



TOWN OF NEWMARKET, NEW HAMPSHIRE  
OFFICE of the TOWN MANAGER

**TOWN OF NEWMARKET, NEW HAMPSHIRE**

**TOWN COUNCIL MEETING 7:00 PM**

**APRIL 15, 2020**

**NEWMARKET VIRTUAL MEETING**

**Approved May 6, 2020**

PRESENT: Council Chairman Toni Weinstein, Council Vice Chairman Amy Burns, Councilor Jon Kiper, Councilor Casey Finch, Councilor Helen Sanders, Councilor Christian Matthews

EXCUSED: Councilor Zachary Dumont

ALSO PRESENT: Town Manager Steve Fournier

**AGENDA**

Chairman Toni Weinstein welcomed everyone to the April 15, 2020 Virtual Town Council Meeting and called the meeting to order at 7 pm.

Town Manager Steve Fournier stated that due to the COVID-19 crisis the Town Council is meeting electronically in accordance with Governor Sununu's executive order #12 pursuant to executive order 220-04, and are providing public access by telephone and other electronic means.

*The public may participate by dialing 1-866-899-4679, access code 664197525; or via web at <https://www.globalgotomeeting.com/join/664197525>. Problems with access during meeting call: 603-659-3617, extension 1321.*

**Attendance by Roll Call:** Councilor Finch-present, Councilor Sanders-present, Councilor Kiper-present, Councilor Matthews-present, Councilor Burns-present, Councilor Weinstein-present

**PUBLIC FORUM**

Town Manager Fournier said he saw none, and said the public can contact the Council via email.

**TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES**

**Acceptance of the Regular Meeting Minutes of April 1, 2020**

Vice-Chair Burns made a motion to approve the minutes of the Regular Meeting of April 1, 2020, which was seconded by Councilor Finch.

Councilor Matthews corrected his name on page 1, and on page 6 corrected "emergent" to *emergency*.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye

The minutes of the Regular Town Council Meeting of April 1, 2020 were approved as amended by a vote of 6-0.

**REPORT OF THE TOWN MANAGER**

Town Manager Fournier said Governor Sununu issued **Executive Order #25 Blanket Abatement on Interest** which allow municipalities to issue a Blanket Abatement on interest and penalties for overdue property taxes during this emergency. He said they are now coming up with a clearance house for how the Town can help people in need, listing all agencies and contacts for those needing assistance, and said abatements would be looked at on a case-by-case basis.

Town Manager Fournier said he has issued a **Hiring Freeze** on all seasonal employees at this time and only hiring essential personnel until the Pandemic is over. For the **FY2020 Budget**, after reviewing the February Expense & Revenue Reports, he is asking all departments to continue to limit spending. The Town has expended 72% of the Budget with 66% of the year completed. Overages continue in Finance and IT due to personnel changes, and also in Public Works, Fire, Channel 13, and Environmental Services; revenues are slightly lower than last year; motor vehicle registrations up but seeing delays.

Town Manager Fournier said he asked the Finance Director for an update on **Cash on Hand** to determine what is needed to restructure operations. The Town currently has \$11,418,000 in cash accounts and can only spend about \$2 MIL/month in accounts payable, payroll, and funds for the School District, with enough cash on hand for a little under 6 months; otherwise would have to issue Tax Anticipation Notes, basically borrowing until they receive tax funds. The Town will be reaching out to **Non-Profits** to notify them that contributions may be delayed.

Town Manager Fournier said on April 8, 2020 he issued an **Emergency Order Regarding Access to Town Hall** to make sure life safety operations for all Town government continue and restricted access to Town Hall (Emergency Operations Center) to only essential personnel who work in the building; emergency and maintenance personnel may have access; no scheduled meetings or gatherings in Town Hall or any other municipal building by any boards or staff; meetings will continue to be virtual only or by telephone. In dealing with the public, masks must be worn at all times and maintaining a distance of 6 feet.

Town Manager Fournier said he is in his office in the afternoon and works remotely in the morning, and the Executive Assistant is in the office in the morning and works remotely in the afternoon to make sure there is someone available. He said he is working with the chiefs on a **Continuity of Government Plan** to



ensure Emergency Personnel can continue to operate and holding Emergency Meetings virtually. He stressed that this is not operations as normal on a day-to-day basis, and they are dealing solely with the pandemic and the emergency situation.

Discussion: Councilor Matthews asked if the Continuity of Government Plan was a public document and Town Manager Fournier said it was not. Chairman Weinstein commended the Town Manager and all department heads for their work during this time. She asked the Town Manager how he anticipated moving forward as a body at this time and when they would try to continue Town business. Town Manager Fournier recommended waiting to see where they are when the Governor's order is up on May 4, 2020.

Chairman Weinstein asked how the Town Council could support him and the department heads in the coming weeks, and Town Manager Fournier said public outreach is key, and any information the Town can give the Council to make sure members of the community have the facts. Chairman Weinstein asked if the hiring freeze would impact the hiring of the Facilities Director. Town Manager Fournier said the search closed about a week ago and he felt the position essential to make sure building are maintained.

Chairman Weinstein said she participated in a call today with Jean Shaheen through the New Hampshire Municipal Association, and said \$1.3 billion was approved to be sent to the State of New Hampshire but she was not clear on how it would be distributed to municipalities. Town Manager Fournier said he was also on the call and is not sure how and when the money would be coming. He said he asked the Town Planner to focus on what the CARES Act means for the Town and how to get the money.

Councilor Sanders said Chief Malasky stated that he does not have any facilities for his people to shower and decontaminate after contact with suspected COVID-19 patients and asked how they could assist. Town Manager Fournier suggested a temporary shower could be set up in a decontamination tent. Councilor Matthews stated that Chief True said he does not have a hand-held disinfectant fogger. Town Manager Fournier said they are currently on back-order and they are using the one from the School. Chairman Weinstein asked about the PPE Drive and where the Town stands now. Town Manager Fournier said they always need more and the Town is working with sources to circumvent the State and Feds to order their own emergency purchases.

## **COMMITTEE REPORTS**

Councilor Matthews said the *Planning Board* meeting of April 14, 2020 was cancelled and the next meeting is tentatively scheduled for May 19<sup>th</sup> at 7:00 pm. All Planning Board members are doing a drive-by of sites on the agenda.

## **OLD BUSINESS**

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

Resolution #2019/2020-28 Lubberland Creek Grant Amendment

Town Council Regular Meeting  
April 15, 2020

Chairman Weinstein lost her connection to the meeting and Vice-Chair Burns asked for a motion to approve Resolution #2019/2020-28 Lubberland Creek Grant Amendment as Chairman Weinstein was having trouble with her connection.

Councilor Finch made a motion to approve Resolution #2019/2020-28 Lubberland Creek Grant Amendment which was seconded by Councilor Sanders.

Town Manager Fournier said this is basically an amendment to the Grant to clarify the budget and payment for the annual environment monitoring of the project, to be done by the Nature Conservancy over the next 5 years as part of the Grant agreement. Councilor Matthews asked the reason for the change in the timeline, and Town Manager Fournier said he did not have that information in front of him.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye

Resolution #2019/2020-28 Lubberland Creek Grant Amendment 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, AND ELECTIONS**

**Zoning Board of Adjustments (ZBA)**

Candidate: *Steven Minutelli – Term to Expire April 2023*

Councilor Matthews made a motion to approve the nomination of *Steven Minutelli – Term to Expire April 2023* as a member of the *Zoning Board of Adjustments (ZBA)* which was seconded by Councilor Finch.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye

Motion to nominate *Steven Minutelli* as a member of the *Zoning Board of Adjustments (ZBA)* was approved by a vote of 6-0.

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

Resolution #2019-2020-29 - \$6,819.000 General Obligation Bond Anticipation Notes for Water System Improvements



Chairman Weinstein read Resolution #2019-2020-29 - \$6,819.000 General Obligation Bond Anticipation Notes for Water System Improvements by title only. Town Manager Fournier requested the Council suspend the rules to vote on the resolution this evening.

Vice-Chair Burns made a motion to suspend the rules to vote on Resolution #2019-2020-29 this evening, which was seconded by Councilor Sanders. Councilor Matthews asked what this would mean and Town Manager Fournier said it meant they would vote this evening with no second reading.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Kiper-aye, Councilor Matthews-nay, Councilor Burns-aye, Councilor Weinstein-aye

The motion to suspend the rules to vote on Resolution #2019-2020-29 this evening was approved by a vote of 5-1.

Town Manager Fournier said the reason for suspending the rules to do their vote was in order to not miss the loan deadline. He said this was already approved by voters last year and they would be doing the list of projects as submitted. He said this was just for the Town portion of the loan as there are also a number of grants. Councilor Matthews asked how the Council got to the point of being up against a deadline and not following normal procedures. Town Manager Fournier said it was due to the workload of the Bond's attorney as communities are all trying to issue debt now.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye

Resolution #2019-2020-29- \$6,819.000 General Obligation Bond Anticipation Notes for Water System Improvements was approved by a vote of 6-0.

## **CORRESPONDENCE**

### *Letter from the Newmarket Planning Board Regarding Impact Fees*

Town Manager Fournier read the letter from Planning Board Chair Eric Botterman to Chairman Weinstein in full. The letter recommended that the Town Council consider eliminating Impact Fees for the following reasons: (1) School expansion project is nearing completion and need for Impact Fees to address School infrastructure will not be needed for a long time; (2) Water and Sewer System expansion can be handled by instituting System Development Fees, and (3) Recreation programs are best expanded by current user fee system in place.

BCM Planning LLC reviewed the Town's Impact Fee program in 2011 and the Planning Board recommended the Town rescind impact fees at that time. At the Planning Board meeting on October 8, 2019 the Planning Board again discussed the issue and decided to let the Town know. Chairman Weinstein asked how they might proceed, and Town Manager Fournier suggested forming a sub-committee of 2 Council members and 2 Planning Board members. Councilor Matthews, as the current Council Representative to the Planning Board was appointed and Councilor Kiper volunteered as the second member.

## **CLOSING COMMENTS**

Town Council Regular Meeting  
April 15, 2020

Councilor Matthews asked that people continue to fill out the census.

Chairman Weinstein said she took part in a round-table presentation today by New Hampshire Listens, who do work throughout the State and are affiliated with UNH. She said today's program was about facilitating communication in this social distancing atmosphere and the need for people to be connected. She suggested perhaps the Council could play a role with something similar to their Conversations with Councilors.

**NEXT MEETING:** May 6, 2020

**ADJOURNMENT**

Chairman Weinstein adjourned the meeting at 7:52 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary