



TOWN OF NEWMARKET, NEW HAMPSHIRE
OFFICE of the TOWN MANAGER

TOWN OF NEWMARKET, NEW HAMPSHIRE
TOWN COUNCIL REGULAR MEETING
JUNE 3, 2020 7:00 PM
NEWMARKET VIRTUAL MEETING

Approved June 17, 2020

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

ALSO PRESENT: Town Administrator Steve Fournier, Police Chief Kyle True

AGENDA

Chairman Toni Weinstein welcomed everyone to the June 3, 2020 Virtual Town Council Meeting and called the meeting to order at 7:00 pm.

Town Manager Steve Fournier stated that due to the COVID-19 crisis the Town Council is authorized to meet electronically in accordance with Governor Sununu's executive order #12 pursuant to executive order 2020-04, and are providing public access by telephone and other electronic means.

The public may participate by dialing 1-646-558-8656, access code 9117025727; or via web at <https://www.zoom.us/j/9117025727>. Problems with access during meeting call: 603-292-1221.

Attendance by Roll Call: Councilor Finch-present/alone, Councilor Sanders- present/alone, Councilor Dumont-present/alone, Councilor Kiper-present/alone, Councilor Matthews- present/alone, Councilor Burns- present/alone, Councilor Weinstein-present/alone

Vice-Chair Burns made a motion to seal the minutes of the Non-Public Session of June 3, 2020, which was seconded by Councilor Dumont.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Dumont-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye
Motion approved by a vote of 7-0

Chairman Weinstein said she wanted to comment about recent events unfolding before our eyes, and said she feels fortunate to live in a small town in a fairly rural community, but they are not immune to racism. She asked for a moment of silence in honor of George Floyd, Ahmaud Arbery, and Breonna Taylor, but first asked if councilors wished to speak.

Councilor Finch said he was glad the Council was taking this moment of silence, and said we are fortunate to live in a small community with engaged law enforcement officers who make us feel safe. He said he wished everyone could feel this safe and said he supports this moment of silence. Councilor Kiper said they were blessed to have a Police Department that is a part of the community, and said Chief True's involvement in substance abuse prevention was immediate and his actions impressive.

Councilor Matthews said it is important to all of us and the businesses we have here to speak out, and he read the First Amendment: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of people peaceably to assemble and to petition the government for a redress of grievances." Counselor Sanders said none of us can fix this alone, but together we can make change.

The Town Council observed a moment of silence.

PUBLIC FORUM

No members of the Public present.

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Approval of the Non-Public Meeting Minutes of May 20, 2020

Vice-Chair Burns made a motion to approve the Non-Public Meeting Minutes of May 20, 2020 with changes discussed in Non-Public, which was seconded by Councilor Dumont.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Dumont-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye
Motion approved by a vote of 7-0

Approval of the Regular Meeting Minutes of May 20, 2020

Vice-Chair Burns made a motion to approve the Regular Meeting Minutes of May 20, 2020, which was seconded by Councilor Dumont.

Changes/Corrections: Chairman Weinstein made a correction to the first paragraph on page 4: *they will be eligible for \$223,000 for non-FEMA expenses.*

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

Motion approved as amended by a vote of 7-0

REPORT OF THE TOWN MANAGER

Town Manager Steve Fournier said he first wanted to take a moment to express his sadness and concerns over the recent tragic events in Minneapolis. He said he asked Chief True to attend and address the Council after his report.

Town Manager Fournier said with regard to **COVID-19 Response** they were holding meetings to form a Reopening Group, with the goal to reopen by June 29, 2020 for the Town Clerk's Office in a limited amount, and said he attended a Webinar on how to safely reopen Town buildings. He said the 6 feet distance is still in effect, and they are measuring desks and hallway capacity to see how many people can safely be allowed. They will probably have to queue outside and a mask will be required to enter, and will basically only be open for new car registrations or for services that cannot be handled online. He said he is working with Department Heads to review the draft and they can also set their own requirements.

Town Manager Fournier said the Library has begun curbside book checkout; they will be meeting with the Recreation Director, Police Chief, Fire Chief and Health Officer to review potential plans for Summer Camp; the Recreation Revolving Fund will probably take a loss this year; Governor's groups of 10 are still in effect.

Town Manager Fournier said on his written report the Governor has allowed **Restarting of Amateur Sports Activities** and he is working with the Recreation Director to come up with a permit to allow such activity to take place, and read the public restrictions; educational training around safe practices for athletes, staff, administration; keep 6 feet distance at all times; no contact sports; screening for symptoms; encourage viewing from vehicles; locker rooms will remain closed; group size limited to 10 people (1 coach and 9 athletes); staff and athletes must remain in their home State and avoid contact with the equipment of others as must sign waivers. Meeting was held with all league presidents and people involved to explain the rules; if any one team violates the policy the league will lose the permit.

Town Manager Fournier said with regard to **Elections** they are encouraging people to vote absentee if they do not feel safe at the polls. The request to have two polling places to allow for social distancing was not allowed by the Secretary of State or Attorney General, but Stratford Regional Planning was asked to create wards and provided a Ward Map dividing Newmarket into North Newmarket Ward 1 and South Newmarket Ward 2 by population. Ward 1 will hold the primary election at Town Hall and general election at the High School with Moderator serving there; Ward 2 will hold the primary election at the Rec Center and the general at the Elementary School. A breakdown of all streets is provided in the report; if no objection will introduce legislation at the next meeting.

Councilor Dumont asked that this be tailored solely around COVID-19, and asked about needing extra equipment. Town Manager Fournier said they are securing a second voting box anyway to keep people and lines moving as quickly as possible. Councilor Matthews asked about councilors at each polling station, and Town Manager Fournier said councilors will need to be there to certify the vote and are also asked to volunteer to help. Chairman Weinstein agreed it should be made clear that this is just for this year. Town Manager Fournier said he will put a sunset clause in the resolution, and said the Moderator is willing to come in and discuss with the Council.

Town Manager Fournier reminded the Council that next Wednesday at 6:00 pm will be the Goal-Setting Session with Primex, a virtual meeting. He said traditionally the Council only meets once a month in summer and recommended July 15th and August 5th as summer meeting dates.

Recent Events - Police Chief Kyle True

Police Chief Kyle True thanked the Council for having him at the meeting and said the circumstances were still difficult to speak about. He said no one is more angered or outraged than himself, and said the officers in Newmarket have worked hard over decades to try to change the culture here. He said the actions of 4 disgraced police officers who lost all humanity and took the life of another human being is outrageous. Officers here are shaken up but will continue to focus on community-oriented policing. A Fair & Impartial Policing Policy was put in place here a long time ago that would prevent this kind of thing from happening, and officers are held accountable to those standards. He said he is concerned for the safety of his officers, and when he thinks about what is happening across this country he is disgusted that it is burning down.

Discussion: Chairman Weinstein thanked Chief True for everything he does for their community and said he is a fantastic leader. She asked about the use of body cameras, which was explored in the past. Chief True said he had not closed the door on the idea but at the time there were issues with citizens' rights to privacy, and more guidance was needed by the Court on case law. He said would explore the idea and get back to the Council.

Town Manager Fournier said there is an event tomorrow night and he and Chief True will both be in attendance to make sure protesters are free to exercise their First Amendment rights. Chief True asked that people continue to social distance at the event or wear a mask, and to not interfere with traffic. Town Manager Fournier said he understood Former President Obama put out a call for people to contact mayors and chief executives and said that will be addressed.

Questions on Town Manager Report

Councilor Matthews asked the Town Manager if he was able to look into the Public Works Department's 2020 overtime costs being around \$19,000. Town Manager Fournier said the reason is for the Lubberland Creek Project which will be reimbursed through a grant. Councilor Kiper asked about a possible date for Summer Camp and Town Manager Fournier said he hope for an answer by sometime next week. Chairman Weinstein asked if the School would need to follow the same sports guidelines when using Town fields. Town Manager Fournier said yes, any amateur athletics must follow these guidelines. He said all applications for outdoor dining have been approved and they are working on a few more requests.

COTMMITTEE REPORTS

Councilor Dumont said the *Budget Committee* met Monday night with Town Manager Fournier and Interim School Business Administrator Dave Jack to discuss budgets year-do-date. He said the Budget Committee is still choosing to meet through the summer for regular check-ins.

Chairman Weinstein said the *Energy & Environment Advisory Committee* met last night and elected Pete Nelson as Chair and Andrew DeMeo as Vice-Chair. She said there are still 2 positions available.

Councilor Sanders said the *Ad Hoc Arts & Tourism Commission* is complete and she will try to arrange a meeting over the summer to elect officers.

ORDINANCES AND RESOLUTIONS IN THE 2ND READING

Resolution #2019/2020-31 – Purchase of Portable Police Radios

Vice-Chair Burns made a motion to approve *Resolution #2019/2020-31 – Purchase of 5 Motorola APX 6000 Portable Police Radios*, which was seconded by Councilor Dumont.

Police Chief True said he would like to purchase 5 Motorola APX 6000 Portable Radios for a total cost of \$14,866.40 using funds from the Police Capital Reserve Dispatch Fund, which currently has \$161,052. He said this is a sole-source purchase with Motorola to replace all 15 portables over a period of 6 years.

Discussion: Councilor Dumont asked for the average radio lifespan and if it was standard practice to stick with Motorola. Chief True said Motorola is used by most of the State, the units are interoperable with other agencies, vendors are nearby for repairs, and they stand behind their warranties. He said as far as lifespan he has had his portable for 10 years. Councilor Matthews asked how often the contract with 2-Way Communications is renewed, and Chief True said yearly.

Roll Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Dumont-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye
Motion approved by a vote of 7-0

Resolution #2019/2020-32 – Ordinance Oversight Committee

Vice-Chair Burns made a motion to approve *Resolution #2019/2020-32 – Ordinance Oversight Committee*, which was seconded by Councilor Dumont.

Councilor Dumont said a few meetings back the Council discussed reinvestigating our Codes and Ordinances to review for potential changes. He said he composed this language modeled on the *Energy & Environment Advisory Committee* and passed it on to the Town Manager. He said his thoughts were to have that subset Town Council where we could review things of interest and keep the Town functioning properly.

Councilor Kiper said Councilor Kast had brought up non-attached accessory dwelling units and asked if this is something the Committee could look at. Town Manager Fournier said that goes to the Planning Board, and said traditionally they comment on anything relating to zoning and planning; the Town Council's role is to review ordinances. Councilor Dumont asked that those who sit on the Committee leave those issues to Planning & Zoning itself. Councilor Finch said he is in full support and underscored the idea that this is a Standing Committee.

Town Manager Fournier said there are also a number of ordinances that need to be introduced. Chairman Weinstein said actually the Committee should be modeled on the School Board Policy Committee which is ongoing. Councilor Dumont asked about allowing members of the public to take part in the committee

and Town Manager Fournier suggested the Council begin the process. Chairman Weinstein said she agreed and said ordinance changes do require a Public Hearing.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Dumont-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye
Motion approved by a vote of 7-0

ITEMS LAID ON THE TABLE – None

NEW BUSINESS /CORRESPONDENCE

TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS – None

Town Manager Fournier said before the reading of Resolutions in the 1st Reading, he wanted to publicly announce that he appointed William Tappen as the Finance Director and Chief Administrative Information Officer of the Town and needed Town Council confirmation. He said he has been serving as Interim Finance Director and CIO for the Town on a contract basis from MRI, and brings extensive knowledge of finance and ways to improve our IT systems. He asked for the approval of the Council.

Vice-Chair Burns made a motion to approve the appointment of William Tappen as Finance Director and CIO for the Town of Newmarket, which was seconded by Councilor Dumont.

Roll-Call Vote: Councilor Finch-aye, Councilor Sanders-aye, Councilor Dumont-aye, Councilor Kiper-aye, Councilor Matthews-aye, Councilor Burns-aye, Councilor Weinstein-aye
Motion approved by a vote of 7-0

Councilor Dumont made a motion to appoint 3 members of the Town Council to the new Ordinance Oversight Committee, which was seconded by Councilor Finch.

Chairman Weinstein asked if they should give it some thought first, and Town Manager Fournier said traditionally they do. Councilor Dumont withdrew his motion and Councilor Finch withdrew his second. Town Manager Fournier asked councilors to submit their interest to him for the next agenda.

ORDINANCES AND RESOLUTIONS IN THE 1ST READING

Resolution #2019/2020-33 – Construction Services for Macintosh & Tucker Well Treatment Project

Chairman Weinstein read Resolution #2019/2020-33 – Construction Services for Macintosh & Tucker Well Treatment Project in full.

Resolution #2019/2020-34 – Water and Sewer Rate Increases 2020-2021

Chairman Weinstein read Resolution #2019/2020-34 – Water and Sewer Rate Increases 2020-2021 in full.

CORRESPONDENCE - None

CLOSING COMMENTS

Councilor Matthews said there will be another event tomorrow evening from 5:00 pm to 6:00 pm in Schanda Park. He said the Newmarket Community Church is holding a Prayer Vigil and encouraged people to attend.

Chairman Weinstein gave a quick shout out to the Recreation Department for their "Let's Hear it for Our Heroes" event benefitting 5 different community organizations, and for the "Masquerade Food Drive" held Friday afternoons, with the last one this Friday.

Councilor Sanders gave a shout out to Recreation Director Aimee Gigandet for all she does for the Town, and said their event had raised \$4,800.

NEXT MEETING: Regular Meeting Wednesday, June 17, 2020; Goal-Setting Session Wednesday, June 10, 2020 at 6:00 pm.

ADJOURNMENT

Chairman Weinstein adjourned the meeting at 8:22 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary