution in full.

Resolution #2013/2014-14 Agreement with Wright Pierce for Engineering Services for the Upgrade of

the Wastewater Treatment Facility. Council Vice Chairman Bentley read the Resolution in full.

### CLOSING COMMENTS BY TOWN COUNCILORS

Councilor Pickering asked for an explanation of last year's Resolution that only allows a certain percentage to go toward

lowering this year's tax rate. Town Administrator Fournier said that one of the sections of the Fund Balance Policy states that any money from Fund Balance that will be used to lower the tax rate must be budgeted ahead of time. During the budget process an amount can be designated to go into the Operating Budget to offset expenses or to pay for capital items, rather than raising the money through taxes. He said this was important for better planning and to prevent peaks and valleys in the tax rate. The Policy also states that Fund Balance should be between 5% and 10% of gross appropriations. There should be over 10% in Fund Balance at the end of FY2012.

Council Vice Chairman thanked those who had worked to keep Olde Home Week going.

Councilor Nazzaro asked that the Council have copies of the Ordinance, and Town Administrator Fournier said it should have been in the last packet. Council Chairman Levy said he thought they had primarily voted to keep a certain amount in Fund Balance, and thought they should review the Policy at some point.

Council Vice Chairman Bentley moved to adjourn and Councilor Carmichael seconded. Motion passed unanimously, 7 – 0, and the meeting adjourned at 8:50 p.m.

Next meeting: August 21, 2013

Respectfully submitted,

Ellen Adlington, Recording Secretary