



Town Council Regular Session

July 17, 2024 at 7:00 PM
Town Council Chambers

MINUTES

1. Pledge of Allegiance

Chair Conley convened the meeting at 7:00 PM. Councilor White led the Pledge of Allegiance.

2. Roll Call

Present: Council Chair Katanna Conley, Council Vice-chair Brian Ward, Councilor Joe LaMattina, Councilor Scott Blackstone, Councilor Colin White, Councilor Sonke Dornblut, Councilor Justin Glazebrook.

Staff Present: Town Manager Stephen Fournier, DPW Director Rick Malasky, Town Engineer Lyndsay Butler and Wendy Chase, Recording Secretary.

3. Public Forum

Chair Conley opened the Public Forum at 7:02 PM.

Patricia Terrio, Pulaski Drive Apt. #202 spoke about traffic safety issues at Pulaski Drive. She said there is speeding traffic and would like the "children at play" sign to be replaced because the current one is faded. She also suggested erecting a "dead end" sign at the entrance prohibiting people from driving in.

Michael Lessor, 233 Ash Swamp Road questioned the timing of the reassessment with such a volatile market and, because it's based on market value, resulting in a lot of the properties being assessed higher. He was looking to be educated on the process.

Councilor Conley explained that public forum is not a back and forth discussion with the Council. The Council is available to hear residents' concerns. She also explained that the Town Manager would be addressing the revaluation during his report to the Council.

There was no other public comment.

Chair Conley closed the public forum at 7:09 PM.

4. Town Council to Consider Acceptance of Minutes

a. June 26, 2024

Motion: Councilor White made a motion to approve the June 26, 2024 Meeting Minutes.

Second: Councilor Ward

Vote: **6-0-1** (voting against - **None**) Councilor Dornblut abstained because he was not present at the June 26th meeting.

b. June 26, 2024 Non-public Meeting Minutes

Motion: **Councilor Ward** made a motion to approve the June 26, 2024 Non-public Meeting Minutes.

Second: **Councilor LaMattina**

Vote: **6-0-1** (voting against - **None**) Councilor Dornblut abstained because he was not present at the June 26th Non-public meeting.

5. **Town Council to Consider Nominations, Appointments, Elections and Resignations**

a. Austin Johnson - Public Transportation Advisory Committee - Term Expiration April 2027

Motion: **Councilor Dornblut** made a motion to appoint Austin Johnson to the Public Transportation Advisory Committee with a term expiration of April 2027.

Second: **Councilor Ward**

Vote: **Unanimously Approved (7-0-0)**

b. Madeleine Faust - Public Transportation Advisory Committee - Term Expiration April 2027

Motion: **Councilor Dornblut** made a motion to appoint Madeleine Faust to the Public Transportation Advisory Committee with a term expiration of April 2027.

Second: **Councilor White**

Vote: **Unanimously Approved (7-0-0)**

c. Zachary Angelini - Alternate member to the Conservation Commission - Term Expiration April 2027

Motion: **Councilor White** made a motion to appoint Zachary Angelini as an Alternate member to the Conservation Commission with a term expiration of April 2027.

Second: **Councilor Ward**

Vote: **Unanimously Approved (7-0-0)**

d. Alex Rentimus - Resignation from the Energy & Environment Committee

Motion: **Councilor LaMattina** made a motion to accept, with regret, Alex Rentimus' resignation from the Energy & Environment Committee.

Second: **Councilor Ward**

Discussion: Councilor LaMattina commented that Alex was an asset on the Committee.

Vote: Unanimously Approved (7-0-0)

6. Report of the Town Manager

a. July 17, 2024 Report

- Regarding Ms. Terrio's concerns during public forum, Town Manager Fournier said that he will have the Town's Engineer and DPW Director look at the sign issues on Pulaski Drive.
- Town of Newmarket v. Clay: The State of New Hampshire Superior Court sided with the Town on all counts and required that Mr. Clay compensate the town for legal fees. Mr. Clay is prohibited from discussing the town, its employees, or public officials on any media or social media channels. Also, should these individuals secure roles in other municipalities, Mr. Clay is barred from sending RSA 91-A requests to those individuals or their new workplaces.
- Reassessment Notice: Town Manager Fournier first addressed questions made in public forum. In 1997, Evelyn Sirrell (Mayor of Portsmouth) sued the State of New Hampshire because not all properties were assessed at 100%. The court ruled that all municipalities must perform revaluations every 5 years for all properties in the municipality's boundary. The timing for revaluation is based on when the first revaluation was reviewed by the Department of Revenue Administration. State law requires the revaluations every 5 years and that the assessment be market value not replacement value. Notices: Property owners received notice of their new assessments. Town staff are not qualified to discuss assessments; only assessors can address such queries by appointment. By July 9th there have been 112 appointments set up, equating to about 3% of the properties in town. 80% have chosen an in-person appointment. People are urged to make an appointment with MRI for any questions regarding the revaluation. Based on the approved budget in March 2024, Town Manager Fournier estimates the new tax rate to be approximately \$19.26 per thousand of the assessed value. Roughly 25% of the taxes goes to the town and 70% goes to school.

b. Department Reports - June 2024

Department reports:

Councilor Blackstone commented that he is appreciative of the Police Department resolving issues and keeping the townspeople safe.

Chair Conley appreciates the focus on community policing by the Police Department and congratulated the REC Department on the new sign erected on Route 108. She commented on the locked gate at Heron Point. Town Manager Fournier explained that the electronic gate at Heron Point has been repeatedly vandalized and damaged, causing the town a lot of money for repairs. People are encouraged to park in the Bay Road parking lot and walk to Heron Point. They will revisit unlocking the gate and putting in cameras in the future.

7. Committee Reports

Councilor Ward reported on the July 11th Conservation Commission meeting:

Guest Speaker Katrie Hillman from Great Bay Changemaker Program GBNERR attended. They train people in Great Bay to become water champions. They are hosting a session in Epping on September 19th from 5:00PM-7:00PM and a session in Newmarket on October 3rd from 5:00PM-7:00PM.

8. Old Business

9. Resolutions/Ordinances in the 2nd Reading

a. Resolution #2023/2024-40 - Mitchell Land Conservation

Motion: **Councilor White** made a motion to approve Resolution #2023/2024-40 - Mitchell Land Conservation.

Second: **Councilor Ward**

Discussion: Conservation Commission Chair Ellen Snyder stated that the Commission is in full support of the project. She thanked the Mitchell family, Duane Hyde from South East Land Trust and NH Fish and Game for their involvement. The remaining open space funds will be used to help fund the project.

Councilor Blackstone pointed out that hunting will still be allowed on the property after it is put into conservation.

Vote: **Unanimously Approved (7-0-0)**

b. Resolution #2023/2024-46 - Solar Development Services

Motion: **Councilor Ward** made a motion to approve Resolution #2023/2024-46 - Solar Development Services

Second: **Councilor LaMattina**

Discussion: Town Engineer Butler explained that the selection committee chose 2 solar development companies out of 5 applicants to partner with the town for solar development services. This will be an on-call services, much like we do with engineering services.

Vote: **Unanimously Approved (7-0-0)**

c. Resolution #2023/2024-47 - General Engineering Services - Water Resources

Motion: **Councilor Ward** made a motion to approve Resolution #2023/2024-47 - General Engineering Services - Water Resources

Second: **Councilor LaMattina**

Discussion: Town Engineer Butler explained the town requires outside engineering assistance to keep water services properly functioning. Town Staff completed a qualification based process and selected Geosyntec Consultants and VHB to

provide general engineering services and would like to enter into an agreement with them.

Vote: **Unanimously Approved (7-0-0)**

- d. Resolution #2023/2024-48 - Letter of Support for Grant Proposal - Ash Swamp Rd Culvert Replacement

Motion: **Councilor White** made a motion to approve Resolution #2023/2024-48 - Letter of Support for Grant Proposal - Ash Swamp Rd Culvert Replacement.

Second: **Councilor Ward**

Discussion: Town Engineer Butler explained that they need to provide a letter to NH Fish & Game indicating support for the project to replace the existing culvert on Ash Swamp Road and committing to provide the requested non-federal match of \$76,000 through a combination of cash and contributed goods and services during construction.

Town Manager Fournier explained that he does not take issue with the project itself, he takes issue with NH Fish & Game for not working with the town to secure access to the land next to the dam in order to name it after Leo Filion. He has been working with the Director of Fish & Game to work something out on that and has no issue with moving forward on this project.

Vote: **Unanimously Approved (7-0-0)**

- e. Resolution #2023/2024-49 - Plan NH Charrette Services

Motion: **Sonke Dornblut** made a motion to approve Resolution #2023/2024-49 - Plan NH Charrette Services

Second: **Brian Ward**

Discussion: Community Development Director McDonough explained that the Charrette is a two-day community design event. The Planning Board plans to incorporate the recommendations resulting from the Charrette into the new down-town riverfront chapter of the Master Plan.

Councilor LaMattina said that he is happy that after years on the Riverfront Advisory Committee something has come to fruition.

Councilor Dornblut said he is glad to have these types of Charrettes because sometimes it's the only way the community gets together to discuss and learn from them.

Vote: **Unanimously Approved (7-0-0)**

10. Resolutions/Ordinances in the 1st Reading

- a. Resolution #2024/2025-01: Relating to the Town's Investment Policy

Chair Conley read Resolution #2024/2025-01 (in title only) into the record.

- b. Resolution #2024/2025-02 - Acceptance of Briallia Circle and Kielty Drive as Town Roads

Chair Conley read Resolution #2024/2025-02 into the record.

- c. Resolution #2024/2025-03 - Adopting Use ImageCast Electronic Ballot-Counting Box

Chair Conley read Resolution #2024/2025-03 into the record.

11. New Business/Correspondence

- a. Correspondence to the Town Council - *None*

There was no public comment.

- b. Closing Comments by Town Councilors

Councilor Ward announced that the Household Hazardous Waste Collection Day will be held at the Department of Public Works, 4 Young Lane on August 17 from 9:00AM-1:00PM.

Councilor Dornblut mentioned that there is an application submitted by a non-resident who is a Newmarket business owner for a term on the new Public Transportation Advisory Committee. He asked how other Councilors felt about amending the Resolution to change the membership to allow for a non-resident member. The Council agreed to amending the Resolution.

Councilor LaMattina reminded everyone of the 3rd annual Backyard Bash on August 2nd from 5:00PM-8:00PM. Newmarket Community Power and the Town Council will spit a booth at the event, educating the public and advertising town board/committee membership vacancies.

Councilor Conley remarked on the amount of "stuff" left on roadsides in town. She wondered if there could be some sort of "swap shop" in town where residents can drop things off for free.

Councilor Conley asked that the Energy and Environment Committee spend some time thinking about projects to ensure the benefits that are both energy and economic-wise are extended to groups of people that are not able to realize some of the sustainability and economic benefits the town offers. Councilor LaMattina said that Newmarket Community Power is launching a campaign on August 2nd where everyone can participate by going 50% clean energy or 33% clean energy and both rates are less expensive than Eversource rates. Councilor Conley praised the Energy & Environment Committee for all the wonderful work they do, but asked that they "brainstorm" on ways to extend the economic benefits to all citizens.

Councilor White read a letter he wrote regarding affordable/workforce housing and the effects each tax increase has on the low to moderate income citizens of Newmarket. He spoke of the Crossing at Sleepy Hollow Cooperative park off of New Road, which is owned by the park residents. The town residents that reside in the park are responsible for all water and sewer maintenance issues and roadway plowing/paving. There are no town assets used for the maintenance of

water & sewer and roadway improvements in the Park. He said he would continue to fight for and remain an advocate for the low to moderate income citizens of Newmarket.

Councilor Ward said that he agrees the Coop should not be categorized as a business and suggested working with our State Representatives to change that.

Town Manager Fournier said that there is the possibility for a hardship abatement that all individuals may apply for.

c. Next Meeting

- i. August 21, 2024

12. Adjournment

Chair Conley adjourned the meeting at 8:45 PM without objection.

Respectfully submitted,

Wendy V. Chase
Recording Secretary