

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

FEBRUARY 14, 2018 7:00 PM

TOWN COUNCIL CHAMBERS

Approved February 21, 2018

PRESENT: Council Chairman Dale Pike, Council Vice Chairman Toni Weinstein, Councilor Amy Thompson, Councilor Gretchen Kast, Councilor Kyle Bowden, Councilor Casey Finch, Councilor Amy Burns (by telephone)

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

AGENDA

Chairman Dale Pike welcomed everyone to the February 14, 2018 Newmarket Town Council Meeting and called the meeting to order at 7:01 pm, followed by the Pledge of Allegiance.

Chairman Pike stated that Councilor Amy Burns would participate by telephone.

PUBLIC FORUM

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

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

PUBLIC HEARING – None

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Acceptance of the Minutes of the Regular Meeting of January 17, 2018

Vice-Chair Weinstein made a motion to approve the minutes of the Regular Meeting of January 17, 2018 which was seconded by Councilor Thompson.

Town Administrator Fournier polled the Council and the minutes of the Regular Meeting of January 17, 2018 were approved by a vote of 6-0, with 1 abstention.

Acceptance of the Minutes of the Non-Public Meeting of January 17, 2018

Vice-Chair Weinstein made a motion to approve the minutes of the Non-Public Meeting of January 17, 2018, which was seconded by Councilor Kast.

Town Administrator Fournier polled the Council and the minutes of the Non-Public Meeting of January 17, 2018 were approved by a vote of 6-0, with 1 abstention.

REPORT OF THE TOWN ADMINSTRATOR

Town Administrator Steve Fournier stated that the New Hampshire Department of Revenue Administration (DRA) reviewed all Town assessing records and determined the **Valuation of the Town**. He said the valuation should be at 90-110% value and currently the Town was at 80.5%. He said next year they would be conducting another statistical update so properties would be going up and tax bills would be changing.

Town Administrator Fournier said as part of **Town Hall Renovations**, beginning on February 19, 2018 a contractor would be coming in to do renovations to the Town Council Chambers. He stated that during that time the room would be unavailable for meetings. He said the majority of the work would be contained in the chambers, with the exception of a doorway at the back of the chambers exiting to the hallway. He said during this time meetings would be held in the Auditorium or the Beech Street Extension Senior Center.

Town Administrator Fournier said in the matter of the **NHDOT vs Town of Newmarket**, he had received notice from the Town Attorney that NHDOT wished to close the case regarding repayment of funds for the Route 108 Bike Lane Project. He said that, in effect, closed the case and the Town had won and would not be paying any funds for that Route 108 Widening Project on the south end.

Discussion: Councilor Thompson said she was glad the Town pushed back on that issue. Chairman Pike said he thought the day would come when they would want to see a bike path, but that the idea that they were going to self-manage the project was just not feasible.

COMMITTEE REPORTS

Councilor Kast stated that a *Planning Board* meeting was held the previous night and there were a couple of workshops. She said the first was on zoning rate changes and that they were looking to clarify when Impact Fees could be waived for accessory dwelling units. She said the second workshop was on Stormwater Regulations, and that a sub-committee had come up with revised regulations which were reviewed by the Planning Board. A question was raised regarding the MS4 Permit to make sure it aligned

with regard to the ongoing lawsuit. Town Administrator Fournier said he had spoken with the Communications Development Director and the Town would be aligned.

Councilor Finch said the *Conservation Commission* met on February 8th and a few Wetlands Permits had come to them. He said the Crossings in Sleepy Hollow wanted to rebuild the ground around a sewage line which was in the works, and a private home was looking to put a dock out into the water. He said the company designing the dock would avoid taking out any trees and there would be minimal impact. He said they approved the sign for Loisel Conservation Area and it would be put up in the next few weeks. He said they also talked about putting in an RFP for Schanda Park regarding the significant erosion around the edges. He said there was a question raised about possible impact of the new LED lighting in Town on the environment, and Town Administrator Fournier had provided information on the issue. Town Administrator Fournier said he would report on that to the Council at the next meeting.

Vice-Chair Weinstein said the *Budget Committee* met last week basically to discuss the changes made at the Deliberative Session to the School Operating Budget Warrant, which was approved unanimously.

Vice-Chair Weinstein said the *Energy & Environment Advisory Committee* had met twice since the last Council meeting. She said they were working on getting a page on the website and had done some outreach to other communities. She said they discussed multiple ideas such as car-charging stations, a swap shop, and clothing and book drop-boxes in the area. She said they were also developing a mission statement and working out other procedural things. She felt composting was the highlight and said people were also very interested in solar and they were waiting on the study being done in Town.

Chairman Pike said the *Macallen Dam Committee* was meeting tomorrow and continuing the process of having something to present to the public at a Public Hearing in the spring, and were working toward some kind of vote next year.

Discussion: Councilor Thompson asked about the erosion at Schanda Park and said she believed the problem was ongoing. Councilor Finch said there were a few different areas: where Moonlight Brook came in there was erosion under the trees, and where the rocks were falling in was pretty significant. Councilor Thompson said it was a natural occurrence but asked if there was any insurance coverage. Town Administrator Fournier said there was not and said the Town had no oversight on the area as the Conservation Commission had authority over that park. Councilor Finch said the hope was to save the park and find some way to shore it up on the edges.

OLD BUSINESS

ORDINANCES AND RESOLUTIONS IN THE 2ND READING

Resolution #2017/18-28 Authorizing the Town Administrator to enter into an Agreement with Siemens Industry, Inc. for HVAC Services for Town Facilities

Vice-Chair Weinstein made a motion to approve Resolution #2017/18-28 Authorizing the Town Administrator to enter into an Agreement with Siemens Industry, Inc. for HVAC Services for Town Facilities, which was seconded by Councilor Thompson.

Town Administrator Fournier said they went out to bid for HVAC Services and received 3 proposals, one from Siemens Industry combining with the School for \$27,564.25, one from Thermodynamics of Eliot, ME for \$7,860, and one from M2 Services of Exeter, NH for \$28,990.01. He said they reviewed the proposal from Thermodynamics and did not believe it was comprehensive enough and would involve a lot of additional costs.

Discussion: Councilor Bowden asked what Thermodynamics was missing, and Facilities Director Greg Marles said he did speak with them and they said they would make up the difference in cost with repairs to Town equipment, which he felt should not be needed with proper maintenance. He said some required filter changes were also not covered. He stated when he listed equipment out there were 29 different heating systems. Councilor Thompson said the Siemens quote was \$20 grand more and asked if it was thought that the Town would spend that amount fixing what Thermodynamics missed. Both Town Administrator Fournier and Facilities Director Marles said they already were.

Councilor Thompson asked what was not covered in the Siemens quote. Facilities Director Marles said the contract was extensive and they had to cover it as well as 2 other contractors. He said if they found a broken piece of equipment they were to notify the Town rather than give a cost to repair. He said they were using Siemens for the School and they took very good care of the equipment. He said all regular maintenance items such as air filters, oil nozzles, strainers, and belts were included in the contract. Councilor Kast asked the length of the agreement, and Facilities Director Marles said the contract was for 3 years with clauses for 30-day cancellations notices.

Chairman Pike said this implied a different approach to maintenance of the machinery, because there had been costs above and beyond what they would have if they had followed maintenance as they intended to do now. Town Administrator Fournier said to go with the other company would cost \$7,000/yr for them to come in and clean, and if they found something wrong they would bill the Town to fix it. He said with the other 2 bids they would only be charged for catastrophic items. He said the other system was not working and the right level of maintenance was not being done and costing the Town in the long run.

Councilor Kast asked if they had a contract with anyone right now. Facilities Director Marles said the contract expired last October or November with Thermodynamics, and had been done intentionally as a one-year agreement. Councilor Kast asked where the Town stood with some of their systems. Facilities Director Marles said several of the systems were very old and there would be some impact at some point. Town Administrator Fournier said there would be an email to the Council shortly on one of the systems.

Councilor Thompson asked what annual costs had been with Thermodynamics. Town Administrator Fournier said they worked for multiple weeks and did not comply with the agreement with maintenance at that time. Vice-Chair Weinstein asked where they stood with the Facilities Director's overall assessment of all the buildings. Facilities Director Marles said the majority of the surveys were completed and he was

now working on the spreadsheets and the data for the cost analysis. He said his plan was still to deliver a draft report in April. He said he made an equipment list for each of the buildings and things at the end of their lifetime would need to be replaced with maintenance continuing. He explained that one was more of a Capital investment and the other was maintenance.

Town Administrator Fournier said maintenance was to keep older systems running and other systems would need replacement, which was what this contract provided. He said EEI performance contracts would be coming up with a plan for replacements and be energy efficient. Councilor Kast said she was concerned that they were signing a contract and would immediately need to spend money for replacements. Councilor Thompson said the replacements would then be under the contract. Facilities Director Marles said after replacement, maintenance costs would go down and they would re-adjust the contract accordingly.

Town Administrator Fournier polled the Council and *Resolution #2017/18-28 Authorizing the Town Administrator to enter into an Agreement with Siemens Industry, Inc. for HVAC Services for Town Facilities* was approved by a vote of 7-0.

Resolution #2017/2018-29 Authorizing the Town Administrator to enter into an agreement with Martineau Electric, Inc. for Electrical Services for Town Facilities

Vice-Chair Weinstein made a motion to approve *Resolution #2017/2018-29 Authorizing the Town Administrator to enter into an agreement with Martineau Electric, Inc. for Electrical Services for Town Facilities*, which was seconded by Councilor Bowden.

Town Administrator Fournier said they went out to bid for Electrical Services and received 2 proposals back. He said Daniels Electrical, Inc. proposed \$85/hr for the hourly rate and \$85/hr for the overtime rate with a 10% materials markup. Martineau Electric, Inc. proposed \$55/hr for an hourly rate and \$82.50/hr for the overtime rate with a 15% materials markup. He said both were stellar companies and he recommended Martineau Electric.

Discussion: Councilor Thompson said there was a difference in the labor rate but also a difference in materials markup. Facilities Director Marles said typically any service-based job would be a smaller job, and for a larger job they would have a fixed contract price estimated first. Councilor Kast asked if any of the jobs were under the scope of the Town, and Town Administrator Fournier said the Town did not have a licensed electrician.

Vice-Chair Weinstein asked at what point they would go out to bid for other work they might need done. Facilities Director Marles said there were ordinances in place that state that they need a certain number of bids for a certain monetary value, and said this would just be on-call and service-based. Chairman Pike said on page 70 for Daniels Electrical a section was crossed out with regard to emergency response time. Facilities Director Marles said they did not feel they could meet that requirement.

Town Administrator Fournier polled the Council and Resolution #2017/2018-29 *Authorizing the Town Administrator to enter into an agreement with Martineau Electric, Inc. for Electrical Services for Town Facilities* was approved by a vote of 7-0.

Resolution #2017/2018-30 To enter into a Three-Year Contract to Provide Dispatch Services to the Town of Newfields, New Hampshire

Vice-Chair Weinstein made a motion to approve Resolution #2017/2018-30 *To enter into a Three-Year Contract to Provide Dispatch Services to the Town of Newfields, New Hampshire*, which was seconded by Councilor Bowden.

Town Administrator Fournier said they would be receiving \$20,000 for the first year and it would go up in the second year by the CPI for Boston. He said the only fiscal impact the Chief believed they would have was \$25/month for a new phone line. He said the Town was already doing a lot of dispatch for Newfields, ran their EMS, and was also their immediate backup. He said the chiefs of Newfields were excited to improve communication as well.

Discussion: Vice-Chair Weinstein said this was something that had been talked about for quite a while and she was really happy to see this moving forward. Councilor Thompson said she agreed and was glad they were finally getting this back. She asked if Chief True felt he had enough staff to handle this with the increased volume of calls in Newmarket. Town Administrator Fournier said he felt there was no question.

Town Administrator Fournier polled the Council and Resolution #2017/2018-30 *To enter into a Three-Year Contract to Provide Dispatch Services to the Town of Newfields, New Hampshire* was approved by a vote of 7-0.

ORDINANCES AND RESOLUTIONS IN THE 3RD READING – None

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 – None

ORDINANCES AND RESOLUTIONS IN THE 1ST READING

Resolution #2017/2018-31 **Enter into a Contract with Electrical Installation for Water & Sewer Supervisory Control and Data Acquisition (SCADA) System Improvements**

Town Administrator Fournier read Resolution #2017/2018-31 *Enter into a Contract with Electrical Installation for Water & Sewer Supervisory Control and Data Acquisition (SCADA) System Improvements*

In full.

Resolution #2017-2018-32 Withdrawal of Water and Wastewater Department Capital Reserve Funds for Water and Sewer Supervisory Control and Data Acquisition (SCADA) System Improvements

Chairman Pike read *Resolution #2017-2018-32 Withdrawal of Water and Wastewater Department Capital Reserve Funds for Water and Sewer Supervisory Control and Data Acquisition (SCADA) System Improvements* in full.

Resolution #2017/2018-33 An Engineering Contract for Bennett and Sewall Well Improvements

Town Administrator Fournier read *Resolution #2017/2018-33 An Engineering Contract for Bennett and Sewall Well Improvements* In full.

Resolution #2017/2018-34 Withdrawal of Water Department Capital Reserve Funds for Bennett and Sewall Well Improvements Project

Chairman Pike read *Resolution #2017/2018-34 Withdrawal of Water Department Capital Reserve Funds for Bennett and Sewall Well Improvements Project* in full.

CORRESPONDENCE – None

CLOSING COMMENTS – None

NEXT MEETING: The next Regular Town Council Meeting will be held on February 21, 2018 in the Town Hall Auditorium.

ADJOURNMENT

Chairman Pike adjourned the meeting at 7:48 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary