



**TOWN OF NEWMARKET, NEW HAMPSHIRE
TOWN COUNCIL AGENDA**

**REGULAR MEETING FEBRUARY 3, 2016 7PM
NEWMARKET TOWN HALL COUNCIL CHAMBERS**

6:15 P.M. NON-PUBLIC – PURSUANT TO RSA 91-A:3 II – PERSONNEL

- 1) **Pledge of Allegiance**
- 2) **Public Forum** (*Public Forum is an opportunity for the public to address the Town Council. All comments should be addressed to the Chair of the Council. No person will be allowed to speak longer than 5 minutes*)
- 3) **Public Hearing:** None
- 4) **Town Council to Consider Acceptance of Minutes**
 - a) January 20, 2016
- 5) **Report of the Town Administrator**
- 6) **Committee Reports**
- 7) **Old Business**
 - a) Resolutions/Ordinances in the 2nd Reading
 - i. Resolution #2015/2016-32 Amending Transfer Station Collection Fees
 - b) Ordinances and Resolutions in the 3rd Reading - None
 - c) *Items Laid on the Table – None
- 8) **New Business/Correspondence**
 - a) Town Council to Consider Nominations, Appointments and Elections
 - i. *Macallen Dam Study Committee – Kathryn Nelson - 2-year Term – Expires March 2018*
 - b) Ordinance and Resolutions in the 1st Reading
 - i. Resolution #2015/2016-33 Authorize the Town Administrator to purchase a Bucket Truck for the Highway Department, and enter into any related contracts, for a price not to exceed \$84,056.
 - c) Correspondence to the Town Council
 - d) Closing Comments by Town Councilors
- 9) **Adjournment**

*Items laid on the table will remain on the table unless a member of the Town Council moves to remove the item. Page 1

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

January 20, 2016 7:00 PM

PRESENT: Council Chairman Phil Nazzaro, Council Vice Chairman Gary Levy, Councilor Dale Pike, Councilor Amy Thompson, Councilor Toni Weinstein, Councilor Amy Burns, Councilor Larry Pickering

ALSO PRESENT: Town Administrator Steve Fournier, Building Inspector Mike Hoffman, Town Moderator Christopher Hawkins, Public Works Director Rick Malasky

AGENDA

Chairman Phil Nazzaro welcomed everyone to the January 20, 2016 Newmarket Town Council Meeting and called the meeting to order at 7:01 pm, followed by the Pledge of Allegiance.

PUBLIC FORUM

Chairman Nazzaro opened the Public Forum at 7:01 pm and asked if anyone from the public wished to speak.

Mr. Leo Filion of Lafayette Avenue addressed the Council requesting a clarification to the minutes of the last Dam Committee meeting regarding the Macallen Dam Feasibility Study, specifically the statement that the Town Administrator would enter into a contract with Gomez & Sullivan to follow up on some of the hydraulic calculations previously done. He said his concern was that two different 100-year flood flow rates had been calculated, one based on the standard method used for the last 50 years and one based a new method using a rain gauge which included global warming. He stated that the new calculation was 25% higher than the former and would require a 2-foot higher retaining wall, and he felt the Dam Committee needed to have more discussion on the matter before a contract was signed. Councilor Pike said his understanding was that it was not about the 100-year flood estimates, but that Gomez & Sullivan, as they re-analyzed the data from the stability analysis and engineering alternatives, felt some of the previous calculations were in question. He said the Dam Committee had already reached an agreement on that issue and the State had informed them they were not required to meet a 250% number on the 100-year flood flow. He said what the Dam Committee was unclear about was that there might be some

42 errors in the calculations in the reports of both engineering firms, and they felt that Gomez & Sullivan was
43 in the best position to clarify those numbers

44
45 Chairman Nazzaro asked that specifics as to the numbers be provided to the Council in the next packet.
46 Town Administrator Fournier stated that he had the authority to sign the contract with Gomez & Sullivan
47 as recommended to him by the Macallen Dam Committee, and that the purpose of the contract was to
48 study the numbers in question in the reports. Vice Chair Levy questioned why they would need to pay
49 Gomez & Sullivan again since they had already paid for the analysis. Councilor Pike said he was not
50 prepared to go into depth this evening, and Chairman Nazzaro stated that they could have a conversation
51 at the next meeting. He thanked Mr. Filion for bringing the matter to the attention of the Council and
52 explained that the matter was still at the committee level.

53
54 Chairman Nazzaro closed the Public Forum at 7:15 pm.

55
56 **PUBLIC HEARING – Ordinance #2015/2016-02 Regulating Disposal of Solid Waste, including Curbside**
57 **Pickup of Domestic or Household Waste and Recyclables**

58
59 Building Inspector Mike Hoffman stated that a few years ago they had some issues with trash on Main
60 Street, and he had found that the old ordinance from 1994 could not be carried forward. He said there
61 were issues with trash not being actually on the sidewalk, trash blowing into the street, and recycling
62 containers never being brought in. He said the previous Solid Waste Disposal Ordinance dealt primarily
63 with collection rules and regulations and also included provisions for the public collection of dumpsters.
64 He said he had trimmed down and reorganized the old ordinance and changed some of the language to
65 making Site Plan Regulations uniform for all businesses with regard to screening dumpsters. He said the
66 old ordinance also listed the Police Chief and the Public Works Director as the only enforcing agents, but
67 this would now be under the scope of his duties. He said the new ordinance was meant to bring the rules
68 into codification and create active legislation so that reasonable regulations could be enforced.

69
70 Chairman Nazzaro closed the Public Hearing at 7:20 pm.

71
72 **TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES**

73
74 **Acceptance of the Minutes of the Regular Meeting of January 6, 2016**

75
76 Vice Chair Levy made a motion to accept the minutes of the regular meeting of January 6, 2016, which
77 was seconded by Councilor Weinstein.

78
79 Corrections/Changes: Councilor Pike requested a correction to his comments on page 6 under *Closing*
80 *Comments* with regard to recycling. The words “and was no longer paying for itself”, were eliminated from
81 the minutes.

82
83 Town Administrator Fournier polled the Council and the minutes of the regular meeting of January 6, 2016
84 were approved as amended by a vote of 6-0, with 1 abstention.

85

86 **REPORT OF THE TOWN ADMINSTRATOR**

87
88 Town Administrator Steve Fournier stated that the **Wage and Classification Study** had been revised and
89 that the Finance Director had found that overall Newmarket compensation was in line with other
90 communities, though there were some notable exceptions. He said the Finance Director would be at the
91 next meeting to review the results of the independent study with the Town Council. He said that he had
92 just received permission from the Department of Transportation to go out to bid again for the **Main Street**
93 **Pedestrian Improvements**, for which there had been no bids the previous year. He next updated the
94 **FY2016 Budget Analysis**, as they were half-way through the fiscal year with expenses on track. He said
95 they had expended 49% of the budget, with the general fund 50% expended. He said revenues continued
96 to be higher and they had collected 69% of estimated revenues at this point.

97
98 Town Administrator Fournier next addressed the **Deliberative Session** and the **Presidential Primary**. He
99 said the *Deliberative Session* was scheduled for January 30th at 9:00 am at the High School, and there
100 would only be one warrant article for the Town Budget. He said the location was tentative at this time as
101 there had been some problems with the sprinkler and a broken pipe at the High School which they were
102 trying to solve. He said they were ready to move the location if necessary, probably to the Town Hall, and
103 would announce it through all channels to let the public know. He stated that the *Presidential Primary*
104 was scheduled for February 9, 2016, with the polls open from 7:00 am to 7:00 pm, and that the Town
105 Moderator was there to discuss the laws and the responsibilities of the Council.

106
107 **Town Moderator**

108
109 Town Moderator Christopher Hawkins said he was there to remind people and make some comments
110 with regard to the election process. He said that with only one warrant article at the *Deliberative Session*
111 this year he did not anticipate any unusual differences. He felt that the *Presidential Primary* was the bigger
112 concern and said he anticipated an incredibly busy day. He announced that due to a change in State Law,
113 people who showed up without a photo ID would need to be photographed, and the photo attached to
114 their affidavit. He said that at the last election they had had to count some ballots by hand due to a tight
115 margin of victory, and that as a result had found that the machine tally was extremely accurate to 0.003%.
116 He stated they also had 15-20 ballots that had been disqualified because they were not correctly filled in,
117 and he reminded voters to read the ballot closely.

118
119 Discussion: Councilor Weinstein asked if people needed to bring a photo ID to the *Deliberative Session*,
120 and Town Moderator Hawkins replied that it was a law for Federal and State elections but he was not
121 certain about local. Chairman Nazzaro asked if you could register at the *Deliberative Session*, and Town
122 Administrator Fournier stated that you had to be a registered voter to take part in the *Deliberative Session*,
123 as raising your hand was considered voting. Chairman Nazzaro felt it would be good to know what the
124 rules were so they could put them out. Town Administrator Fournier emphasized that a deliberative
125 session was not a Council Meeting or a Budget Committee meeting, but was the Town Meeting, and that
126 they as a body could overrule the Moderator's decision. Councilor Pickering asked about the absentee
127 ballots and Town Administrator Fournier said they were already available.

128

129 Town Moderator Hawkins said that there were 6,000 registered voters in Newmarket and he expected a
130 70-80% turnout at the polls for the *Primary Election* and encouraged people to be patient. Councilor
131 Thompson asked if someone could review what was expected of the Councilors at the polls and what their
132 responsibilities were. Town Administrator Fournier said that pursuant to State Law they were there to
133 assist in any way possible that the Moderator requested and that there had to be a Councilor present at
134 all times. Town Moderator Hawkins said that as a practical matter he would ask them to check outside for
135 unattended signs and to make sure people were staying back at least 10 feet from the entrance to the
136 polling place, as well as direct people and check the empty voting booths. He said that after the polls
137 closed at 7:00 pm there would still be another 2-3 hours of work ahead, as they had to count all the ballots,
138 certify and seal them, and send them back to the Secretary of State. Town Administrator Fournier said
139 that the setting up process had already begun as the ballots needed to be counted beforehand to make
140 sure they had the same number coming out. Town Moderator Hawkins said it was a rigorous process to
141 follow and that he needed a quorum of the Council to certify the vote and sign the tape and the end of
142 the night. Chairman Nazzaro asked that all Councilors be there at the end of the night to assist with
143 counting the ballots.

144

145 **Discussion/Questions for the Town Administrator:**

146

147 Councilor Weinstein asked about the status of the Bike Lane, and Town Administrator Fournier said he
148 was still waiting to the State to get back to him on the changes and that it would be up to the Council to
149 decide the next step. Vice Chair Levy said he had some comments to be passed on to Interim Finance
150 Director Matt Angell with regard to his report on the Wage and Salary Classification. He referred to page
151 11 of the packet regarding the comparison of other communities to Newmarket, and asked for a
152 clarification of "tax appropriations less revenue" in the second column. He also asked that the Finance
153 Director clarify the Comparative Data on page 12, and said his sense was that a lot of the variances in pay
154 were based on employee longevity. Chairman Nazzaro asked that the "Similarities (out of 6)" on page 11
155 be annotated to show what the similarities were, and that a third column be added to the chart on page
156 12 after "Average Compared to TA" and "Median Compared to TA" with the heading "Newmarket
157 Compared to TA" to show the comparison.

158

159 Vice Chair Levy referred to the Recreation report on page 66 and asked if they were thinking of an
160 alternative plan if the Kindergarten revenue was not made up, since enrollment was down as a result of
161 it being full-day. Town Administrator Fournier replied that they would either find another source for
162 revenue or would reduce the costs. Vice Chair Levy asked what would happen if the revenue projections
163 for auto registrations were significantly altered. Town Administrator Fournier replied that they could
164 either reduce expenditures, or wait to set the revenue report until after the taxes were set and revise the
165 revenues lower which would increase the taxes. He said he would look first to reduce expenditures unless
166 something catastrophic happened as in 2008.

167

168 **COMMITTEE REPORTS**

169

170 Councilor Thompson reported that the *Budget Committee* had held two (2) meetings since the Council
171 last met. She said these were basically the School Public Hearings and that the Budget Committee had
172 approved all the warrant articles at the final meeting last night, with everything that was recommended

173 being put forward. She said the Budget Committee would have one (1) more meeting on February 1, 2016
174 to close out the budget year and finish up the approval of meeting minutes.

175
176 Councilor Pike reported on the *Planning Board* meeting of the previous evening, and said there was
177 approval of a merger for 2 Forbes Road and one for 181 Exeter Road. He said most of the discussion had
178 been about Cheney Property Management at 52/54/56 Exeter Road. He said a variance sought to use vinyl
179 fencing at the top of the back wall was denied, as the ordinance required either decorative wood or metal.
180 He stated that the project as a whole was conditionally approved, and that it was the first time they had
181 used information from the Economic Impact Report.

182
183 **OLD BUSINESS**

184
185 **ORDINANCES AND RESOLUTIONS IN THE 2ND READING**

186
187 **Ordinance #2015/2016-02 Regulating Disposal of Solid Waste, including Curbside Pickup of Domestic**
188 **or Household Waste and Recyclables**

189
190 Councilor Weinstein made a motion to approve *Ordinance #2015/2016-02 Regulating Disposal of Solid*
191 *Waste, including Curbside Pickup of Domestic or Household Waste and Recyclables*, which was seconded
192 by Councilor Burns.

193
194 Discussion: Vice Chair Levy said he had read through some of the general provisions of the ordinance and
195 asked if there were any major differences or specific changes from the old ordinance. Building Inspector
196 Hoffman replied that the new ordinance would give him the power to enforce the regulations, and would
197 include a difference in the screening requirements for dumpsters. He felt there might be some push-back
198 from businesses not wanting to screen their dumpsters, and that in certain situations a variance might be
199 requested, for example if a dumpster was behind a building where it was not really a public concern.
200 Councilor Weinstein asked how many dumpsters were currently unscreened and Building Inspector
201 Hoffman said there were less than 10 that he was aware of. Councilor Weinstein also questioned the
202 wording of the distribution of the blue boxes, as it stated that one was given to each "resident" rather
203 than each "residence". Town Administrator Fournier felt it was simply a scribner's error as the word
204 "residence" was intended, and that it would not require an amendment to the ordinance.

205
206 Councilor Pike asked whether any statement should be made about provisions by the Town for collection
207 of hazardous waste under Prohibited Collection Materials. Town Administrator Fournier stated that the
208 Town hosted biannual hazardous waste collections in the fall which was listed on the website. Public
209 Works Director Rick Malasky said they received a lot of calls about hazardous waste and tried to keep
210 people informed. Councilor Thompson asked about the hours specified with regard to the blue boxes, and
211 Building Inspector Hoffman replied that all the hours listed were carried over from the previous ordinance.
212 Chairman Nazzaro asked who would grant a variance on the rules, and Building Inspector Hoffman said
213 "variance" was not the correct term. Town Administrator Fournier said there was no board to apply to,
214 and if someone did not want to screen their dumpster and had a valid reason they could argue the case
215 in District Court for an appeal. He further explained that there was a provision in the Ordinance Book that
216 explained how to proceed if you wished to appeal. He said the Code Enforcement Officer would have the

217 authority to rescind the fine, but that if the ordinance was upheld, a judge would need to determine
218 whether the law was correct as the ordinance would be in violation.

219
220 Town Administrator Fournier polled the Council and the motion to approve *Ordinance #2015/2016-02*
221 *Regulating Disposal of Solid Waste, including Curbside Pickup of Domestic or Household Waste and*
222 *Recyclables* passed by a vote of 7-0.

223
224 **Resolution #2015/2016-30 Authorizing the Town Administrator to enter into a One-Year Agreement**
225 **with Casella Waste Systems for Waste and Recycling Services**

226
227 Councilor Weinstein made a motion to approve *Resolution #2015/2016-30 Authorizing the Town*
228 *Administrator to enter into a One-Year Agreement with Casella Waste Systems for Waste and Recycling*
229 *Services*, which was seconded by Councilor Burns.

230
231 Town Administrator Fournier explained that this was a 1-year deal with Casella Waste Systems, as they
232 had bought out Best Way with whom the Town had signed their original 3-year agreement. He said they
233 also provided Solid Waste services for Newfields and Stratham, who had both signed the agreement which
234 was reviewed by the New England Recovery Association who felt the tipping fees were reasonable. He
235 said as municipalities had not been making money from recyclables for some time, they had to weigh the
236 economic benefits of recycling versus putting the materials in the landfill. He said if there was no
237 mandatory recycling, this would result in materials being be put in the landfill that were non-
238 biodegradable. He said according to the terms of this agreement the cost for Solid Waste would go from
239 \$86.82/ton to \$95/ton and Recycling would go from \$173.44/ton to \$186/ton. He said in addition they
240 would no longer have a flat recycling reprocessing fee but would be using a sliding scale based on the
241 Average Commodity Revenue (ACR) less \$75.00. He said this 1-year agreement would allow them to try
242 the sliding fees and allow them to continue looking at other proposals as well.

243
244 Discussion: Chairman Nazzaro asked where the recycling was going and whether it was actually being
245 recycled if the markets were gone. Town Administrator Fournier said it was being recycled but that it
246 could be stockpiling in a storehouse as the resale was not there. Chairman Nazzaro asked how this was
247 different from putting it in the landfill and Town Administrator Fournier said stockpiling was not the same
248 as burying it. He said that the managers of the landfill needed a permit for what they were burying and
249 had to monitor the landfill to make sure things were biodegrading. He explained that there used to be
250 Transfer Station Managers who would know when to let go of certain recyclables. Councilor Pike said
251 things like cardboard were getting recycled but that he was not sure some of the materials were not going
252 into the landfill. Chairman Nazzaro said his concern was that they were spending double the amount per
253 ton, and if it was just ending up in the landfill they should find a way to make sure the materials collected
254 were being recycled. Vice Chair Levy asked if alternatively they should get another price for the service,
255 and Town Administrator Fournier replied it was not worth getting another price for this year. He added
256 that recycling was not done to make money but was ultimately to reuse materials and protect the
257 environment.

258
259 Councilor Pickering mentioned the Transfer Station in Epping, and Town Administrator Fournier said that
260 if they had a Transfer Station they would need to invest in the costs of maintaining it and purchase

261 equipment which they did not have. He said the Town would then be stockpiling the materials rather than
262 paying someone else to stockpile them. Councilor Pike felt as long as there was some reason for recycling
263 it was worth doing and that people did save money with curbside pickup of their recyclables. He said he
264 would vote in favor of the resolution but felt it was worth keeping an eye on while coming up with a long-
265 term proposal. Vice Chair Levy said his question did not involve setting up a transfer station but was rather
266 to ask if there were any less expensive options for the Town. Councilor Weinstein asked if the Town had
267 considered a program for composting on a larger scale and Town Administrator Fournier said they did not
268 have the funds to do that. Chairman Nazzaro said that they needed to look into whether some of the
269 recycling was going into the landfill, as paying double the cost did not make sense, and felt they might
270 have a discussion as to whether a transfer station and composting were viable solutions.

271
272 Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015/2016-30*
273 *Authorizing the Town Administrator to enter into a One-Year Agreement with Casella Waste Systems for*
274 *Waste and Recycling Services* passed by a vote of 7-0.

275
276 **Resolution #2015/2016-31 Authorizing the Town Administrator to enter into an Agreement with MRI**
277 **to Conduct an Organizational Structure and Efficiency Study for All Town Departments for an Amount**
278 **not to Exceed \$40,000**

279
280 Chairman Nazzaro stated that before the discussion, he needed a motion to amend the amount of the
281 resolution to \$38,000.

282
283 Councilor Burns made a motion to approve amending the amount of *Resolution #2015/2016-31* to read:
284 *"not to exceed \$38,000"*, which was seconded by Councilor Weinstein.

285
286 Councilor Thompson made a motion to approve *Resolution #2015/2016-31 Authorizing the Town*
287 *Administrator to enter into an Agreement with MRI to Conduct an Organizational Structure and Efficiency*
288 *Study for All Town Departments for an Amount not to exceed \$38,000*, which was seconded by Councilor
289 Burns.

290
291 Discussion: Vice Chair Levy questioned how MRI would be giving advice to certain departments and asked
292 if this would be included as part of the cost for this contract. Town Administrator Fournier replied that
293 the Organizational Study was to make recommendations and to help the Town implement them, and that
294 reviews of the Departments would be included in there. Chairman Nazzaro said he thought they were
295 looking at organizational structure, effectiveness and efficiency, including resource allocation, and how
296 individuals could excel in the performance of their roles. Vice Chair Levy pointed out that it was not
297 annotated in the document as being included. Town Administrator Fournier stated that this was part of
298 the proposal and that any interaction they might have with any employee was part of the contracted
299 amount. He said MRI had asked for specifics as they were concerned about incurring additional costs if
300 their recommendations were not accepted, but that the Organizational Study Committee had asked that
301 this cover any recommendations as well as how to implement them. Vice Chair Levy suggested they might
302 need an addendum to the resolution, but Town Administrator Fournier said it was in the proposal and
303 MRI would have to provide the services outlined. Vice Chair Levy asked if there would be any interaction
304 between MRI and the Town Council, and Town Administrator Fournier said Mr. Gould would meet with

305 the Council as a whole. Chairman Nazzaro asked Town Administrator Fournier to insure that Mr. Gould
306 would have a conversation with the Councilors individually, and also to make sure the perspectives of all
307 departments and staff were included as part of the process. Town Administrator Fournier said this was
308 covered by "right to know" and he would verify with the Town Attorney what they could legally do.

309
310 Town Administrator Fournier polled the Council with regard to the motion to amend *Resolution*
311 *#2015/2016-31 to \$38,000*. The motion passed by a vote of 7-0.

312
313 Town Administrator Fournier polled the Council with regard to the the motion to approve *Resolution*
314 *#2015/2016-31 Authorizing the Town Administrator to enter into an Agreement with MRI to Conduct an*
315 *Organizational Structure and Efficiency Study for All Town Departments for an Amount not to exceed*
316 *\$38,000*, which passed by a vote of 7-0.

317
318 **ITEMS LAID ON THE TABLE - None**

319
320 **NEW BUSINESS/CORRESPONDENCE**

321
322 **TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS - None**

323
324 **ORDINANCES AND RESOLUTIONS IN THE 1ST READING**

325
326 **Resolution #2015/2016-32 Amending Transfer Station Collection Fees**

327
328 Chairman Nazzaro read *Resolution #2015/2016-32 Amending Transfer Station Collection Fees* in full.

329
330 Councilor Pickering questioned the cost of \$10 for appliances, as it cost \$13 to extract the Freon from
331 refrigerators. Town Administrator Fournier said the Public Works Director would be there when they
332 voted to answer questions.

333
334 **CORRESPONDENCE/CLOSING COMMENTS**

335
336 Councilor Weinstein provided end-of-year statistics on heroin use during 2015 which were provided by
337 the Newmarket Association of Substance Abuse Prevention (ASAP). She said the Police Department had
338 received 26 heroin-related calls, responded to 29 overdoses, and received 8 calls regarding needles found
339 in the streets. She said there were 2 confirmed deaths from heroin/opioid overdoses with 1 more
340 investigation pending. She said the group continued to meet Tuesdays at 2:00 pm at the Newmarket
341 Community Church.

342
343 Vice Chair Levy said he had received a call based, on the road study coming from UNH, from Wright-Pierce
344 who offered to review the roads from a practical standpoint for under \$1,000. He asked when the UNH
345 study would be completed, and Town Administrator Fournier said sometime next month or in March.

346
347 **NEXT MEETING**

348

Town Council Regular Meeting
January 20, 2016

349 Chairman Nazzaro announced that the next meeting would be the *Deliberative Session* on Saturday,
350 January 30, 2016, and that the next regular Town Council meeting would be held February 3, 2016.

351
352 Town Administrator Fournier reminded people that the filing period was now open for Town offices and
353 would be closing the following Friday.

354

355 **ADJOURNMENT**

356

357 Vice Chair Levy made a motion to adjourn the meeting, which was seconded by Councilor Weinstein. The
358 meeting was adjourned at 8:52 pm.

359

360 Respectfully submitted,

361

362 Patricia Denmark, Recording Secretary

DRAFT



TOWN OF NEWMARKET, NEW HAMPSHIRE
OFFICE of the TOWN ADMINISTRATOR

REPORT OF THE TOWN ADMINISTRATOR **February 3, 2016**

Presidential Primary: As was announced at the last meeting, a significant water leak at the Newmarket High School made the gymnasium unusable for 90 days. As such, we have had to find an alternative location for the February 9th Presidential Primary. After many discussions, it was determined that the fire station bays are the only facility large enough to hold the expected number of voters. So the election will be held at the Fire Station on Young Lane off of New Road.

We will allow parking in front of the bays and sign them. We also are well aware and will have temporary disabled parking. Police will be at the intersection of New Rd. and Rt. 108 during rush hours to assist with traffic. They will also be onsite to assist with parking.

The Town Clerk - Tax Collector is fine with the area and will set up the facility as needed.

In addition, with the election season upon us, it is important to remind political supporters that campaign signs may only be placed with the property owner's permission. Primarily for safety reasons, the Town of Newmarket does not allow any signs on Town land, including roadside right of ways without specific permission. The basis for not permitting signs on Town land is that they may interfere with traffic safety sightlines and some find the signs to be unsightly. Furthermore, Town staff-time is needed to remove signs that pose a safety risk or have been left abandoned.

SB328- Allowing school districts to share powers with other public agencies: On January 26, I testified in favor of Senate Bill 328. This bill would allow towns and schools to share services. It came to a surprise that currently under RSA 53-A:3 municipalities can enter into an agreement to share services with other municipalities, but cannot enter into intra municipal agreements with schools. This came to light when the Town of Newport wanted to create a joint finance department, but the authority did not exist.

There was a good contingent of municipal and school officials in favor of the bill. Most senators were surprised as we were that we cannot already do it. They should be voting on their

recommendation shortly, and I will keep the Town Council post on any developments.

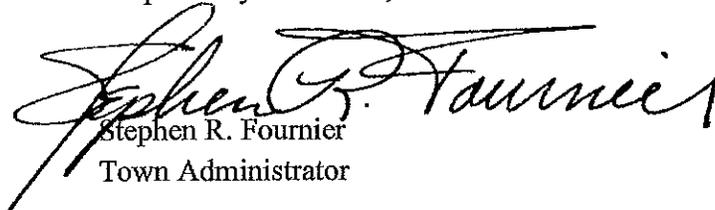
Macallen Dam: At the last meeting there was some questions on the next step for the Macallen Dam. First, the reason why the committee is recommending entering into an agreement with Gomez and Sullivan is simply, they reviewed Wright Pierce's work and believe there may be errors. Determining the 100 year flow was not one of the charges of Gomez Sullivan. They noted the errors because they were using the data for some of their own modeling that they did for the removal project. We are now hiring Gomez and Sullivan to go back and review the calculations of Wright Pierce with the State to make sure the 10,260 cfs that Wright Pierce negotiated with the State is correct.

The timeline is as follows:

1. The NH DES 2007 Inspection Report 100 Year flow was cited as **8,302 cfs (cubic feet per second)** using USGS gage data located on Lamprey River at Packers Fall.
2. Following hydraulic modeling work conducted by Wright Pierce, the Town and NH DES agreed to a 100 year flood flow of **10,259 cfs** in 2013.
3. In 2014, Gomez and Sullivan raised several questions regarding the accuracy of data used and the methodologies of the work completed by Wright Pierce which resulted in the 10,259 cfs figure (related to the weir "coefficient, the gate settings, consideration of areas adjacent to the dam and whether they should have been modeled as ineffective areas.) Gomez and Sullivan believe that a re-evaluation of the model and review by the NH DES could result in a design flow that is 25% lower than what was concluded in 2013, which could substantially reduce the cost of compliance with the NH DES Letter of Deficiency.

The Macallen Dam committee met on January 29 so I hope to have more information at the time of the Town Council meeting.

Respectfully Submitted,



Stephen R. Fournier
Town Administrator



**TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council**

Resolution 2015/2016-32
Amending Transfer Station Collection Fees

- WHEREAS: The Director of Public Works reviews the fees collected at the Transfer Station, and
- WHEREAS: in order to ensure that the fees collected are covering the cost of the service provided, and
- WHEREAS: The Director of Public Works is recommending changing the rates for collecting appliances, computer monitors, electronic equipment and adding categories for a non-commercial utility trailers.

NOW, THEREFORE, BE IT RESOLVED BY THE NEWMARKET TOWN COUNCIL THAT:

The Town Council amends the Transfer Station Fee Schedule as follows:

Appliances (each).....	\$10.00
Computer Monitors.....	\$10.00
Misc. Electronic Equipment.....	\$10.00
Non-commercial Utility Trailer – leveled.....	\$75.00
Non-commercial Utility Trailer – rounded	\$100.00

First Reading: January 20, 2016
 Second Reading: February 3, 2016
 Approval:

Approved: _____
 Philip J. Nazzaro, Town Council Chairman

A True Copy Attest _____
 Terri Littlefield, Town Clerk

INTEROFFICE MEMORANDUM

TO: STEVE FOURNIER, TOWN ADMINISTRATOR
FROM: RICK MALASKY, PUBLIC WORKS DIRECTOR
SUBJECT: TRANSFER STATION FEE SCHEDULE
DATE: 1/29/2016

I have attached a summary of the current fee schedule for the Transfer Station. I have proposed changes to three existing line items as well as one new proposed addition. There has been no change in the fee schedule since 2004. I have added one new item to the bulky/building material list titled dump trailers. These trailers are getting very popular, more and more residents are utilizing these trailers at the transfer station and we currently don't have a line item for this in the fee schedule.

Please review the proposed changes and let me know if you have any question or concerns. If you are in agreement with me, I would recommend moving this forward to the town council for final approval.

Transfer Station Fee Schedule

ITEM	CURRENT FEE	PROPOSED FEE
Appliance (each)*	\$ 5.00	10.00
Appliance with FREON (each)*	15.00	15.00
TV (each)	10.00	10.00
Mattress (each)	15.00	15.00
Couch (each)	20.00	20.00
Furniture (each)	15.00	15.00
Scrap Metal (pickup truck)*	10.00	10.00
Computer Monitor	5.00	10.00
Misc. Electronic Equipment	5.00	10.00
MISCELLANEOUS BULKY WASTE/BUILDING MATERIAL		
6 ft. truck bed – level*	\$ 25.00	25.00
6 ft. truck bed – rounded*	30.00	30.00
8 ft. truck bed – level*	30.00	30.00
8 ft. truck bed – rounded*	35.00	35.00
1 ton truck – level*	40.00	40.00
1 ton truck – rounded*	45.00	45.00
Dump Trailer – level	N/A	75.00
Dump Trailer – rounded	N/A	100.00

New fees are noted in bold, italics

Wendy Chase

Macallen Dam Study Committee

From: Kathryn Nelson <kathpn@comcast.net>
Sent: Wednesday, January 27, 2016 1:48 PM
To: Wendy Chase
Subject: Re: dam committee

Kathryn Nelson
Request - 2yr term
Expires 3/2018.

put me in for the 2 year term, thanks

On Jan 27, 2016, at 12:34 PM, Wendy Chase <wchase@newmarketnh.gov> wrote:

> It's totally up to you

>

> -----Original Message-----

> From: Kathryn Nelson [mailto:kathpn@comcast.net]

> Sent: Wednesday, January 27, 2016 12:19 PM

> To: Wendy Chase <wchase@newmarketnh.gov>

> Subject: Re: dam committee

>

> 2 year makes sense but could do 1 year if that fits committee better,

> Kath On Jan 27, 2016, at 12:15 PM, Wendy Chase <wchase@newmarketnh.gov> wrote:

>

>> Thank you Kathy, Are you interested in the 1 year term expires March

>> 2016 or the 2 yr term expires in March 2018?

>>

>> -----Original Message-----

>> From: Kathryn Nelson [mailto:kathpn@comcast.net]

>> Sent: Wednesday, January 27, 2016 11:47 AM

>> To: Wchase@newmarketnh.gov

>> Cc: Diane Hardy <dhardy@newmarketnh.gov>

>> Subject: dam committee

>>

>> Wendy- I sent you a message through the town web portal but Diane

>> just sent me your direct email. I would like to be considered for

>> appointment to the dam study committee. I live at 15A Water St and

>> work part time at the Nashua River Watershed Association. I've served

>> on several municipal and state committees and can provide references.

>> I can attend the Feb 3rd Town Council meeting or meet for an

>> interview

> before then.

>> Regards, Kath

>> 603-883-3011(c)

>>

>> --

>>

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>>

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>

>

TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
Resolution #2014/2015-03
Formation of a Macallen Dam Study Committee

WHEREAS, The State of New Hampshire Department of Environmental Services has issued a letter of Deficiency for the Macallen Dam located in Downtown Newmarket, and

WHEREAS, The Town of Newmarket will be required to address the issue of the deficiencies as the owner of the dam.

NOW THEREFORE LET IT BE RESOLVED BY THE NEWMARKET TOWN COUNCIL, That an ad-hoc committee be formed called the "Macallen Dam Study Committee" made up of seven members: six at-large members who are residents of the Town of Newmarket, and one Town Council representative. Two of the at large members will serve a term of one year ending March 31, 2015; two will serve a term of two years, ending on March 31, 2016, and two will serve a term of three years ending on March 31, 2017. The Town Councilor will serve a term of one year pursuant to Town Council rules, and

FURTHER LET IT BE RESOLVED, That the purpose of this committee is to examine all options the Town has for the removal, preservation, or other possibilities for the Macallen Dam and report back to the Town Council with a recommended course of action. This committee will cease to exist when this report is delivered.

First Reading: July 16, 2014

Second Reading: August 20, 2014

Town Council Approval: August 20, 2014

Approved: _____

Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____

Terri Littlefield, Town Clerk

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



**TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council**

Resolution # 2015/2016-33

Resolution Relating to the Purchase of a Bucket Truck

WHEREAS, the Highway Department needs to replace its 1991 Chevrolet bucket truck, and

WHEREAS, the Department obtained a quote from RBG, Inc., who provided the lowest cost quote, and

WHEREAS, the price of the 2016 Ford bucket truck is \$84,056, and

WHEREAS, the Public Works Capital Reserve Fund has a balance of \$570,540, as of December 31, 2015.

NOW, THEREFORE BE IT RESOLVED that the Newmarket Town Council does hereby authorize the Town Administrator to purchase a 2016 Ford bucket truck from RBG, Inc. and enter into any related contracts, for a price not to exceed \$84,056.

First Reading: February 3, 2016

Second Reading:

Approval:

Approved: _____
Philip J. Nazzaro, Town Council Chairman

A True Copy Attest _____
Terri Littlefield, Town Clerk