

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

October 5, 2016 7:00 PM

TOWN COUNCIL CHAMBERS

Approved October 19, 2016

PRESENT: Council Chairman Gary Levy, Council Vice Chairman Phil Nazzaro, Councilor Dale Pike, Councilor Amy Thompson, Councilor Toni Weinstein, Councilor Kyle Bowden

EXCUSED: Councilor Amy Burns

ALSO PRESENT: Town Administrator Steve Fournier, State Senator Martha Fuller Clark, State Representative Michael Cahill

AGENDA

Chairman Gary Levy welcomed everyone to the October 5, 2016 Newmarket Town Council Meeting and called the meeting to order at 7:01 pm, followed by the Pledge of Allegiance.

PUBLIC FORUM

Chairman Levy opened the Public Forum at 7:02 pm.

As no one from the public came forward, Chairman Levy closed the Public Forum at 7:02 pm.

PUBLIC HEARING - Resolution #20162017-04 - *Accepting Gifts for the Christian Shoppmeyer Park*

Chairman Levy opened the Public Forum at 7:03 pm and asked if anyone present wished to address *Resolution #20162017-04*.

Mr. Jeff Goldknopf, Chairman of the Conservation Commission, read the letter he had forwarded to the Council with regard to the issue. He said that Christian Shoppmeyer, who had passed away in February, was an active and well-respected member of the community and was devoted to the protection of our

natural resources and involved in youth outdoor recreation. He said the Commission received a significant contribution from an individual to assist with the creation of a park in Mr. Shoppmeyer's memory, and the idea was welcomed by the full Commission. He said he hoped the Town Council would become part of the process by accepting donations on their behalf. He said the funds would be set aside for purchasing land to create the park and a Public Meeting would eventually be held.

Mr. Richard Shelton of 23 Packers Falls Road stated that he fully supported the endeavor to have the Christian Shoppmeyer Park in Newmarket. He said he was the chairman of the fundraising and appreciated the full support of the Council to move ahead.

Chairman Levy closed the Public Forum at 7:05 pm.

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Acceptance of the Minutes of the Non-Public Meeting of September 14, 2016

Vice Chair Nazzaro made a motion to approve the minutes of the Non-Public Meeting of September 14, 2016 which was seconded by Councilor Bowden.

Town Administrator Fournier polled the Council and the minutes of the Non-Public Meeting of September 14, 2016 were approved by a vote of 6-0.

Acceptance of the Minutes of the Non-Public Meeting of September 21, 2016

Vice Chair Nazzaro made a motion to approve the minutes of the Non-Public Meeting of September 21, 2016 which was seconded by Councilor Weinstein.

Correction: Councilor Thompson pointed out the misnaming of a building in the minutes which was corrected as a scrivener's error.

Town Administrator Fournier polled the Council and the corrected minutes of the Non-Public Meeting of September 21, 2016 were approved by a vote of 6-0.

Acceptance of the Minutes of the Regular Meeting of September 21, 2016

Councilor Weinstein made a motion to approve the minutes of the Regular Meeting of September 21, 2016 which was seconded by Councilor Pike.

Town Administrator Fournier polled the Council and the minutes of the Regular Meeting of September 21, 2016 were approved by a vote of 6-0.

REPORT OF THE TOWN ADMINSTRATOR

Drought

Town Administrator Steve Fournier stated that on September 22nd a Stage 4 water emergency was declared for Newmarket due to the regional drought. He said a Stage 4 Water Supply Shortage put restrictions on municipal water and prohibited all outdoor water use, except at commercial facilities. Properties found in violation would first be warned then fined \$100 for a second violation and \$250 for subsequent violations. He said the next step would be discontinuation of water service with a \$75 fee to reconnect. He stated that the current available water supply was sufficient to meet the Town's daily needs, and he asked properties with private wells to conserve. He said they were monitoring the situation and would come to the Council for approval if they needed to ban private systems as well.

FY2018 Town Budget

Town Administrator Fournier stated that pursuant to the Town Charter he would have the budget for the Fiscal Year ending 2018 by October 15, 2016. He said he had polled the Council and the Saturday Budget Workshop would be held on October 22nd starting at 9:00 am and he would inform Department Heads. He said the CIP Committee had also submitted their recommendations for FY2018 Capital Improvement Projects for this year totaling about \$2.1 million. He stated that he would review their recommendations and determine which to include in the Operating Budget, and said he typically reduced the total amount to approximately \$600,000.

Town Valuation

Town Administrator Fournier stated that the revised total assessed value of the Town was now \$739,174,428, an increase of \$9.2 million or 1.25%. He said the increase was in line with the general increase in the economy and the real estate market, with the largest increase in residential real estate building and land values. He stated that now every \$739,174,428 of the budget equaled \$1.00 on the tax rate, and this would allow more room in the budget.

Downtown Project

Town Administrator Fournier said the construction company working on the Downtown Project had switched to the other side of the street. He said they had requested and received approval from the State to increase construction working hours. He stated that since the original deadline for the project would not be met, the Town would be imposing liquidated damages against the contractor of \$750/day from the September 14th substantial completion date, and \$500/day after final completion. He said they were estimating approximately \$27,500 in damages.

Halloween Haunt

Town Administrator Fournier said that the Halloween Haunt would be held this year in Downtown on October 29th. He said rather than asking Downtown businesses to donate gift cards for prizes this year, the Recreation Department was asking the general public for contributions to buy the gift cards from Downtown businesses due to the losses from the Downtown Project.

Veteran's Tax Credit Changes

Town Administrator Fournier stated that on August 8th a new law took effect which would expand the number of veterans eligible for the Veteran's Tax Credit. He said the new law allowed the Town Council to change the requirements, and he would be introducing a resolution to amend the Veterans Tax Credit

policy for the next meeting. He stated that they were estimating this would allow for an additional 152 veterans to qualify for the tax credit and would have an impact of \$76,000.

STATE SENATE UPDATE – Martha Fuller Clark

State Senator Martha Fuller Clark stated that she represented Newmarket as one of the 7 communities in her district. She said she wanted to highlight some of the important things that had passed in the last biennium, and to remind the Council that legislation for the coming year was open in the House for filing and would open in the Senate soon. She said they closed out the budget for the 1st year of the biennium with a surplus of \$130 million which was an enormous improvement. She stated that the Rainy Day Fund now had approximately \$70,000 and their goal was to have \$150 million in the fund by the end of the biennium. She felt it was looking very positive for the economy in New Hampshire and said that they had the 2nd or 3rd lowest unemployment in the country. She stated that many businesses had opportunities for employment and that she had recently attended a job fair at Pease for veterans seeking employment. She said the challenge they faced as a State were to make sure they had a skilled and trained workforce to qualify for openings, and said they needed to look at further investment in education with Community Colleges and job-training programs.

State Senator Clark said that they had still not funded School Building Aid, and said they wanted to make sure the aid could be retroactive for communities that moved ahead. She said she had attended the presentation in Newmarket about the various options available for the School and wanted to make sure Newmarket would still qualify for School Building Aid if they moved ahead. She said they were also looking at a number of schools with old facilities across the State and they needed to bring those communities onboard as well so they could build support for School Building Aid, particularly in the House.

State Senator Clark said they had also passed Medicaid Expansion for two more years for individuals earning \$15,000/year or less. She said that 4,000 in her District were now eligible for support and that statewide health coverage was available for over 50,000 individuals. She said Hospitals had seen Emergency Room visits shrink by 27-29% as a result and they were very supportive of this program. She said this was also critical for Lamprey Healthcare, as the program helped to ensure Community Health Centers could remain open and provide vital services. She stated that out of the 50,000 individuals, 6,000 were now eligible for opiate and addiction treatment.

State Senator Clark said she wanted to compliment Newmarket for the work they were doing to address opiate addiction. She said she sat on the Opiate Task Force over the winter and said they did move forward with more funding for law enforcement and the drug courts. She felt the biggest challenge was with regard to treatment and recovery with not enough treatment centers throughout the State. She said New Hampshire had the 2nd highest number of opiate deaths in relation to their population, and the 2nd or 3rd lowest number of treatment centers.

State Senator Clark said she had recently attended a presentation on the regional drought, and that information from UNH and the Department of Environmental Services predicted it would continue through fall into winter. She said it was the most severe drought they had seen and it was having an

enormous impact on large and small farms. She said the entire Seacoast area was now designated extreme drought and the moderate drought had moved north.

State Senator Clark said that going forward there would be an effort to make sure every community had fulltime Kindergarten. She said this effort was part of investing in and strengthening the whole educational system. She said issues with the State having cutbacks on assisting with retirement and shared revenues was a concern for local communities. She said Dover had been successful in a lawsuit against the State claiming that they should be eligible for funding for an increase in their student base.

State Senator Clark stressed the importance of making energy efficiency a priority in the State. She said as they could not control energy prices, they needed to aggressively seek out better energy efficiencies to reduce costs. She said the issue of using batteries to store energy had been discussed and was moving forward, particularly with regard to solar. She said she visited the 2nd largest solar field in the State in Lee, which now supplied the energy to all the municipal buildings in Durham.

Discussion: Councilor Weinstein said that as far as the opioid crisis, one thing that was not mentioned was the need for prevention. She agreed that recovery and treatment were very important, but said New Hampshire was 49th in the country for prevention. State Senator Clark said one step taken last year was to work with the New Hampshire Board of Medicine to get some standards in place for the prescribing of opiates. She felt prevention also needed to be part of schools and universities and everyone in the community to make sure they talked about the issues. She stated that legislation was passed in the 1990s that said 5% of revenue from liquor sales would go into a fund to treat addictions, but it was never funded until this past year when they agreed to fund up to 3%. She said as a result there was no money there for years to build a good prevention proponent in the State.

Chairman Levy raised the issue of retroactive School Building Aid, and asked if there were other districts that had gone ahead with school expansions without getting State funding. State Representative Michael Cahill said that Salem had built a new high school, Middleton an elementary school, and that Dover had broken ground for a new high school with no aid. He felt that since those communities were able to move ahead with a stronger base, communities waiting should at least get a portion of the aid. State Senator Clark said that new criteria had been put in place to determine which communities should receive School Building Aid if they were able to fund it. She felt smaller communities that had been unable to pass a bond issue would clearly be eligible, and said they wanted School Building Aid to be available to communities in need that did not have the tax base or the resources

Town Administrator Fournier said he had the warrant for the general election which he needed the councilors to sign.

Discussion of Town Administrator Report: Councilor Pike asked a question on the Stage 4 water emergency with regard to commercial properties not being impacted by the rules. He said that a company with substantial landscape could be irrigating under these rules and asked if there was any way to change this. Town Administrator Fournier said that it was a State Law that specified residential water use only and not commercial. Councilor Pike said he did not think commercial properties should be able to water for appearance sake while the Town was restricting its water use.

Councilor Weinstein said she had been asked about the bump-outs in the Downtown Project and whether they were supposed to be flat with the ground or the curb. Town Administrator Fournier said they were supposed to be flat on the Main Street side to allow the plows to get through. Vice Chair Nazzaro asked what the Town and the School were doing in compliance with the water restrictions as they were not private businesses or residences. Town Administrator Fournier said they were following the same rules as residential. Councilor Weinstein asked if information on conservation could be included with the quarterly water bills. Chairman Levy asked if the square footage of the library roof could be provided before the vote on Resolution 2016/2017-06.

COMMITTEE REPORTS

Councilor Weinstein stated that the *Budget Committee* had met on September 26th. She said the focus of the meeting was on the School proposal, and that they would meet again on October 24th. She said she had a conflict on that date and asked that the alternate be notified.

Councilor Pike stated that the *Joint Town Council/School Board Subcommittee* had met to look at timelines moving forward on discussions of shared services. He felt they needed to talk about workshopping and find an agenda time for Council discussion. He said this may be applicable to what they set as Council Goals as well. He suggested using the November 2nd Town Council meeting to have a broader discussion on shared services with the School. Town Administrator Fournier said he and the School Supervisor were meeting with the Subcommittee on October 13th to show a plan. He said they were running the numbers and tying down an agreement which would be brought to the Town Council. Councilor Weinstein stated that the School had hired a Business Administrator who had experience with municipal and school budgets.

Councilor Kyle Bowden said the *CIP Committee* had met and had gone through 2 weeks of facilities tours. He said proposals were presented to the CIP Committee by all Department Head and the report was submitted on October 1, 2016.

OLD BUSINESS

ORDINANCES AND RESOLUTIONS IN THE 2ND READING – None

ORDINANCES AND RESOLUTIONS IN THE 3RD READING

Resolution #2016/2017-04 Relating to Accepting Gifts for the Christian Shoppmeyer Park

Councilor Bowden made a motion to approve *Resolution #2016/2017-04 Relating to Accepting Gifts for the Christian Shoppmeyer Park* which was seconded by Vice Chair Nazzaro.

Town Administrator Fournier polled the Council and *Resolution #2016/2017-04 Relating to Accepting Gifts for the Christian Shoppmeyer Park* was passed by a vote of 6-0.

ITEMS LAID ON THE TABLE – *Resolution #2015/2016-52 Authorizing the Designation of a Portion of Route 152 as an Economic Recovery Zone.* (This Resolution is tabled from the June 15, 2016 Council Meeting pending Planning Board action.)

NEW BUSINESS/CORRESPONDENCE

TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS

Conservation Commission

Candidate: *Ann LaFortune – Term to Expire March 2019*

Councilor Weinstein made a motion to approve the nomination of *Ann LaFortune – Term to Expire March 2019* as a member of the *Conservation Commission*, which was seconded by Vice Chair Nazzaro.

Town Administrator Fournier polled the Council and the motion to nominate *Ann LaFortune* as a member of the *Conservation Commission* passed by a vote of 6-0.

ORDINANCES AND RESOLUTIONS IN THE 1ST READING –

Resolution #2016/2017-06 Relating to Reroofing Three Sections of the Library Building

Chairman levy read *Resolution #2016/2017-06 Relating to Reroofing Three Sections of the Library Building* in full.

Resolution #2016/2017-07 Authorizing the Town Administrator to Enter into a Three-Year Agreement with Casella Resource Services for Waste and Recycling Services

Chairman levy read *Resolution #2016/2017-07 Authorizing the Town Administrator to Enter into a Three-Year Agreement with Casella Resource Services for Waste and Recycling Services* in full.

Resolution #2016/2017-08 Relating to the Acceptance of Conservation Land Formerly Owned by Charles E. Dearborn and Family

Chairman levy read *Resolution #2016/2017-08 Relating to the Acceptance of Conservation Land Formerly Owned by Charles E. Dearborn and Family* in full.

CLOSING COMMENTS/CORRESPONDENCE

Town Administrator Fournier reminded the Council that they needed to sign the election warrant.

Councilor Weinstein said that the Seacoast Public Health Network with area police departments was sponsoring a National Take-Back Day, which was a way for people to safely dispose of unused prescription medications. She said the date was October 22nd and she had some information to pass on for the newsletter.

Town Council Regular Meeting
October 5, 2016

NEXT MEETING - The next regular meeting of the Town Council is scheduled for October 19, 2016.

ADJOURNMENT

Vice Chair Nazzaro made a motion to adjourn the meeting, which was seconded by Councilor Bowden.
The meeting was adjourned at 8:12 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary