

TOWN OF NEWMARKET, NEW HAMPSHIRE

TOWN COUNCIL REGULAR MEETING

March 3, 2021 7:00 PM

Town Hall Auditorium and Zoom

The meeting will be conducted in the Town Hall Auditorium and is available via Zoom. You may join Zoom Meeting <https://zoom.us/j/9117025727> Meeting ID: 911 702 5727, 1 646 558 8656. If you have difficulty connecting, please call 603-659-3617 Ext, 1321.

Councilors Present: Council Chair Toni Weinstein and Councilor Zachary Dumont. Councilors Present Virtually: Council Vice-chair Amy Burns, Councilor Helen Sanders, Councilor Jonathan Kiper, Councilor Megan Brabec, and Councilor Scott Blackstone.

Staff Present: Town Manager Stephen Fournier, Environmental Services Director Sean Greig and Wendy Chase Recording Secretary.

Chair Weinstein convened the meeting at 7:00 PM.

Town Manager Fournier read the zoom meeting preamble.

Recording Secretary Chase called the roll.

Chair Weinstein led the Pledge of Allegiance.

Approved March 17, 2021

AGENDA

PUBLIC FORUM

Chair Weinstein opened the Public Forum at 7:04 PM.

Chair Weinstein closed the Public Forum at 7:04:05 PM without public comment.

PUBLIC HEARING

Resolution #2020/2021-33 - Acceptance of Boulder Drive as a Town Road

Chair Weinstein opened the Public Hearing for Resolution #2020/2021-33 - Acceptance of Boulder Drive as a Town Road at 7:05 PM.

Chair Weinstein closed the Public Hearing for Resolution #2020/2021-33 - Acceptance of Boulder Drive as a Town Road at 7:05:05 PM without public comment.

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

February 17, 2021

Councilor Burns made a motion to Approve *the February 17, 2021 Meeting Minutes*, which was seconded by Councilor Dumont.

Motion was Passed by a vote of 7-0-0.

REPORT OF THE TOWN MANAGER

Town Manager's Report

Town Manager Fournier reported on the following:

- **COVID-19** - As of February 24th there are 10 active cases, and 409 cumulative cases. Over the last 14 days, there are 35 new cases. 5,750 PCR tests have been issued to Newmarket residents.
- **Vaccination** - The State hopes to have phase 2A's rollout by the end of the month (teachers/childcare workers). We are working with partners to determine if we can assist in distributing vaccines locally for those who can not make it to one of the State determined sites.
- **General Permit and the Proposed Great Bay Intermunicipal Agreement** - The EPA issued the Great Bay Total Nitrogen General Permit in November for the 12 communities/13 wastewater plants in the Great Bay region. The cities of Dover, Rochester, and Portsmouth are creating an inter-municipal agreement between the communities to share resources and costs but Newmarket has already contributed significant funds and made significant efforts towards compliance. We'd like to work with our neighbors and suggest picking and choosing projects to join the other communities to work on.
- **Electronic Voting Machines** - Stemming from an incident in Windham we have been fielding questions about the accuracy of our voting machines. The Deputy Secretary of State said that it appears the Windham Acuvote issue appears to have arisen from a vote-counting mistake. The Acuvote machine is the only machine approved in NH to read and count ballots. If the Town decides not to use the machine it will go back to hand-counting ballots. We have had recounts in the past, with the outcomes not changing greatly. This seems to have been due to one error and not some conspiracy as has been suggested.
- **Macallen Dam** - A representative from Obermeyer indicated that the anchor plate that connects the center tension strap to the gate was manufactured too small due to the gate size discrepancy, which resulted in the center anchor plate not being able to be tightened sufficiently. Obermeyer will manufacture a new plate and send it to SumCo so that it can be replaced, and the tension strap can be installed correctly. GZA observed that the gate sections had crept downward overnight 0.5 inches, most likely due to the cold lowering the air pressure inside the air bladder.
- **Solar Array** - We are currently working with legal counsel on right-of-ways and easement issues.
- **March 9th Election** - There are only 4 Councilors that will be scheduled to work on election day due to the fact that 3 Councilors are on the ballot. We do need a quorum at the end of the night (7:00 PM) to certify the vote. The Councilors on the ballot can help with the School ballot and the School Board members on the ballot can help out with the

Town ballot. Unlike some other States, Newmarket has paper ballots - a hard copy of all votes.

Councilor Dumont stated that if any resident has any questions regarding the election they are welcome to attend the election and witness how efficiently it is run.

COMMITTEE REPORTS

Councilor Dumont reported that the Ordinance Oversight Committee met to mainly address the noise ordinance. Some residents have expressed concerns over their close proximity to businesses with outdoor music events. The Committee discussed implementing a form of licensing for outdoor music events that would have specific guidelines and be considered on a case-by-case basis.

Councilor Brabec reported that the Adhoc Riverfront Advisory Committee met. Town Manager Fournier will followup with UNH to see if there are students interested in working on riverfront projects with the town.

OLD BUSINESS

RESOLUTIONS/ORDINANCES IN THE 2ND READING

Resolution #2020/2021-33 - Acceptance of Boulder Drive as a Town Road

Councilor Burns made a motion to Approve *Resolution #2020/2021-33 Acceptance of Boulder Drive as a Town Road*, which was seconded by Councilor Dumont.

Town Manager Fournier explained that Boulder Heights 11-lot subdivision was approved by the Planning Board in 2016. The roadway was constructed in accordance with town regulations and meets the standards of the town's engineer and Public Works Director. In order for the residents to receive public services, the Town has to accept the road.

There will be some financial impact because the Town will be maintaining the road.

Motion was Passed by a vote of 7-0-0.

Resolution #2020/2021-34 - South Main Street, Bay Road, and Cushing Road Water Project

Councilor Burns made a motion to Approve *Resolution #2020/2021-34 South Main Street, Bay Road and Cushing Road Water Project*, which was seconded by Councilor Dumont.

Environmental Services Director Greig explained that the project entails the replacement of water mains from Grant Road to Packers Falls Road and Route 108 Bay Road to Lamprey River MHP. There will be a sewer main replacement. All lines are over 100 years old. They also intend to extend from Bay Road to Cushing Road and Moody Point. Moody Point will pay for that portion of the project through betterment fees. The rest of the project will come from world development funds except for the sewer main replacement which will come from sewer capital reserves. The project was put out to bid and we received 10 bids. The total estimated amount of

the project including engineering is 4.5 million dollars. Wright-Pierce Engineering will oversee the Moody Point portion of the project and Fuss & O'neil Engineering will oversee the rest of the project.

Motion was Passed by a vote of 7-0-0.

NEW BUSINESS/CORRESPONDENCE

TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS

David Wade - Veterans War Memorial Trust Committee - Term Expiration April 2024

Councilor Burns made a motion to Approve *the Appointment of David Wade to the Veterans War Memorial Trust Committee with a term expiration of April 2024*, which was seconded by Councilor Dumont.

Motion was Passed by a vote of 7-0-0.

David Smith - Cemetery Trustee - Term Expiration April 2023

Councilor Burns made a motion to Approve *the Appointment of David Smith to the Cemetery Trustees with a term expiration of April 2023*, which was seconded by Councilor Dumont.

Motion was Passed by a vote of 7-0-0.

Resolutions/Ordinances in the 1st Reading

Resolution #2020/2021-35 - Arts & Tourism Commission Trust Fund

Chair Weinstein read Resolution #2020/2021-35 into the record.

Resolution #2020/2021-36 - Stryker Power Pro Ambulance Cot

Chair Weinstein read Resolution #2020/2021-36 into the record.

Resolution #2020/2021-37 - Paramedic Service

Chair Weinstein read Resolution #2020/2021-37 into the record.

CORRESPONDENCE TO THE TOWN COUNCIL

None

CLOSING COMMENTS BY TOWN COUNCILORS

Chair Weinstein said that she reached out to Senator Kwoka regarding SB 99 - removing the limit on the amount of room and meals tax placed on municipalities. She commented that she was not

optimistic about getting funds returned to NH municipalities.

Councilor Kiper said that he spoke to representatives regarding SB 99 and the issue is that in order to give money back to municipalities from the promised 40% from meals and room tax, the State would have to create a tax to raise the money or drastically reduce services.

Chair Weinstein spoke to the President of the Business Association regarding hosting candidates' night. Member Brett Larkin volunteered to put something together tomorrow evening via zoom. Chair Weinstein encouraged everyone to zoom in. She noted that the Town Administration must stay neutral regarding elections but there should be a consistent format for future elections for the candidates to vet themselves. She thanked Tim Cremen for all the work he does on Channel 13 and thanked Mr. Larkin for stepping up and putting together a candidate's night via zoom.

Chair Weinstein mentioned that there are several committees that town residents volunteer on and represent the Town such as Coast Bus, Lamprey River Advisory Committee, etc. She has drafted a letter that she will formalize after the election requesting updates from these committee volunteers to the Council to keep the Council and Town informed. Councilor Dumont agreed. She mentioned that Dale Pike represents Newmarket on the Coastal Adaptation Work Group. Mr. Pike will be attending the March 17th Council meeting to present an overview of the work they are doing.

Chair Weinstein thanked the three Councilors running for Council on March 8th.

NEXT COUNCIL MEETING

March 17, 2021

ADJOURNMENT

Chair Weinstein adjourned the meeting at 7:42 PM without objection.

Respectfully submitted,
Wendy Chase, Recording Secretary