



TOWN OF **NEWMARKET** NEW HAMPSHIRE

TOWN COUNCIL REGULAR MEETING

August 17, 2022 7:00 PM

Council Chambers

Minutes

Approved September 7, 2022

Councilors Present: Council Chair Toni Weinstein, Councilor Megan Brabec, Councilor Scott Blackstone, Councilor Brian Ward, Councilor Joe Lamattina and Councilor Colin White, Sr.

Staff Present: Town Manager Stephen Fournier and Wendy Chase, Recording Secretary.

Councilors Excused: Council Vice-chair Katanna Conley

Chair Weinstein convened the meeting at 7:00 PM and led the Pledge of Allegiance.

AGENDA

PUBLIC FORUM

Chair Weinstein opened the Public Forum at 7:01 PM.

Sean Hogan, 5 Chapel Street, said that he sent an email to the Councilors explaining that Ben Stebbins bought the apartment building he lives in and raised the monthly rents by \$150.00. He

worth mentioning and putting on notice. He asked that the Council have more compassion when working on housing policies moving forward.

A resident from 9A River Street said there is an unfair impact on a lot of people regarding rental increases and encouraged the Council to keep the topic in the dialogue moving forward.

Chair Weinstein closed the Public Forum at 7:05 PM.

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

July 20, 2022 Non-public Meeting Minutes

Councilor White made a motion to Approve *the July 20, 2022 Non-public Meeting Minutes*, which was seconded by Councilor Ward.

Motion was Passed by a vote of 6-0-0.

July 20, 2022 Workshop Meeting Minutes

Councilor Ward made a motion to Approve *the July 20, 2022 Workshop Meeting Minutes*, which was seconded by Councilor White.

Motion was Passed by a vote of 6-0-0.

July 20, 2022 Meeting Minutes

Councilor LaMattina made a motion to Approve *the July 20, 2022 Meeting Minutes*, which was seconded by Councilor Ward.

Councilor LaMattina offered a correction on line 139 change the December date to September.

Motion was Passed as amended by a vote of 6-0-0.

REPORT OF THE TOWN MANAGER

- **Request for Proposal – Municipal Solid Waste Collection:** The Director of Public Works and the Town Manager issued requests for proposals for municipal solid waste and recycling collection for the next three years, beginning January 1 2023. The Town Manager will make a recommendation to the Town Council in October 2022.
- **State Primary:** The State Primary election will be at Town Hall from 7AM to 7PM on September 13th. The Town Manager will send out a sign-up sheet for Councilors to select what times they will be in attendance at the polls.
- **Resignation Procedures:** Roberts Rules are the guidelines used by the Town. The power to accept a resignation and to fill a vacancy is up to the appointing entity. The procedure is that the Council will receive a letter of resignation and they would accept it at a scheduled meeting then post the vacancy. The Town Clerk will keep the resignation on file. This gives a fair chance to all applicants vying for the seat.
- **Housing Regulations:** The Town Manager has received emails regarding the cost of rents in town and inquiring if the town can do anything about it. In the case *Girard v. Town of Allenstown (1981) 121 NH. 268* the New Hampshire Supreme Court ruled that municipalities cannot regulate rents. The Town cannot deny someone the right to purchase property, nor determine what they will charge for rent.
- **FY22 Expense and Revenue Report:** FY22 is finished and at this point we remain under budget. 93% was expended of the budget and \$957,963 is remaining. (This number will shrink because it is unaudited and there are several items that we have to pay for with these funds). Revenues did very well. We ended up approximately \$2.2 million higher than

anticipated. This was due to an additional \$337,000 in Room and Meals Tax from the State and additional revenues for Water and Sewer.

- **Electricity:** The 2023 budget will be impacted by electric rates. There will be an 88% increase in 2023 and 2024.
- **Wastewater Testing:** The Environmental Services Department will join area municipalities and begin testing for Covid levels in the wastewater.

Councilor Blackstone said that Invest New Hampshire has grant money available and the Planning Board will be taking advantage of that.

Chair Weinstein commented on the committee resignation process and said that in addition to following the rules it will keep the Council aware of what is happening on the Committees. She also commented on the free composting available to residents at the transfer station. She explained that the waste we compost is the heaviest, and all municipal waste is charged by weight making it more costly to dispose of. She requested that the Chief add annual statistics of crimes committed in town, not just the monthly numbers, to his monthly report to the Council.

Councilor Ward said that in regards to the rental increases and housing shortage he encouraged

dividuals do not have power. He commented that many towns are dealing with this problem.

COMMITTEE REPORTS

Councilor LaMattina reported on the Riverfront Advisory Committee meeting:

The Committee approved two CIP requests and passed them onto the Conservation Commission to see if they would agree to pass it on for them. They are working with the Planning Director to put a survey together on how residents would like to use the riverfront.

Councilor LaMattina reported on the Energy & Environment Committee meeting:

The Committee is working on the energy aggregation plan and would like to have a work session with the Town Council and invite the Planning Board to present the aggregation plan and proposed updates to the Master Plan. It was a general consensus of the Council to change the makeup of the Energy & Board and the Conservation Commission. Councilor LaMattina will sponsor the Resolution and the Town Manger will draft it.

Councilor Brabec reported on the Business Association meeting:

She was not able to make the meeting but reported that the Association voted in Ned Carpenter as Chair to the NBA.

Councilor Brabec reported on the Arts & Tourism Commission meetings:

artists can display and sell their art. Individuals can contact Councilor Brabec for more information at mbrabec@newmarketnh.gov.

Councilor LaMattina asked about the retaining wall on Elm Street. Councilor Brabec said it is owned by Chinburg and the Commission is having discussions with the owner about different options. The Commission is also looking into applying for a grant through Tmobile to refurbish it if possible. Councilor Blackstone suggested she reach out to the Community Development Director because there is grant money from Invest NH that may be available. Town Manager Fournier said that the Director is working with the Arts & Tourism Commission on this.

Councilor Blackstone reported on the Planning Board meeting:

Councilor Blackstone said that the Planning Board has finished the first draft of the detached accessory dwelling unit ordinance. This will allow for two detached dwelling units on a property. They will hold a public hearing at their next meeting then draft a final proposal to present to the Town Council. The detached units will help with the housing shortage. There is certain criteria that has to be met for approval of the Planning Board.

RESOLUTIONS IN THE 1ST READING

Resolution #2022/2023-02 – DPW Dump Truck Lease Payment from CRF

Chair Weinstein read Resolution #2022/2023-02 into the record.

Resolution #2022/2023-03 – Implementation of Water System Energy Improvements

Chair Weinstein read Resolution #2022/2023-03 into the record.

Resolution #2022/2023-04 – Dewatering Improvements at the WWTF

Chair Weinstein read Resolution #2022/2023-04 into the record.

Resolution #2022/2023-05 – Building Permit Fees

Chair Weinstein read Resolution #2022/2023-05 in title only without objection. She commented that the

CORRESPONDENCE TO THE COUNCIL

Peter Sawtell Resignation letter from the Riverfront Advisory Ad hoc Committee

Councilor Ward made a Motion to & & & , with regret, from the Riverfront Advisory Ad hoc Committee, which was seconded by Councilor LaMattina.

Councilor Brabec thanked Peter for all his hard work on the Riverfront Advisory Ad hoc Committee.

Motion was Passed by a vote of 6-0-0.

Peter Nelson Resignation letter from the Energy & Environment Committee

Councilor White made a Motion to & & , *with regret, from the Energy & Environment Committee*, which was seconded by Councilor Ward.

Chair Weinstein said Peter was an important member of the Energy & Environment Committee and thanked him for his service.

Motion was Passed by a vote of 6-0-0.

CLOSING COMMENTS BY THE TOWN COUNCILORS

Councilor White read a letter to the Council. He apologized for sending an email to the entire comply with RSA 91-A, Right to Know Law. He also addressed his concerns of the housing shortage and affordability issues in Newmarket.

The Town Manager and members of the Council said that there was no reason for an apology from Councilor White and that reaching out to the entire Council in an email requesting a response was an easy and honest mistake to make. Sending an email to the Board with information is permissible; discussion on that information has to take place in a public meeting.

Councilor LaMattina told Councilor White he did not need to apologize and told him to keep doing by looking out for the best interests to the people in Newmarket.

NEXT MEETING

September 7, 2022

ADJOURNMENT

Chair Weinstein adjourned the meeting at 7:58 PM without objection.

Respectfully submitted,

Wendy V. Chase
Recording Secretary