

**TOWN OF NEWMARKET, NEW HAMPSHIRE  
TOWN COUNCIL REGULAR MEETING**

**MARCH 6, 2019      7:00 PM**

**TOWN COUNCIL CHAMBERS**

**Approved March 20, 2019**

PRESENT: Council Chairman Dale Pike, Council Vice Chairman Toni Weinstein, Councilor Zachary Dumont, Councilor Kyle Bowden, Councilor Amy Burns

EXCUSED: Councilor Gretchen Kast, Councilor Casey Finch

ALSO PRESENT: Town Administrator Steve Fournier, Facilities Director Greg Marles

**AGENDA**

Chairman Dale Pike welcomed everyone to the Newmarket Town Council Meeting of March 6, 2019 and called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance.

Chairman Pike stated that Councilors Gretchen Kast and Casey Finch were excused.

**PUBLIC FORUM**

Chairman Pike opened the Public Forum at 7:01 pm.

Chairman Pike stated that the *2018 Newmarket Annual Town Report* was dedicated this year to the *Schoppmeyer Park Committee*, who created a memorial and a park for the citizens of Newmarket, and he read the dedication in full. He said Mr. Walter Cheney proposed the idea that a piece of conservation land would be a fitting tribute to the passing of Chris Schoppmeyer, and Richard Shelton was approached to look into a suitable location and the committee was formed. A sizeable contribution from the Cheney Corporation provided funds to start the process.

Chairman Pike said a fund-raising campaign provided another matching contribution from Cheney, along with other donations and contributions, including funds from the Lamprey River Advisory Group to match Cheney's donation. A suitable property was located behind the Thrift Shop with a lifetime lease from the Community Church to develop the property with a parking lot, a memorial area, a garden and a dock on

the Lamprey River. On July 21, 2018 a dedication ceremony was held, and projects were still being completed. He thanked all the committee members for their efforts in creating Schoppmeyer Memorial Park as another example of what makes Newmarket special. He added that no Town funds were used.

Richard Shelton of Packers Falls Road said they started the project 3 years ago and he felt the property was about 80% complete at this time. He said additional work included erecting a flagpole and designing a kayak launch, with volunteers trimming and clearing some of the wooded area. He said there was also an indentation in the land which needed to be filled in, and he was working on a sign with rules and regulations for the park.

Vice-Chair Weinstein said she wanted to take the opportunity to thank outgoing Council members, and said Town Government was vital for a healthy community. She said Councilor Kyle Bowden served on the Town Council for the past three years and he was a business member, a community member, a father and a coach and they were grateful for his service. She said Dale Pike served as a member of the Town Council for the last six years and also served on numerous committees, especially the Macallen Dam and Shared Services committees, and said Newmarket would benefit from his leadership in those areas for years to come. She said he also served as Council Chairman for the past two years and they thanked him for his service. She said in speaking for the whole Council that they would both be missed.

Chairman Pike closed the Public Forum at 7:12 pm.

**PUBLIC HEARING** – None

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

##### **Acceptance of the Minutes of the Town Council Regular Meeting of February 20, 2019**

Vice-Chair Weinstein made a motion to approve the minutes of the Town Council Regular Meeting of February 20, 2019, which was seconded by Councilor Bowden.

Town Administrator Fournier polled the Council the minutes of the Town Council Regular Meeting of February 20, 2019 were approved by a vote of 5-0.

#### **REPORT OF THE TOWN ADMINISTRATOR**

Town Administrator Steve Fournier said he had been working with the Chair and the Vice-Chair on an **Annual Calendar** for the Town Council. He said it listed things that needed to be addressed annually, and a copy would be included in the orientation packet for new councilors for informational purposes.

Town Administrator Fournier said he provided an **Election Day Schedule** for councilors, and needed to be sure all 4 members (quorum) were there to certify the vote at the end of the night. He said **Municipal Resources, Inc.** agreed they would probably go with an hourly fee for the project to assess the Finance Departments of the Town and the School, and he had a written up a proposal. He said individuals from both departments would be interviewed and a final report of both boards would be provided. As the funds were under his authority to expend, he would just sign the contract.

Town Administrator Fournier said he testified today on 2 bills, one with regard to the postponement of Town Meetings for which they were still trying to hammer out a deal. He said this bill would clarify for what reasons they could and could not postpone the meeting. He said with regard to weather, they would need a warning from the National Weather Service, and for other emergencies the Town Moderator would need to consult with the Emergency Management Director/Fire Chief, and this seemed like a good compromise.

Town Administrator Fournier said the second bill would not allow taxpayer dollars to go toward lobbying, which meant they would no longer be able to be a member of the New Hampshire Municipal Association (NHMA). He said he tried to explain the impact of that, as the purpose of NHMA was to give all 234 municipalities in New Hampshire a common voice in Concord, and said he went to support the defeat of that bill.

Town Administrator Fournier said he also wanted to thank Councilors Bowden and Pike, and said Councilor Bowden's knowledge on technology was very helpful during his term on the Council. He told Councilor Pike it had been great working with him on many projects and he felt they had moved the Town forward. He said on behalf of the staff, the department heads, and himself he wanted to thank them for their service.

Discussion: Chairman Pike asked about the MRI contract, and Town Administrator Fournier said as soon as he got the report back he would give it to the Superintendent. Chairman Pike said the calendar had been a pet project of his, and pointed out that they were already behind as a new Council. Vice-Chair Weinstein said she had received some questions on what the *Correspondence* section of their Agenda consisted of, and said she would add it to the conversation when discussing rules and proceedings at the next Council meeting.

#### **COMMITTEE REPORTS – None**

#### **OLD BUSINESS**

#### **ORDINANCES AND RESOLUTIONS IN THE 2<sup>ND</sup> READING**

##### **Resolution #2018/2019-28 Lease Purchase Interest on the Municipal Lease for Energy Improvements in Town Facilities.**

Vice-Chair Weinstein made a motion to approve *Resolution #2018/2019-28 Lease Purchase Interest on the Municipal Lease for Energy Improvements in Town Facilities*, which was seconded by Councilor Burns.

Facilities Director Greg Marles said the interest that would be paid for the duration of the Municipal Lease for infrastructure upgrades to Town facilities should be brought forward, and he was looking for acceptance of recognition of the 4.28% interest over the 20-year term of the note. Town Administrator Fournier said the Town Attorney had determined that this needed to be acknowledged.

Discussion: Councilor Bowden asked if there were any other funds that could be used to offset this expense. Town Administrator Fournier said they were using some of the Building & Maintenance Capital Reserve Funds but were using energy savings to pay back the lease. Facilities Director Marles said

engineering and design for the Public Works Department and potential structural repairs would come from the Buildings & Grounds Capital Reserves. Town Administrator Fournier said for projects this large they would have had to go to bond. Chairman Pike said looking at the interest over the life of the loan was misleading, and said it was based on a mix of 2019 dollars and 2039 dollars, and represented a significantly lower amount of money.

Town Administrator Fournier polled the Council and Resolution #2018/2019-28 Lease Purchase Interest on the Municipal Lease for Energy Improvements in Town Facilities was approved by a vote of 5-0.

**Resolution #2018/2019-29 Amending the Membership of the Energy and Environment Advisory Committee**

Vice-Chair Weinstein made a motion to approve Resolution #2018/2019-29 Amending the Membership of the Energy and Environment Advisory Committee, which was seconded by Councilor Burns.

Vice-Chair Weinstein said the Energy & Environment Advisory Committee was formed about a year ago, with the original makeup being one Town Councilor and representatives from the Planning Board and the Conservation Commission, as well as at-large members. Since they had been unable to get those representations, they were changing the makeup of the committee to all at-large members.

Town Administrator Fournier polled the Council and Resolution #2018/2019-29 Amending the Membership of the Energy and Environment Advisory Committee was approved by a vote of 5-0.

**Resolution #2018/2019-30 Grants to Reconstruct the Lubberland Creek Crossing at Bay Road**

Vice-Chair Weinstein made a motion to approve Resolution #2018/2019-30 Grants to Reconstruct the Lubberland Creek Crossing at Bay Road, which was seconded by Councilor Bowden.

Town Administrator Fournier said that the Nature Conservancy and the Town had been working on projects since 2014 to upgrade a culvert at Lubberland Creek, which had failed during flooding and overtopped the road 5 times since 2006. He said the Nature Conservancy also saw the project as beneficial to open up the tidal flow in that area, and said the project was estimated to cost approximately \$400,000. He said he was happy to report that the Town received 2 grants totaling \$275,553, one for \$200,000 from the Aquatic Resource Mitigation (ARM) Fund and one for \$75,553 from the 2018 Coastal Resiliency Grant Program. He said Town funds would be in-kind services from the Department of Public Works and the total for the Town would be \$37,776.

Discussion: Vice-Chair Weinstein said this was another project that had been in the works for a long time and it was exciting to see it move forward. Chairman Pike said that on his years with the Council there had been a very beneficial relationship with the Nature Conservancy which was headquartered in Newmarket. He said he also had a chance to be on a committee on saltwater intrusion with UNH, and said these neighbors provided beneficial partnerships.

Town Administrator Fournier polled the Council and Resolution #2018/2019-30 Grants to Reconstruct the Lubberland Creek Crossing at Bay Road was approved by a vote of 5-0.

**Resolution #2018/2019-31 Asbestos and Boiler Removal**

Vice-Chair Weinstein made a motion to approve Resolution #2018/2019-31 Asbestos and Boiler Removal, which was seconded by Councilor Burns.

Facilities Director Marles said this project tied into the energy management projects. He said the original boiler plant was still in the building and was wrapped in asbestos and needed to be removed for the new plant to be installed. He said the cost to remove the boiler plant and asbestos, as well as having the project overseen by an Industrial Hygienist to make sure all State and Federal filings are followed properly, was \$22,250.

Discussion: Councilor Dumont asked how common projects like this would be in future. Facilities Director Marles said this was one of their oldest facilities with the original boiler still in place, and other buildings had been upgraded. He said he did not foresee running into asbestos in the future.

Town Administrator Fournier polled the Council and Resolution #2018/2019-31 Asbestos and Boiler Removal was approved by a vote of 5-0.

**ORDINANCES AND RESOLUTIONS IN THE 3<sup>RD</sup> READING – None**

**ITEMS LAID ON THE TABLE – None**

**NEW BUSINESS /CORRESPONDENCE**

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

***Library Trustee Appointment –***

Candidate: Amy Nicholson – Term Expires March 2022

Vice-Chair Weinstein made a motion to approve the appointment of Amy Nicholson – Term Expires March 2022 as a Library Trustee, which was seconded by Councilor Bowden.

Town Administrator Fournier polled the Council and the appointment of Amy Nicholson as a Library Trustee was approved by a vote of 5-0.

**ORDINANCES AND RESOLUTIONS IN THE 1<sup>ST</sup> READING**

**Resolution #2018/2019-32 South Main Street & Bay Road Water Mains Replacement Project**

Town Administrator Fournier read Resolution #2018/2019-32 South Main Street & Bay Road Water Mains Replacement Project in full.

**Resolution #2018/2019-33 Withdrawal from the Downtown TIF Capital Reserve Fund**

Chairman Pike read Resolution #2018/2019-33 Withdrawal from the Downtown TIF Capital Reserve Fund in full.

**Resolution #2018/2019-34 Withdrawal from the Town Cemeteries Capital Reserve Fund**

Chairman Pike read Resolution #2018/2019-34 Withdrawal from the Town Cemeteries Capital Reserve Fund in full.

**Resolution #2018/2019-35 In Support of CACR8 and Local Self-Government**

Chairman Pike read Resolution #2018/2019-35 In Support of CACR8 and Local Self-Government In full.

**CORRESPONDENCE** – None

**CLOSING COMMENTS**

Councilor Burns thanked Councilors Bowden and Pike for their service and said they would be missed.

Vice-Chair Weinstein said there was an article in the paper about the Warrant Article for the Macallen Dam, and she thanked Chairman Pike and Diane Hardy for their work on that project.

Town Administrator Fournier said two (2) mailers would be sent out informing people about the warrants for the Macallen Dam and the Water project, paid for by the Town for informational purposes only.

Vice-Chair Weinstein said she had heard multiple times that people do not have information or know how to get information. She said there was little coverage in the local papers and people needed to know that the Town Newsletter was available online. Town Administrator Fournier said he would try to meet with Channel 13 and see what they might do to refocus.

Chairman Pike thanked the Newmarket Business Association for their sponsorship at Candidates Night last night. He said he was happy to see the room filled and have good discussions, and it was good to see four (4) write-in candidates for the Town Council. He said he appreciated the recognition he received for the Macallen Dam Committee but there were a lot of other participants who had been loyal and diligent in a tremendously long project. He said this was his last meeting and he had enjoyed working with all the councilors.

Councilor Bowden said he also wanted to thank all the members of the Council. He said the experience had been eye-opening, and an experience that everyone in Newmarket should try to go and learn.

**NEXT MEETING:** The next Regular Town Council Meeting is scheduled for March 20, 2019 at 7:00 pm in the Town Council Chambers.

Town Council Regular Meeting  
March 6, 2019

**ADJOURNMENT**

Chairman Pike adjourned the meeting at 7:49 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary