



TOWN OF NEWMARKET, NEW HAMPSHIRE
TOWN COUNCIL
AGENDA

REGULAR MEETING – FEBRUARY 19, 2014 7PM
NEWMARKET TOWN HALL COUNCIL CHAMBERS

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) Minutes of February 5, 2014

5) Report of the Town Administrator

a) Presentation on the Alternatives to the Pedestrian Bridge

6) Committee Reports

7) Old Business

a) Ordinances and Resolutions in the 2nd Reading

i) Resolution #2013/2014-48 Municipal Trash Bags

ii) Resolution #2013/2014-49 Relating to Stair Well Door Push-Bar Hardware

iii) Resolution #2013/2014-50 Limiting Political Spending

b) Ordinances and Resolutions in the 3rd Reading

c) Items Laid on the Table – Items will remain on the table unless a member of the Town Council moves to remove the item.

i) Ordinance #2013/2014-01 Adoption of the Administrative Code

ii) Resolution #2013/2014-45 Accepting Harvest Way as a Town Street

8) New Business/Correspondence

a) Town Council to Consider Nominations, Appointments and Elections

i) *Macallen Dam Committee – John Deziel*

b) Ordinances and Resolutions in the 1st Reading

i) *Resolution #2013/2014-51 Purchase of a 2015 Ford F-250 for \$31,561 for the Water/Sewer Department*

ii) *Resolution #2013/2014-52 Accepting a Preferred Alternative to the Pedestrian Bridge*

c) Correspondence to the Town Council

d) Closing Comments by Town Councilors

9) Adjournment

DRAFT

**TOWN OF NEWMARKET, NEW HAMPSHIRE
TOWN COUNCIL REGULAR MEETING
FEBRUARY 5, 2014
COUNCIL CHAMBERS**

PRESENT: Council Chairman Gary Levy, Council Vice Chairman John Bentley, Councilor Dan Wright, Councilor Phil Nazzaro, Councilor Larry Pickering, Councilor Dale Pike, Councilor Ed Carmichael, (arriving at 7:20)

Town Administrator Steve Fournier

Council Chairman Levy opened the meeting at 7:02 p.m., followed by the Pledge of Allegiance.

PUBLIC FORUM

Leo Filion of Lafayette Road, a member of the present and the 1990 Charter Commissions, distributed to the Council copies of Chapter 49-D, Local Option on Town Charters. He said at a Charter Commission meeting, the Town Administrator had stated that Newmarket was under the Budgetary Town Meeting form of government. Mr. Filion said he had never before heard that term used by the Council, Administration, legal counsel or Budget Committee in the past 20 years. He said this was not what he recalled being approved by the 1990 Charter Commission. He researched the 1990 Commission meeting minutes and his notes. He said that 49-D: 3, Section 1 stated that the Town Council was the legislative and governing body, similar to the system that Durham currently has. Section 49-D: 3, 1a, referred to the Official Ballot Town Council, which he said was what the 1990 Commission wanted and what the voters approved. The last paragraph of the section stated that non-budgetary items could be placed on the Official Ballot, and the legislative/governing body, the Council, could place items on the Ballot as set forth in the Charter. Chapter 49-D: 3,2 dealt with adopting the Budgetary Town Meeting, which gave Town meeting the authority to vote on budgetary articles as given by the governing body. He said the 1990 Charter Commission looked at this form of government, but felt it was too restrictive. Mr. Filion said he went back through annual town reports to see if there were any amendments passed that would have approved a Budgetary Town Meeting, but there were none. He requested the Council get a legal opinion from the Attorney General as to whether Newmarket's current Charter complied with Section 49-D: 3, as an Official Ballot Town Council or with Section 49-D: 3, 2 as a Budgetary Town Meeting. He said he did not believe that Newmarket had ever adopted a Budgetary Town Meeting, and going back to 1990, he could find no mention of it.

Council Chairman Levy asked for clarification of Mr. Filion's request. Town Administrator Fournier said that Budgetary Town Meeting could also refer to the SB2 Official Ballot, which was a provision that Newmarket had adopted. He said he would get a clarification. Mr. Filion said that Section 5.4 of the Town Charter covered the Official Ballot, and if he had known this was an issue, he would have asked at the Charter Commission meetings if Newmarket was under an Official Ballot Town Council form of government as he thought. He understood that the Town had adopted the SB2 provision, but he also believed that they were under the Charter that was adopted in 1990. Council Chairman Levy asked what the effect would be if the legal opinion agreed with what Mr. Filion stated. Town Administrator Fournier said there would be no effect for the present year. He said he would have the legal opinion for the first meeting in March.

Town Council
February 5, 2014

Council Vice Chairman Bentley sent condolences to the family of Ed Pease who had passed away suddenly the previous week. He had been a teacher and coach in Newmarket and was active in the community.

As there was no further public comment, Council Chairman Levy closed the Public Forum at 7:14.

PUBLIC HEARING: Discuss Issuance of a Bond or Note for \$1,055,000 for Installation of 16-inch Water Main from Water Tower on Great Hill to Area of the Carwash on Route 108, and to Improve the Water Tower Electrical and Telephone Utilities and Vault

Council Chairman Levy read the notice of Public Hearing.

Pursuant to the Municipal Finance Act, RSA Chapter 33, the Newmarket Town Council will hold a public hearing pursuant to RSA 33:8 - a to discuss the issuance of a bond or note in the amount of \$1,055,000 for the installation of a new 16 inch water main from the water tower on Great Hill to the 16 inch water main that is located in the area of the carwash on Route 108, and to improve the water tower electrical and telephone utilities and vault. The hearing will take place Wednesday, February 5, 2013, at 7 PM during the Town Council's regular business meeting in Town Council Chambers Town Hall, 186 Main St., Newmarket, NH 03857.

Council Chairman Levy opened the Public Hearing at 7:15.

Leo Filion, who had served as a Water Commissioner, expressed his concerns about the need for the new, larger water main and its cost. He said that with improvements and additions to the mains, there were now more cross connections than there had been originally. He questioned how much more the rate payers could take on, and added that when there was a Water Commission, the focus was not on improving the system, but on keeping the water rates low out of concern for the rate payers. He agreed that the water main was old, but did not feel it necessarily had to be replaced. He said he hadn't seen any internal studies that showed any deterioration of the main. He didn't think that replacing the 10 inch main with a 16 inch would improve water flow, but might improve fire flows, although he hadn't heard anyone say how much. He questioned whether it was worth spending over a million dollars for an unknown result.

As there was no further public comment, Council Chairman Levy closed the Public Hearing at 7:20. Town Administrator Fournier said that although the Council had already voted on the Bond Article and it was on the ballot, they were still required to have this Public Hearing. Council Chairman Levy asked Water Superintendent Sean Greig to review the need for the project for those listening to the meeting.

Mr. Greig said that Mr. Filion was correct in saying that some of the work had been started in the past with the installation of some 16 and 12 inch mains. The intent was to complete the work by running another 16 inch main from the Irving gas station to the tank. He said there were electrical lines that ran on top of the ground to the tank, and they had to be moved because they presented a safety hazard. He said the wires supplied electricity to the tank and they received substantial revenue from having cell towers on the tank. Also, the tank vault had electricity in water, which presented another safety hazard. The other part of the project would be to replace the 1890's, 10 inch main with a 16 inch main. He said the 10 inch main feeding into the present 16 inch main created a choke point. He said that on Main Street the flow was about 22 hundred gallons per minute, and this was below recommended firefighting standards for fire flow. The proposed 16 inch main would increase flows to 45 hundred gallons a minute and not only improve fire flows for the immediate area, but also for other parts of the downtown.

Mr. Greig said he had brought forth the proposal at this time because they were eligible for a low interest SRF loan. They no longer qualified for loan forgiveness, as that was determined by comparing water rates to median

household income. He said they were not intending to raise water rates, but were looking at improving the system and improving safety. Councilor Pickering asked if a camera could have been put in the 10 inch line to check its condition. Mr. Greig said they probably could have sealed off the line, but it was difficult to get to as it ran down a steep hill. The alternative would have been to do this on Route 108, but the State did not want them to dig in the area. He stressed that they wanted to improve the line to increase flows. Councilor Wright asked Mr. Greig to explain why the water rate would not increase. Mr. Greig said that they had been saving money and the debt for the water meters would be retiring when the first payment for the proposed bond would begin. That would absorb part of the cost, but also some money for the project had been put aside in the CIP. He said they did not want to raise water rates as they knew that sewer rates would have to increase. To Council Chairman Levy's question, he said that the loan would be for 20 years at 2.72%, and all the information would be in the Warrant Article.

ACCEPTANCE OF JANUARY 22, 2014 MINUTES

Council Vice Chairman Bentley moved to accept the minutes of the January 22, 2014 meeting. Councilor Nazzaro seconded. There were no changes. Town Administrator Fournier polled the Council. Motion passed unanimously, 7 – 0.

REPORT OF THE TOWN ADMINISTRATOR

Town Administrator Fournier reminded everyone that the Town's Deliberative Session would be held at 1:00 p.m. on Saturday, February 8th. If the School's Deliberative Session is not finished by that time, it will recess and reconvene at the conclusion of the Town session. He had provided the Council with the Articles that could be amended at the Deliberative Session, and added that the 18 Articles concerning the Charter could not be amended, but would go directly to the ballot. Town Administrator Fournier reported that in continuing to look for savings for the Town, they had put out RFPs for custodial service. Currently, the Town employs 2 part-time custodians, and response to the RFPs would show them if this was an area for possible savings. He said the RFPs and proposals would be found on the Town's web site under Finance. Councilor Nazzaro asked if, when the proposals came back and a recommendation was made, they could see a side by side comparison of costs and savings. Town Administrator Fournier said they would have a spreadsheet that compared current and proposed costs point by point. To Councilor Nazzaro's question, he said that the new chairs for the Council had been purchased on sale for about \$1,100. The old chairs had been placed in the auditorium where there had not enough seating.

COMMITTEE REPORTS

Councilor Pike reported that, although he was not present in an official capacity, he had attended the Macallen Dam Committee meeting. Town Administrator Fournier said that the Committee would hold a Public Hearing at a future date. Town Planner, Diane Hardy, had chaired the meeting and had allowed some public comment. Councilor Pickering noted that Macallen was spelled incorrectly on the web site's calendar.

Council Chairman Levy stated that the Economic Development Committee would meet on Monday, February 10th. The Committee would discuss some zoning issues and the implementation of findings in the final report. The meeting was slated for 5:30.

Councilor Nazzaro noted that the last Council meeting was listed as a Budget meeting on the web-site calendar. To Council Chairman Levy's question, Town Administrator Fournier said that they didn't have the ability yet to have meetings "on demand" on television, only on computers.

OLD BUSINESS

Although there was no old business, Council Chairman Levy asked about any progress with the tabled motion to accept Harvest Way as a Town street. Town Administrator Fournier said they were researching this and also would have to talk with the Town of Epping.

NEW BUSINESS

Ordinances and Resolutions in the 1st Reading

Resolution #2013/2014-48 Municipal Trash Bags: Council Chairman Levy read the Resolution in full.

Resolution #2013/2014-49 Relating to Stairwell Door Push-Bar Handle: Council Chairman Levy read the Resolution in full.

Resolution #2013/2014-50 Limiting Political Spending: Council Chairman Levy read the Resolution in full. It will be acted upon at the February 19th meeting.

Closing Comments:

Council Vice Chairman Bentley said he remembered in the past that the Town had not been paid by a vendor for some trash bags, and asked if the policy had been changed. Town Administrator Fournier said that if a vendor did not pay the bill, he would not get any more trash bags and in addition, the Town would take action in court. However, the Town now received the payment up front.

Councilor Nazzaro expressed his concerns that even though Town Hall was closed because of the snow, the Council had to hold the Public Hearing on the Bond for the water main. He asked that they try to have at least 2 meetings for a backup in case of bad weather, as he knew there was at least one other person who wanted to speak. He realized that by RSA the Hearing had to be posted for 7 days and held before the Deliberative Session. Town Administrator Fournier replied that when the Town adopted the provisions of the official ballot under SB2, it did not adopt the official ballot for bonding. The law stated that the meeting had to be posted seven days prior in a paper with general circulation. He said that in this case, they would not have time to schedule and post 2 meetings because of State timelines. He said that the State law on the timeline would have to be changed. Councilor Nazzaro stated that the Council had acted on the Bond Article in January, but Town Administrator Fournier said the notice had to be given within 60 days of the Town Meeting vote on March 11th, but not less than 45 or 50 days from the vote. Councilor Nazzaro said he was concerned because even though they held a "Public Hearing", it really wasn't if people could not come.

Councilor Carmichael asked if the Town carried an inventory of the blue rubbish containers, how much they cost and where they were kept. Town Administrator Fournier said he didn't know the cost, but they were available at the DPW clerk's office. Councilor Pickering suggested that the Council might review the pay-per-bag system that had been implemented a number of years previously, as the price had not changed. He wondered if they could do better. Town Administrator Fournier asked if Councilor Pickering was asking for a review of the whole system and other alternatives, or a review to see if they could reduce the price of the bags, and he responded that he thought both should be reviewed along with the recycling system. Town Administrator Fournier said they had gone out to bid the previous year for solid waste removal and recycling and were in a multi-year contract. Councilor Pike suggested that if there was a meeting with a light agenda, they could have an informational session on the subject. He felt that a lot of towns were going with the pay-by-bag system, and he felt this was right for Newmarket. Councilor Pickering said he did not mean that this was necessarily the wrong system, but since they had received the bids, there was probably nothing that could be done about the price at

Town Council
February 5, 2014

this time. Council Chairman Levy asked that if any Councilors had any specific questions on this that they send them to the Town Administrator.

Council Chairman Levy said that Toni Weinstein had sent an email to all the Councilors stating her support of the Bond Article.

Council Chairman Levy then asked what the time line was for putting up political signs as previously he had been told that signs could not be posted prior to 2 weeks before the election. Town Administrator Fournier said there was no provision in State law on time lines because the State considered this would limit free speech. Council Chairman Levy said that in addition to being told 3 years before about the time limit, he was also told that signs could not be placed on Town property. Councilor Nazzaro said that some signs had been removed. Council Chairman Levy said that some signs had been removed at the direction of the past Town Administrator and Code Officer, specifically at the beginning of Ash Swamp Road where they had always been placed. He asked if signs could then be posted immediately, and Town Administrator Fournier said there was no State time limitation, but that the law had recently changed. He said that "Town property" referred to traffic islands as well as property surrounding buildings. He added that the State could remove certain signs placed on State property, such as in areas next to Route 108. Councilor Picking said that 8 of his signs had been stolen the previous year. Town Administrator Fournier said the Town did not steal signs, it removed them and were required by State law to keep them. He suggested that if signs were missing, candidates first check with DPW.

Councilor Nazzaro noted that the web-site did not have the EDC meeting listed for February 10th, and he felt there were some inconsistencies with the calendar, as the time for Town Deliberative Session was listed but not the time for the School's. Town Administrator Fournier said he felt it was best to list just the Town's Session, but that there were some kinks with the new web site that they were trying to work out.

The next Council meeting will be February 19th, and the Town Administrator will be away.

ADJOURNMENT

Council Vice Chairman Bentley moved to adjourn and Councilor Nazzaro seconded. Motion carried unanimously, and the meeting adjourned at 7:55.

Respectfully submitted,

Ellen Adlington, Recording Secretary

STEPHEN R. FOURNIER
TOWN ADMINISTRATOR

sfournier@newmarketnh.gov
www.newmarketnh.gov



TOWN HALL
186 MAIN STREET
NEWMARKET, NH 03857

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FAX: (603) 659-8508

FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE
OFFICE *of the* TOWN ADMINISTRATOR

REPORT OF THE TOWN ADMINISTRATOR
February 5, 2014

Pedestrian Bridge Alternatives: On the agenda for the meeting is a presentation from the Town's engineer on the possible alternatives to the pedestrian and a recommended alternative. This was in response to the Town Council's request to find alternatives to make sure we can use the transportation enhancement money after we received notice that the original sky bridge project was going to be \$700,000 higher than anticipated.

In addition, there is a resolution for a first reading to approve the preferred alternative to move forward to design phase. This would allow us to continue to avail the Town of DOT funds to do this project. If we do not accept a preferred alternative by March 5, the State will not move forward with the project design and rescind funding.

As you will see, the preferred alternative will address the underlying issue of pedestrian safety in the downtown area, while taking into consideration cost. This is just a preliminary alternative and a final design, after State review, will be different from this. If you agree with the concept of the pedestrian improvements, I would recommend adopting this resolution at the next Town Council meeting. I cannot over emphasize, please ask the engineers question and that this is just an alternative concept that will have to be designed further.

DRA Sales Ratio: The Town Assessors have recently received the annual report from the New Hampshire Department of Revenue Administration on the Town's equalization sales ratio survey. The sales survey examines the sale of homes in the Town and determines if the market value is in line with assessed values of properties.

Currently, the DRA has the median ratio of 121 valid sales at 102.7%. We aim to be between 90 and 110% so we are well within the necessary parameters.

The good news from this is that after the revaluation this year, we should see little change in the overall value of the Town. From talking with the assessors, some properties are estimated to be below market value (condominiums) while others may be slightly higher. This will all be evened

out with the revaluation. The good news is that we should not see a significant shift in the tax rate after the revaluation.

I am including a copy of the DRA's letter to this report for your information.

Snow Budget: I wanted to bring to the attention of the Town Council the snow budget and the possible overages we may see. Last year to date, the Town saw 19 snow events with 26 inches of snow. This included the blizzard of early February. To date this year, we have seen 30 snow events and 42 inches of snow. This is a 62% increase in snow over the previous year and 58% increase in snow events.

The overtime, salt and contacted winter maintenance budgets are within line as of today. The sand budget has been completely expended. We have been working on different schedules for the employees, and it seems to be working with only 55% of the overtime budget spent as of the end of January. I will continue to monitor this with the Director of Public Works and will make you aware of any areas of concern.

Political Advertising: The campaign season is upon us. Soon we will see the snow melt giving way to political yard signs. These signs are protected political free speech and are permitted on private property with the owner's consent. Experts agree they are most valuable when they are associated with a particular person. Their value is greatly diminished when placed in a public way. NH State Law RSA 664:17 allows towns to not permit signs on Town-owned land. As these signs are often a hazard to traffic safety, the public harm might be greater than the public good. However, signs are allowed in the State of New Hampshire right of way.

Here is the text of the law:

**TITLE LXIII
ELECTIONS
CHAPTER 664
POLITICAL EXPENDITURES AND CONTRIBUTIONS
Political Advertising
Section 664:17**

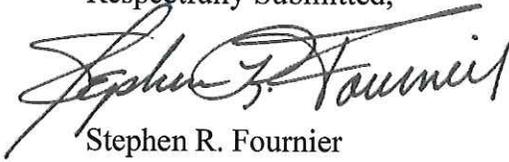
664:17 Placement and Removal of Political Advertising. -

No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary. Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes. No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to public property or any private property except for removal by the owner of the property, persons authorized by the owner of the property, or a law

enforcement officer removing improper advertising. Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept until one week after the election at a place designated by the state, city, or town so that the candidate may retrieve the items.

Source. 1979, 436:1. 1994, 4:28. 2006, 273:1, eff. Aug. 14, 2006. 2013, 24:1, eff. July 15, 2013.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Stephen R. Fournier". The signature is written in a cursive style with a large initial "S" and "F".

Stephen R. Fournier
Town Administrator

Memorandum

TO: Steve Fournier
Town Administrator
Town of Newmarket

FROM: Scott P. Marsh, CNHA
Municipal Resources
Contracted Assessor's Agents

DATE: February 11, 2014

RE: DRA Sales Ratio Survey

Attached is the recently received letter and summary report sheets from the finalized analysis of the annual Department of Revenue equalization sale ratio survey.

The statistical indications are quite similar to those I had estimated in my October 29, 2013 memo with the overall median ratio of the 121 valid sales being 102.7%, the COD being 9.27 and the PRD being 1.01.

It should also be noted that the statistical results meet DRA assessment review guidelines.

If there are any questions, please feel free to contact me at your convenience.



State of New Hampshire
 Department of Revenue Administration

109 Pleasant Street
 PO Box 1313, Concord, NH 03302-1313
 Telephone (603) 230-5950
 www.nh.gov/revenue



John T. Beardmore
 Commissioner

2/6/2014

MUNICIPAL AND PROPERTY
 DIVISION
 Stephan W. Hamilton
 Director

David M. Cornell
 Assistant Director

TOWN OF NEWMARKET
 OFFICE OF SELECTMEN
 186 MAIN STREET
 NEWMARKET NH 03857

Dear Selectmen/Assessing Officials:

The Department of Revenue Administration is charged with the responsibility of annually equalizing the local assessed valuation of municipalities and unincorporated places throughout the state. The Department has conducted a sales-assessment ratio study using market sales, which have taken place in your municipality between October 1, 2012 and September 30, 2013. Based on this information, we have determined the average level of buildings and manufactured housing as of April 1, 2013.

The sales values have been determined from revenue stamps and verified whenever possible. When it appears that changes in the assessed values of properties have been made solely because of the sale price, the assessed values prior to the sale have been used.

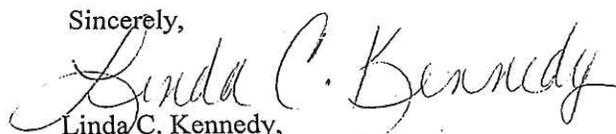
Based on the enclosed survey, we have determined the overall equalization assessment - sales ratio for the land, buildings and manufactured housing in your municipality for Tax Year 2013 to be **102.6 %**. This ratio will be used to equalize the modified local assessed valuation for all land, buildings and manufactured housing in your municipality. This ratio does not include any public utility property in your municipality, nor will it be used to equalize the net local assessed value of public utilities.

We have also determined a median ratio for the land, buildings and manufactured housing in your municipality for Tax Year 2013 to be **102.7%**. The median ratio is the generally preferred measure of central tendency for assessment equity, monitoring appraisal performance, and determining reappraisal priorities, or evaluating the need for reappraisal. The median ratio, therefore, should be the ratio used to modify the market value of properties under review for abatement to adjust them in accordance with the overall ratio of all properties in your municipality.

In an effort to provide municipalities with more detailed information regarding their level of assessment (i.e. equalization ratio) and dispersion (i.e. coefficient of dispersion and price-related differential), we have prepared separate analysis sheets for various property types (stratum). See attached summary sheet showing your municipality's figures and a further explanation of the D.R.A.'s stratified analysis.

Please review the enclosed list of sales used in determining your assessment-sales ratio. If any incorrect data has been used, or if you would like to meet with me to discuss this ratio or an alternate ratio methodology as outlined in the accompanying information sheet, please contact me immediately.

You will be notified of your municipality's total equalized valuation when the Department has completed its process of calculating the total equalized valuation.

Sincerely,

 Linda C. Kennedy,
 Manager

TDD Access: Relay NH 1-800-735-2964

Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.

2013 Ratio Study Summary Report

2/5/2014 9:17:54 AM

Town Name: Newmarket, Rockingham County

Date Range: 10-01-2012 through 09-30-2013

NH Dept of Revenue Administration. Ratios were created using stipulated year assessments.



Strata	Description	Mean Ratio	Median Ratio	WM Low CI	WM Ratio	WM High CI	COD	PRD	Total Strata	Sales PA34	Valid	Valid %	Valid PA34	Valid PA34 %	UT#	UT %
11	Single Family Home	103.89	101.57	100.38	103.04	105.60	9.71	1.01	90	32	70	77.8%	24	34.3%	70	100%
12	Multi Family 2-4 Units	98.01	96.83	0	97.07	0	10.17	1.01	7	4	6	85.7%	4	66.7%	6	100%
14	Single Res Condo Unit	102.16	102.11	99.89	102.11	104.62	7.29	1.00	48	16	36	75.0%	13	36.1%	36	100%
18	Mfg Housing Without Land	151.09	150.61	0	128.52	0	30.67	1.18	9	3	6	66.7%	3	50.0%	6	100%
33	Commercial L&B	0	0	0	0	0	0	0	4	1	2	50.0%	1	50.0%	2	100%
AA	Any & All	103.12	102.70	100.52	102.55	104.51	9.27	1.01	159	57	121	76.1%	46	38.0%	118	97.5%
GC1	Area Improved Res	103.07	102.30	100.48	102.54	104.47	9.12	1.01	154	55	118	76.6%	44	37.3%	115	97.5%
GC2	Area Improved Non-Res	0	0	0	0	0	0	0	4	1	2	50.0%	1	50.0%	2	100%

2013 Ratio Study Summary Report

2/5/2014 9:17:54 AM

Town Name: Newmarket, Rockingham County

Date Range: 10-01-2012 through 09-30-2013

NH Dept of Revenue Administration. Ratios were created using stipulated year assessments.



Type	Description	Median Low CI	Median Ratio	Median High CI	PRD Low CI	PRD	PRD High CI	COD	UT#
All (AA)	Any & All	99.26	102.70	104.46	1.00	1.01	1.02	9.27	118
Group (GC1)	Area Improved Res	99.34	102.30	104.46	1.00	1.01	1.02	9.12	115
Group (GC2)	Area Improved Non-Res	0	0	0	0	0	0	0	2

Title	Description	Criteria Met
Strata-Any and All (Median)	Overall Median Point Estimate confidence interval should overlap range of 90-110	True
Strata-Any and All (PRD)	Overall PRD Confidence Interval should overlap range of .98-1.03	True
Strata-GC1	Median Confidence Interval should overlap overall median +/- 5%	True
Strata-GC2	Median Confidence Interval should overlap overall median +/- 5%	N/A



Department Heads Monthly Reports to the Town Council and Town Administrator

Police Department

Will be receiving separately.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>Previous Year % Expended</u>
<i>Police Total</i>	1,263,503.33	87,919.86	657,558.58	605,944.75	52%	52%

Fire and Rescue Department

- For the month of January the department responded to 83 calls for service. Of those calls 52 were medical, transporting 40 patients to area hospitals. The ambulance responded mutual aid to Newfields six times and to Stratham twice. We responded mutual aid to Durham for a building fire. It was a very busy month for us with all the snow and cold weather we saw a big increase in calls for service ranging from slips and falls, to MVAs, and broken frozen water pipes. With all the snow on the ground now please remember to adopt a hydrant if you have one near your home.
- We will be welcoming Gary Lemoine to the department in February. Gary will be filling the fulltime position that has been vacant since December. Gary comes to us with 4 years experience from Laconia, Newington and Brentwood fire departments.
- I have attached charts with activity reports. The activity reports compare this year to last year and the activity for the month of January.
- No concerns at this point with my budget expenditures.

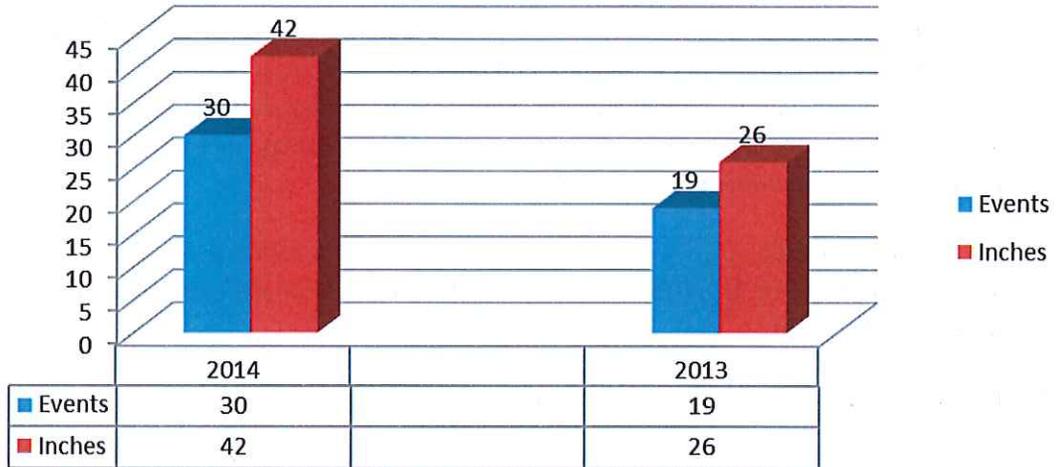
	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount</u> <u>Remaining</u>	<u>%</u> <u>Expended</u>	<u>Previous</u> <u>Year</u>	<u>%</u> <u>Expended</u>
<i>Fire & Rescue Total</i>	297,983.00	27,755.34	173,292.94	124,690.06	58%		56%

Public Works Department

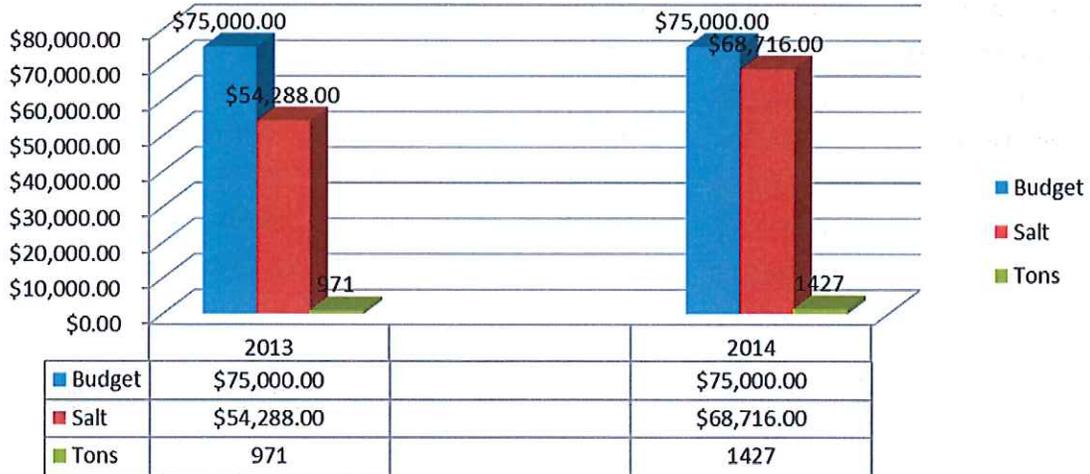
- Once again we had a very busy month with all the snow and ice events. Crews have been busy plowing and doing snow removal from the downtown. This winter is on pace to be a record breaker if things don't change in the weather pattern soon. With that said I'm pleased to say we are still in the black regarding budget expenditures for snow removal but as you will see with the detail charts some line items are getting tight. With two months of winter still to go we will hope for a break in the weather and closely monitor expenditures. With the long hours being put on the equipment we have not had any major break downs. The snow has been light and fluffy which saves on the equipment and any break downs that have occurred have been minor in nature and not expensive to repair.
- The other challenging task this winter has been keeping up with the potholes in between the snowflakes. Most of the pothole issues around town are state highway maintained and not the towns' responsibility.
- I have attached charts to show more detail on budget expenditures.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>% Expended Previous Yr</u>
Public Works Admin. Total	398,718.00	42,323.65	223,588.35	175,129.65	56%	45%
Roadways and Sidewalks Total	346,690.00	46,213.88	332,978.23	13,711.77	96%	80%
Street Lights Total	45,800.00	3,841.11	21,248.15	24,551.85	46%	50%
Bridges and Signs Total	500.00	0.00	0.00	500.00	0%	0%
Building and Grounds Total	451,050.00	33,646.43	274,868.06	176,181.94	61%	56%
Cemeteries Total	35,915.00	1,419.55	16,500.11	19,414.89	46%	38%
Vehicle Maintenance Total	189,860.00	27,269.84	97,568.65	92,291.35	51%	39%

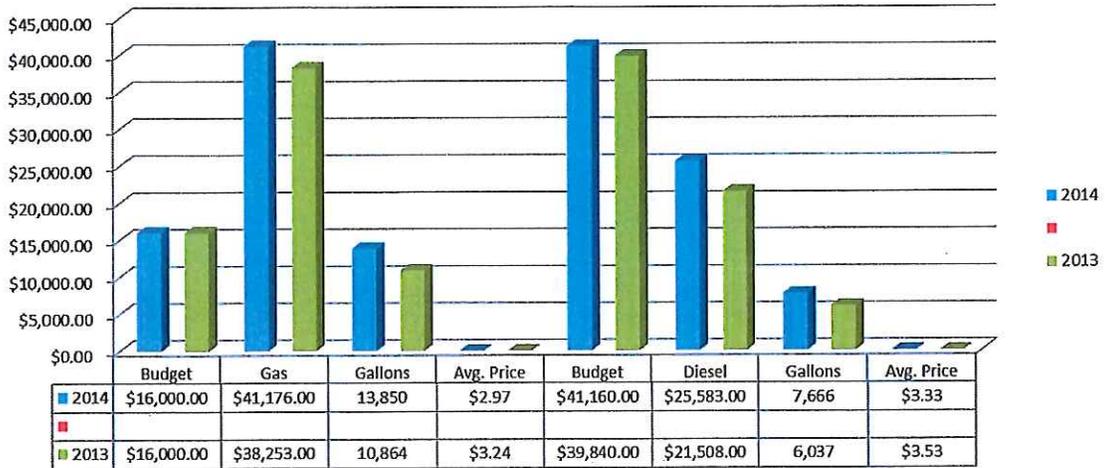
Public Works Department YTD Snow Events



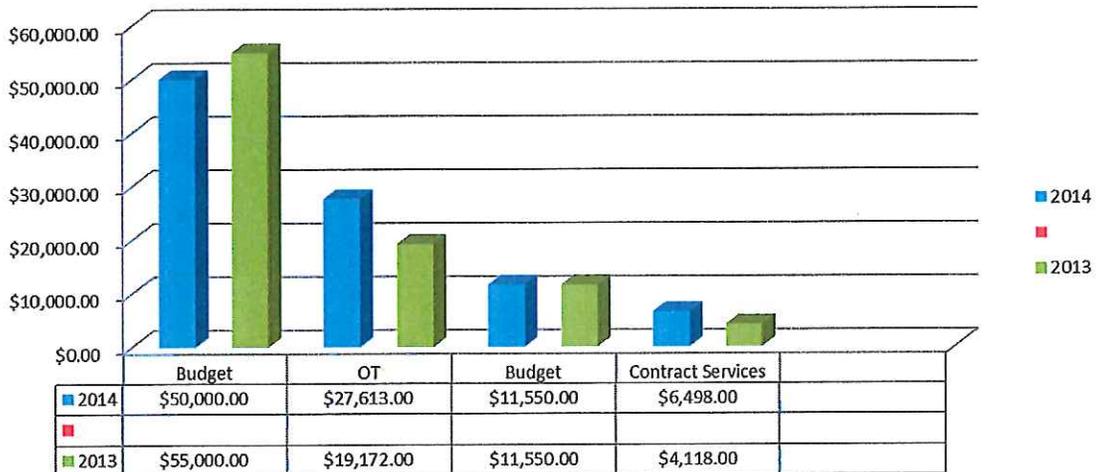
Public Works Department YTD Salt



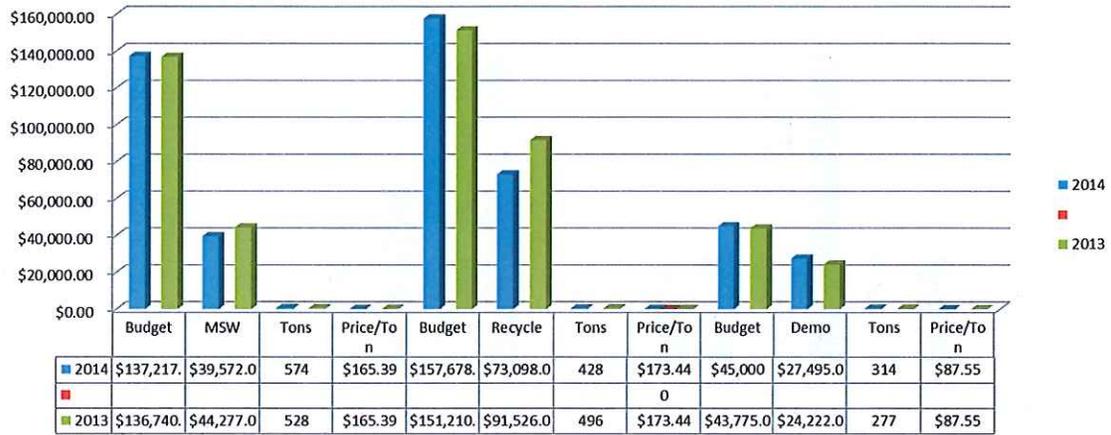
Public Works Department YTD Gas/Diesel



Public Works Department YTD Overtime/Contract Services



Public Works Department YTD Solid Waste



Public Works Department YTD Equipment/Vehicle Maintenance



Water System

January water loss: 7.98% Water loss goal: 12.00%

The Department had a water taste testing of the MacIntosh Well Blends with the current Bennett and Sewell Well groundwater supplies. The blends that were considered are:

Blend A - 60% MacIntosh + 40% Bennett

Blend B - 50% Bennett + 50% Sewell

Blend C - 75% MacIntosh + 25% Sewell

Blend D - 30% MacIntosh + 70% Bennett and Sewell

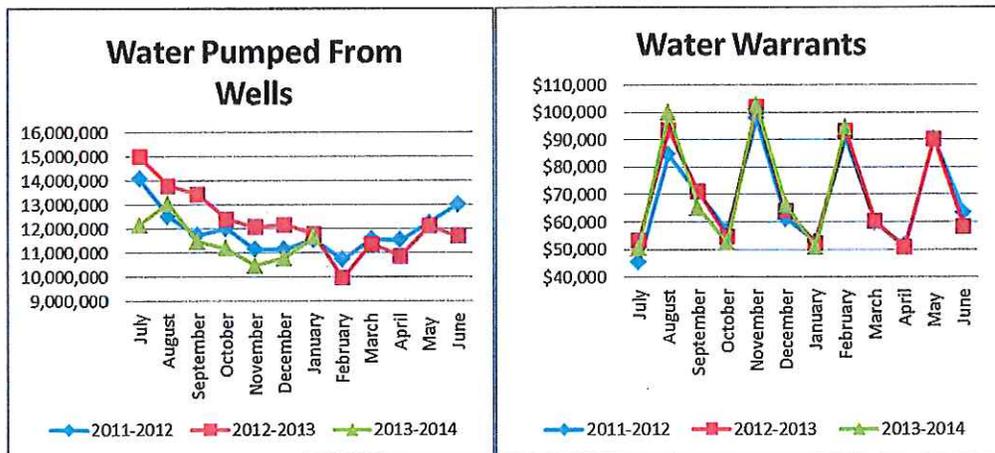
Results:

Which sample do you like the best?

B – 34% A – 32% D – 18% C – 16%

The Department has completed a water conservation plan that is a condition of the MacIntosh withdrawal Permit.

The Department continues to work on the MacIntosh Well and the North Main Street Projects.



<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>[%] Expended Previous Yr</u>
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Water Total	848,597.00	35,315.13	617,699.46	230,897.54	73%	77%
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Sewer System

January Infiltration and Inflow (I/I): 239,374 Gallons/Day
Gallons/Day

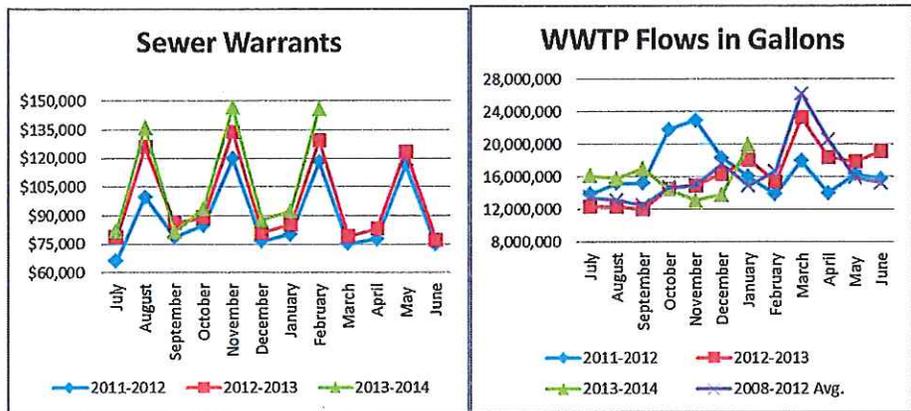
Year to Date (I/I): 134,664

The Department has installed flow meters in the collection system to evaluate piping for Infiltration and inflow issues.

Wastewater Treatment facility Upgrade – Working with Wright-Pierce evaluating equipment and existing infrastructure for the new facility.

North Main Street Sewer – Mapped out North Main Street Sewer manholes with invert elevations. A hydraulic profile has been created for the sewer line. The next step will be to match up the drainage conflicts and determine the possible alternatives.

Replaced broken thickener valve in the main pump galley.



	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>% Expended Previous Yr</u>
Waste Water Total	954,020.00	188,280.05	553,898.93	400,121.07	58%	63%

Information Technology

- Updating hardware at the Police Dept. that allows us to share information between neighboring agencies and integrate into Concord.
- Updated the hardware for the assistant Recreation Director that made her happy and made my budget happy. I was able to reuse a docking station that had been Steve's.
- The live broadcast of the combination deliberative hearing went off with only the smallest of hitches! A great job by Chris Williams! All of the expense and work we've put into this over the last year really paid off, we have gotten lots of responses from townspeople thanking us for the live broadcast.
- Still making small fixes to the Town website, where we post Town Council packets was especially problematic. I wound up deleting the current setup and starting with a cleaner one from scratch. This should make life easier for Kathy and let everyone get the packet in plenty of time.
- Resolved issues with the water plant control system and provided the water plant workers with a way to connect to the system from home so they can easily clear alarms, or see why the system is in an alarm state
- Assisted the Police Department with a discovery case involving some surveillance cameras. This took longer than we all thought, and required quite a bit of technical tweaks, but should make it a lot easier the next time we encounter this system.
- Swapped out a PC in Tax Collection that was constantly given us errors on its connection to Concord making some vehicle registrations impossible to complete. So far it has been very smooth sailing, and I intend to format the old PC and reuse it in the lobby where that PC is dying a slow death.
- Have started the process of moving the Fire Dept. website to the Town website.
- I have started working with the school department to simplify the integration of their cameras with our police department. Once this task is completed, we will have fail proof camera connectivity that won't require all sorts of fits and starts.
- Still lots of little issues going on day to day.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>% Expended Previous Yr</u>
<i>IT Total</i>	138,744.00	9,972.77	87,104.29	51,639.71	63%	57%

Building Inspector/Code Enforcement Officer

- In addition to a strong load of regular inspections and enforcement activities, the Building Safety and Health Office:
- Attended NH Building Officials training on commercial cooking hoods and extinguishing systems
- Attended NH Seacoast Code Officials training on gas piping
- Consulted with two new, and one existing, multi-family property owners regarding repair and renovation priorities
- Facilitated a media relations professional development program for Town staff. Guest speaker, Erika Mantz of UNH Media Relations, provided Town Staff with practical advice for dealing with media outlets and public speaking.
- Fielded code and ordinance questions from a number of parties interested in downtown commercial properties for sale or lease.
- Assisted Newmarket Middle School with a construction consultation on the modular classroom repairs.
- Code consultations with the Newmarket School I.T. Department lead to roughly a \$1000 dollar savings in network wiring for an up-coming project.
- Installed new stage curtains in the Town Hall Auditorium and began an organization effort of excess property stored on stage and in the auditorium itself.
- Recertified as a Fire Inspector I.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>% Expended Previous Yr</u>
<i>Code Enforcement Total</i>	63,908.00	5,018.73	37,479.10	26,428.90	59%	43%

Report of the Town Clerk - Tax Collector

TAXES

2013 Tax 2 – Due 12/17/13 (Bills issued 11/14/13)

Total Committed 2013 \$18,026,379.00 (Tax 1 & Tax 2)
 Total Collected thru 01/31/14 \$17,551,158.70 (Principal & Interest)

TAX LIENS

	<u>2012 Liens</u> <u>(Deed 2015)</u>	<u>2011 Liens</u> <u>(Deed 2014)</u>
Property Tax Amount Liened	248,049.	270,860.
W/S Amount Liened	81,699.	58,651.
# Properties Liened	127	134
Uncollected thru 01/31/14	182,594.	85,978.

WATER & SEWER (1/1 THRU 1/31/14)

	<u>2014</u>	<u>2013</u>
Water Billed	51,852.	52,257.
Sewer Billed	93,363.	85,025.
Uncollected thru 01/31/14	88,960.	91,460.

TOWN CLERK REVENUE (7/1 thru 1/31/14)

	<u>Year End</u> <u>6/30/14</u>	<u>Year End</u> <u>6/30/13</u>	
Motor Vehicle (MV)	585,539.	546,150.	7.21% increase
Town “non-MV”	60,310.	55,989.	7.72% increase
State NH (MV, Vitals, Boats, Dogs)	240,450.	234,290.	2.63% increase

- Delinquency notices mailed for outstanding 2013 tax & water sewer balances. Impending lien notices to be mailed end of February for remaining unpaid balances.
- Assisted supervisors with preparations for Deliberative Session.
- Warrant articles sent to LHS for ballot preparation.
- Accepting absentee ballot requests for March 11 Town/School election.
- Motor vehicle & boat registrations continue to show steady increase.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount</u> <u>Remaining</u>	<u>%</u> <u>Expended</u>	<u>%</u> <u>Expended</u> <u>Previous Yr</u>
Town Clerk - Tax Collector Total	182,130.00	8,833.47	74,369.21	107,760.79	41%	51%

Welfare

•

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>% Expended Previous Yr</u>
<i>Direct Assistance</i>	64,200.00	3,362.37	18,180.73	46,019.27	28%	17%

Planning Department

Planning Board Activities

Applications

This is the status of applications before the Planning Board:

Chinburg Builders, Inc. plans to develop a residential open space design subdivision, involving 52 house lots, at the site of the “Rockingham County Club” at 200 Exeter Road. The plan envisions the existing golf course, to remain open to the public, and the adjacent wetlands to be preserved as open space. The application for the Special Use Permit and Subdivision was conditionally approved at the February 11, 2014 Planning Board meeting.

Rockingham County Club/Chinburg Builders, Inc. application for a two lot subdivision of the 104 acre lot “Rockingham Country Club” at 200 Exeter Road was approved at the January 21, 2014 meeting of the Planning Board. The subdivision involved the division of the lot into two conforming lots of 97.941 acres and 6.738 acres, separating the clubhouse facilities from the primary lot which will contain the residential open space design subdivision and golf course, which will become permanent open space to be protected by the Community Homeowners’ Association or land conservation organization. The application was approved at the January 21, 2014 Planning Board meeting.

Newmarket Industrial Park Lot 6, LLC/Shearwater Investment Corporation – A public hearing was held on February 11, 2014 on an application for a Major Site Review for a 24,000 square foot expansion of an existing industrial building located on Forbes Road. Tax Map R-3, Lot 8 and Tax Map R3, Lot 9-6. The site plan includes associated parking, drainage and landscaping improvements. The lots will be merged upon site plan approval. The application was accepted for technical review at the Planning Board meeting of February 11, 2014.

Landscaping Guidelines

The Planning Board adopted new landscaping guidelines at their meeting on January 21, 2014. The standards are modeled after those recommended in a 2008 publication titled “Innovative Land Use Planning Techniques: A Handbook for Sustainable Development” that was compiled by the NH Department of Environmental Services, the NH Association of Regional Planning Commissions, the NH Office of Energy and Planning, and the NH Municipal Association.

Zoning Board of Adjustment

Jeremy S. Gallant/Hubert Buchanan – The Zoning Board of Adjustment approved an application for an Appeal from an administrative decision related to the interpretation of the definition of “manufacturing” as it applies to a proposed use of the property located at 178 Main Street. The applicant proposed a furniture making business on the first floor of the building, which was approved as a “light manufacturing” use in the M-2 Zone.

Special Projects

Pedestrian Bridge/Pedestrian Safety Alternatives

During the month of February, Dubois and King, the Town’s engineering consultant, with the assistance of the Strafford Regional Planning Commission, completed a draft of a pedestrian study which evaluated lower cost solutions for enhancing pedestrian safety as an alternative to the pedestrian bridge on Main Street. The study included traffic calming measures, better signage, more clearly defined pedestrian cross-walks and other improvements. A copy of the study has been circulated to the Town Council. A public presentation of the project results will be given at the Town Council meeting on February 19, 2014 to be followed by a public hearing and further consideration by the Town Council on March 5, 2014.

Now that all the alternatives have been identified and evaluated, the Town Council will be asked to make a decision of whether to proceed with securing additional funding to build the pedestrian bridge, as originally envisioned, or to move forward with other lower cost pedestrian improvements. The Town Council approved an amendment to its engineering contract with Dubois and King at its meeting on January 8, 2014 to allow for the additional study of pedestrian safety improvements. The final engineering report is required to be submitted to the NH Department of Transportation at the end of February 2014 to be followed by the Town’s decision to move forward with the pedestrian bridge or the scaled back pedestrian improvements.

Macallen Dam Removal Feasibility and Alternatives Study

The Macallen Dam Committee met on February 3, 2014 for a project update from Gomez and Sullivan, the engineering firm hired to complete the study. The consultants provided an overview of the Technical Summary Memorandum which is a compilation of data, the results of the bathymetry survey, sediment mapping, and drawdown documentation. The study is behind schedule and it was suggested that the Town request a two month extension from the Conservation Law Foundation (the grant funder) to provide ample time for the public to review and comment on the draft report. The meeting was well-attended by both Durham and Newmarket residents.

Route 108 Shoulder Widening and Bike Path Construction Project

In 2010, the Town Meeting approved a warrant article to raise and appropriate the sum of \$809,292 to allow the Town to construct a shoulder widening and bicycle lane project from the Irving Gas Station to the Newmarket/Newfields town line. The NH DOT and Federal Highway Administration (FHWA) is providing full funding the federal Congestion Mitigation and Air Quality (CMAQ) Program and State tolls for the project. Town has selected an engineering firm and will negotiate a scope of work and contract amount with that engineering firm. A resolution will be submitted to the Town Council requesting that the Town Administrator be authorized to enter into a design contract with that firm in March 2014.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount</u> <u>Remaining</u>	<u>%</u> <u>Expended</u>	<u>%</u> <u>Expended</u> <u>Previous Yr</u>
Planning Total	120,113.00	11,080.80	61,128.80	58,984.20	51%	48%

Finance Department

Department's primary function:

- Process accounts payable, payroll, and accounts receivables not under the control of the Tax Collector.
- Monitor human resources, fiscal budget, and financial analysis and forecasting.
- Providing financial assistance and analysis to Town Departments.

Essentially, we are the “fiscal watchdog;” however, we are mindful that we are simply a service organization to other departments and the Town’s elected leaders.

Projects:

Projects have been segregated into two groups, where “major” projects require most of our attention, while “minor” projects does not.

Major Projects

- New Accounting System RFI – We have begun the planning phase of replacing our current accounting system, which includes talking to our current software provider and other communities that have the same software. The plan is to issue a “Request For Information,” which is essentially a software presentation by potential software companies. We would require managers and end users to attend and give feedback on the functionality of each system.
- Prepare year-end forecast – We are about to prepare a forecast of how the Town’s year-end financial figures that will be used by management and the Town Council to plan year-end. Our current estimate focused on health care costs, which our initial projection puts us over budget. We need to spend more time on the issue to verify our initial conclusion.

Minor Projects

- 2013 Audit – The auditors have completed their field work and provided a draft set of financial statement, which is in our review stage. I hope that it will be issued next week or the week after.
- Accounts receivables (non-tax related A/R) – We continued our monthly receivable collections efforts.
- We are working on issuing RFP’s for various services. Most important of the RFP’s that will come out shortly is vehicle maintenance.

Financial Highlights:

- The Month of January revenues and expenditures are in line with expectations, except for the following:
 - Motor vehicle permit fees continue to be stronger than expected. Currently, we are 5% above expectations or 63% of budget. I suspect this revenue will continue to be strong through the end of the fiscal year.
 - Building permits again is strong, where we are at 119% of our annual budgeted revenues.
 - State revenues are coming in stronger, however, I do not expect additional significant revenues through the end of the fiscal year other than our final highway block grant of roughly \$40,000.
 - Planning and zoning receipts is at 606% of expected revenues.
 - Ambulance revenues continue to trend lower than expected. It is my understanding that the number of ambulance calls are down, which match this trend. Although this has a negative impact on the Town's finances, it is positive to note that the health of the Town's citizens may be healthier.
 - Miscellaneous revenue includes a \$105k revenue for return of health insurance premiums from the Health Trust (formerly the LGC).
 - Sale of Municipal Property is down, but that is expected. We have not yet offered the condominium for sale that will bring revenues in line with our budget.
- Expenditures are meeting expectations as well, except for the following:
 - Town Clerk/Tax Collector is under budget, which is primarily lower salary rates for newer employees.
 - Human Resources appears to be in line with expectations; however, our initial look at health care costs will exceed our budget.
 - Welfare is under budget; however, we have heard an increase in demand that has resulted in an increase in need over the past month. The increased need is still within our allotted appropriation.
 - Assessing is under budget, which is due to employee turnover in the Town Clerk/Tax Collector's office. The assessing clerk was reassigned to the TC/TC office.
 - Legal is greater than the budget, which is due to lingering cases.
 - Planning is under budget, which appears to be evenly spread across the department's budget.
 - Although MIS and Channel 13 appears to be over expectations, these departments have purchased equipment that would not be allocated evenly across all accounting periods.
 - Although Police appears to be under budget, this department is meeting my expectations.
 - Roadways and sidewalks nearing its annual appropriation. I have briefly spoken with the DPW Director regarding this issue and we will be making a plan for year-end.
 - Street lights are under budget. I forecast that this trend will reverse slightly as we enter a new model of costing electricity.
 - Vehicle maintenance is under budget; however, I expect the majority of repairs will occur over the coming months.
 - All capital reserve fund, except for storm water management, have been transferred to the Trustees of Trust Funds.

- Solid waste continues to perform well. I will be steering my attention to this department and determine its year-end performance.
- Water appears to be above expectations; however, we have had a large capital reserve fund transfer that is skewing results.
- Wastewater appears to be under budget; however, debt service payments will be made in January.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Expended</u>	<u>% Expended Previous Yr</u>
Finance Total	209,685.00	11,772.31	125,675.32	84,009.68	60%	58%
Human Resources Total	1,363,233.67	85,700.51	722,173.31	641,060.36	53%	64%

Recreation Department

Regarding Room Rentals:

As compared to last year our room rental inquiries and opportunities have increased from last year at this time. Word of mouth and referrals definitely play a significant role in our rental opportunities increasing. We are also much better at negotiating pricing in an effort not to lose a sale. As of February, we will begin tracking both those who book with us, and those phone calls inquiries that do not book with us and for what reasons. This way we can get a better understanding of our market segment and re-evaluate our fees and policies to possibly turn our No's into Yes's.

Program Report: The Recreation Department is gearing up for another brochure mailing due out in March and a marketing blitz with many brand new programs being offered for the spring and summer months. More information will be provided in next month's report when all is confirmed.

We continue to provide our ongoing programs such as our Preschool Play Group, Preschool Sports Program, and our Wanna Iguana Mondays. All numbers are relatively steady in these programs.

Our Fit and Fun Room has seen quite an increase in participation due to the cold weather. These numbers are a good sign and allow us to create a feeder programs for our other programs.

Our New Fit and Focus Room will also be seeing more activity in the future as we just started offer several wellness and fitness programs each week with *Destination Fitness*.

The Daddy Daughter Date night had to be cancelled due to inclement weather and has been postponed until March 6th.

The Sunrise Sunset Activity will be running a Monte Carlo night on March 21st. This is a new event that the seniors asked for the recreation department to put on for them. The Tuesdays Talks at the center which started last November are now a "hit" and we get many seniors attending these talks each month. Programs continue to run all week long with cards, Wii Bowling league, the sunrise singers, and the silver lining craft club.

	<u>Budget</u>	<u>Month Exp.</u>	<u>YTD Exp</u>	<u>Amount Remaining</u>	<u>% Used</u>	<u>% Expended Previous Yr</u>
Recreation	387,053.00	17,859.52	233,593.86	153,459.14	60%	56%

TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
Resolution #2013/2014-48
Municipal Trash Bags

WHEREAS, The Town of Newmarket purchases municipal trash bags for its pay-to-throw program when its inventory becomes low; and

WHEREAS, Two bidders responded to the Town's Request for Proposal (RFP) for the Town's requirements of municipal trash bags; and

WHEREAS, WasteZero, Inc. is the low cost bidder for lots of 50,000 - 33 gallon trash bags and 20,000 - 15 gallon trash bag at \$10,650 and \$2,750 respectively.

NOW THEREFORE BE IT RESOLVED, that the Newmarket Town Council does authorize the Town Administrator to enter into an agreement with WasteZero, Inc. for the purchase of municipal trash bags.

First Reading Date: February 5, 2014

Second Reading Date: February 19, 2014

Final Council Vote: February 19, 2014

Approved: _____
Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____
Donna Dugal, Newmarket Town Clerk

Town of Newmarket
Matthew Angell
Interim Finance Director
Town Hall
186 Main Street
Newmarket, NH 03857



603-659-3617 *1304
603-659-3351 (fax)
MAngell@newmarketnh.gov

Memorandum

Date: January 22, 2014
To: Steve Fournier, Town Administrator
From: Matthew Angell, Interim Finance Director *MA*
Re: Municipal Trash Bag RFP

Steve,

The Town's current municipal trash bag provider has increased their rates, which prompted us to issue an RFP. Our current provider did not bid on the RFP; however, we received two other bids. The low cost bidder is ZeroWaste, Inc.

I recommend the Town Council adopt a resolution allowing you to enter into a contract with ZeroWaste, Inc.

Attached are copies of pricing information from each of the bidders.

Regards,
Matt

Town of Newmarket
Matthew Angell
Interim Finance Director
Town Hall
186 Main Street
Newmarket, NH 03857



603-659-3617 *1304
603-659-3351 (fax)
MAngell@newmarketnh.gov

Memorandum

Date: January 29, 2014
To: Steve Fournier, Town Administrator
From: Matthew Angell, Interim Finance Director *MA*
Re: Municipal Trash Bag RFP

Steve,

I have received a question regarding the length of the contract with the proposed bidder. The price of trash bags increase and fall with the price of oil, where I expect the price to increase within the next year. Therefore, we are going to order our requirements from the low-cost bidder for as long as we can.

Thanks,
Matt

PRICING

Item #1 - 33 gallon municipal trash bag price
for a lot of 50,000 trash bags.

(NK) 15,675.00
\$ ~~16,405.00~~ / 50,000 bags

Item #2 - 15 gallon municipal trash bag price
for a lot of 20,000 trash bags.

(NK) 3,554.00
\$ ~~3,716.00~~ / 20,000 bags

Total

(NK) ~~20,121.00~~ 19,229.00

**CONTACT INFORMATION, SUSPENSION & DEBARMENT CERTIFICATE,
AND SIGNATURE REQUIRED:**

Recent names and phone number information must be provided for at least three (3) other customers for whom these types of services have been provided.

Contact information:

Official Entity Name	ALL AMERICAN POLY	Warranty/Guarantee	One Year
Address	40 TURNER PLACE	FOB Information	Destination
City, State, Zip	PISCATAWAY, NJ 08854	Availability	20-45 days
E-mail Address	email: zeke@allampoly.com	State of Incorporation	New Jersey
Telephone Number	732-752-3200 ext 1124	Price holds for	through June 30, 2015
Fax Number	FAX# 732-752-2305	SSN or EIN	XXXXXXXXXX

Suspension and Debarment Certificate:

I certify that this vendor has not been suspended or debarred from participating in any federal or State contract or grant.

John Keli
Signature

1/13/2014
Date

BID AGENT
Title

PRICING

Item #1 - 33 gallon municipal trash bag price for a lot of 50,000 trash bags.	\$ 42.60/cs \$10,650.00/lot
Item #2 - 15 gallon municipal trash bag price for a lot of 20,000 trash bags.	\$ \$16.50 /cs \$2750.00/lot
 Total	 \$ <u>\$13400.00</u>

**CONTACT INFORMATION, SUSPENSION & DEBARMENT CERTIFICATE,
AND SIGNATURE REQUIRED:**

Recent names and phone number information must be provided for at least three (3) other customers for whom these types of services have been provided.

Contact information:

Official Entity Name	WasteZero, Inc	Warranty/Guarantee	Bags will meet specs
Address	8540 Colonnade Dr, Suite 312	FOB Information	Destination
City, State, Zip	Raleigh, NC	Availability	4 weeks ARO
E-mail Address	cblandford@wastezero.com	State of Incorporation	Delaware
Telephone Number	843-299-0353	Price holds for	Through June 2015
Fax Number	843-299-0445	SSN or EIN	XXXXXXXXXX

Suspension and Debarment Certificate:

I certify that this vendor has not been suspended or debarred from participating in any federal or State contract or grant.



Signature

01-13-14

Date

President

Title

TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
Resolution #2013/2014-49
Relating to Stair Well Door Push-Bar Hardware

WHEREAS, the State of New Hampshire Life Safety Code requires public spaces with an occupancy limit greater than 99 occupants requires latching exit doors to have panic bar hardware; and

WHEREAS, the current hardware to the Town Hall auditorium is broken and missing parts that are not obtainable; and

WHEREAS, the Town of Newmarket requested bids for panic bar hardware, and the low cost and recommended bidder is Amco Supply of Londonderry, New Hampshire for a cost not to exceed \$4,145.00; and

WHEREAS, Town Meeting created the Town Building Improvements fund on May 14, 1996 for the purpose of improving town buildings; and

WHEREAS, the Town Building Improvements fund has a balance of \$317,693 as of December 31, 2013.

NOW THEREFORE BE IT RESOLVED, that the Newmarket Town Council does hereby approve a transfer from the Town Building Improvements Fund not to exceed \$4,145 for the purpose of replacing panic bar hardware, accept the low cost and recommended bid from Amco Supply, and to authorize the Town Administrator to execute any associated agreements.

First Reading Date: February 5, 2014

Second Reading Date: February 19, 2014

Final Action by Council: February 19, 2014

Approved: _____

Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____

Donna Dugal, Town Clerk


KAMCO SUPPLY - LONDONDERRY

KAMCO SUPPLY CORP. OF BOSTON, 19 INDEPENDENCE DRIVE, LONDONDERRY, NH 03053

Tel: 603-432-2128 Fax: 603-432-7680

QUOTATION

Quotation No : 83875
 Date : 07 NOV 2013
 Expiration Date : 06 JAN 2014
 Account : NHCA
 Page No. : 1

Customer:
 OTC-NH CASH
 19 INDEPENDENCE DRIVE

 LONDONDERRY, NH 03053

Ship to:
 TOWN OF NEWMARKET
 C/O JOHN PUCHLOPEK 817-0333

Phone: 603-432-2128 Fax: 603-432-7680

Salesperson : DDD Freight : Terms : COD ONLY
 Ship Via : **SHIP DIRECT**

Qty	Description	Unit Price	Extension
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	(TOWN HALL)		
2	Fire Exit Device F-25-R-L-BE X 510L-BE DANE LHR US10,US10		
2	Fire Exit Device F-25-V-L-BE X 510L-BE DANE RHR US10,US10		
2	Fire Exit Device F-25-V-EO LHR US10		
1	FREIGHT CHARGE		

Product Sub-total	4,145.00
NH NON TAXABLE	
Total	4,145.00

The above prices are quoted subject to acceptance within 60 days and credit approval by an officer of our company. State and local taxes are not included unless specifically noted. Material will be billed proportionately as shipped. Full amount of invoice due when rendered--retainage not acceptable. On shipments made by common carrier consigned to the customer, all claims for damages in transit must be filed by consignee. We do not include cost of unloading, storage or protection of material at jobsite.

H&H Locksmith Service
3 Simons Lane
Durham NH 03824
603-659-8124

Attention Mike/Karen

Here is the estimate that Troy discussed with Mike concerning some hardware(exit devices, leversets, etc) installs and/or upgrades:

Service Call to Newark: \$65
2- VonDup 99LF26D Fire rated exit device with trim 3ft @ \$1619.00 each Total \$3238
4-VonDup 9927EO F 26D 3ft SVR Fire rated Exit device @ \$1739.00 each Total \$6956
4-Passage trim for above devices @\$327.00 each Total \$1296
Install of the 4 -9927EO devices is \$225 each Total \$900
Install of the 2-99LF devices would be \$125 each Total \$250

Grand Total \$ 12,640

**We will require 50% of the hardware cost as a down payment-\$5745 to order the parts and schedual the job.

the remaining balance(remaining hardware balance+installs) would be due within 15 days of the jobs completion.

** this is just an estimate and does not cover anything unforeseen or overlooked at time of estimate/information gathering

we would need a lead time of at least a couple weeks from time of order for delivery and then scheduling.

I hope that this has been helpful

-Dayle @ H&H Locksmith Service

if you have any questions, please feel free to call 659-8124
9-5 monday thru friday

Proposal

Page No. of

ALL DOOR & LOCK/GLASS & MIRROR INC.

P.O. Box 1702
ROCHESTER, NH 03866-1702
(603) 335-5881
FAX (603) 335-6312

PROPOSAL SUBMITTED TO TOWN OF NEW MARKET	PHONE	DATE 1-14-14
STREET	JOB NAME TOWN HALL	
CITY, STATE and ZIP CODE ATTN: JOHN P. (817-0333)	JOB LOCATION	
ARCHITECT. FAX: 659-4807	DATE OF PLANS	JOB PHONE

We hereby submit specifications and estimates for:

AUDITORIUM - LOWER LEVEL:

4 - VON DUPPIN 99 SURFACE VERTICAL ROD PANIC DEVICES w/ 2-PASSAGE LEVERS IN USIO FINISH.

STAIRWELL:

2 - VON DUPPIN 99 RIM PANIC DEVICES WITH PASSAGE LEVERS - FIRE RATED IN USIO FINISH.

FURNISHED + INSTALLED = \$7,120.00

We propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

SEVEN THOUSAND, ONE HUNDRED, TWENTY dollars (\$ **7,120.00**).

Payment to be made as follows:

NET 30 DAY

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within **30** days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____

TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
Resolution 2013/2014 -50

**Urging Congress to Support a Constitutional Amendment that Safeguards Fair
Elections by Limiting Political Spending**

WHEREAS, government is responsible to, and derives its powers from, a free people;
and

WHEREAS, our state and nation are founded upon the principle that every person
possesses inherent and inalienable rights; and

WHEREAS, that to secure these rights, governments are instituted among people,
deriving their just powers from the consent of the governed; and

WHEREAS, the very foundation of government, therefore, rests on the inalienable
rights of the people and of each individual composing their mass; and

WHEREAS, whenever any form of government becomes destructive of these ends, it is
the right of the people to alter it; and

WHEREAS, over 60% of campaign financing for elections to federal positions for
Republican and Democratic party campaigns come from large donations or political
action committees; and

WHEREAS, the amount of money spent on political campaigns has over doubled in the
past twelve years; and

WHEREAS, Fewer than one half of one percent of Americans were responsible for
eighty percent of all contributions made to candidates for federal office in 2008 and;

WHEREAS, Wall Street campaign contributions to candidates for federal office
increased five-fold from \$60 million in 1990 to \$311 million in 2008; and

WHEREAS, The consolidation of influence upon our elected officials through the control of campaign financing presents a clear and present danger to the freedoms and liberty of all American citizens.

NOW THEREFORE BE IT RESOLVED, that the Newmarket Town Council urges the New Hampshire State Legislature to join nearly 500 local municipalities and 16 other states, including all other New England states, in calling upon Congress to move forward a constitutional amendment that guarantees the right of the American people to safeguard fair elections through authority to limit political spending and clarifies that inalienable rights are possessed by individuals, and furthermore the council urges our New Hampshire Congressional delegation to support such a constitutional amendment, and urges the New Hampshire State Legislature to support such an amendment once it is approved by Congress and sent to the State for ratification.

FURTHERMORE BE IT RESOLVED, that the record and language of this resolution shall be transmitted by written notice to Newmarket's congressional delegation, to Newmarket's state legislators, and to the President of the United States informing by the Town Administrator's office within 30 days of the vote.

First Reading Date: February 5, 2014

Second Reading Date: February 19, 2014

Final Action by Council: February 19, 2014

Approved: _____

Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____

Donna Dugal, Town Clerk

TOWN OF NEWMARKET, NEW HAMPSHIRE
by the NEWMARKET TOWN COUNCIL
Ordinance #2013/2014-01
Adoption of the Administrative Code

The Town of Newmarket Ordains:

The purpose of this ordinance is to rescind all prior versions of the Town of Newmarket's Administrative Code pursuant to Town Charter Section 4.12 and replaces it with the following. This shall take effect upon adoption.

THE ADMINISTRATIVE CODE

Section 1. ADMINISTRATIVE CODE

1.1. PURPOSE

1.1.1. Pursuant to Article 4 Section 12 of the Town Charter adopted 1990, the purpose of this ordinance is to outline the general operations of the Town government

1.2. SEPARABILITY

1.2.1. If any provision of the Administrative Code is declared unconstitutional or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the ordinance and its application to other persons or circumstances shall not be affected.

1.3. ADMINISTRATIVE ORGANIZATION

1.3.1. Form of Government

1.3.1.1. Pursuant to Article 1 Section 2 of the Town Charter, the Town of Newmarket operates under the Town Council –Town Administrator form of government. The Town Council serves as the legislative body for the Town and the Town Administrator serves as its chief administrative officer.

1.3.2. Duties of the Town Administrator

1.3.2.1. Pursuant to Article 4 of the Town Charter, the Town Administrator shall serve as the Chief Administrative Officer of the Town of Newmarket. The Town Administrator shall supervise and be responsible for the

administrative and financial affairs of the Town and shall carry out the policies enacted by the Town Council. The Town Administrator may propose rules and regulations for the internal operations of the Town. The Town Administrator shall see to the enforcement of the ordinances of the Town and the laws of the State of New Hampshire. The Town Administrator shall supervise and direct the administration of the Town departments and personnel therein. They shall be responsible for:

- 1.3.2.1.1. Maintaining accounting control over the finances of the Town;
- 1.3.2.1.2. Making monthly financial reports to the Town Council
- 1.3.2.1.3. Assuring the audit and approval of authorized claims against the Town before paying the same, supervising procurement as provided by the Town Charter;
- 1.3.2.1.4. Keeping the Town Council informed of the condition of the needs of the Town and making such reports and recommendations as he may deem advisable or may be requiring of him/her;
- 1.3.2.1.5. The rental and use of all Town Facilities under his/her control
- 1.3.2.1.6. Other duties as may be assigned

1.3.3. Definition of Department

- 1.3.3.1. A department is a functional subdivision of the town government for which specific goals and tasks may be defined. Departments may be operational or budgetary. Operational Departments are departments which the head of the department reports to the Town Administrator or a single purpose elected board. A budgetary department is an entity defined by the annual budget.
- 1.3.3.2. The person in charge of a department is a department head for the purposes of this ordinance and except otherwise provided:
 - 1.3.3.2.1. Department heads shall be responsible for the safe and efficient operation of their department. They shall perform all duties and exercise all powers conferred upon their office by applicable laws, ordinances or resolutions.

1.3.3.2.2. Department heads may prescribe department rules and regulations not inconsistent with general law, this code, and the Town Personnel Ordinance, for the administration of their various departments, conduct of their employees and the proper performance of the department's business.

1.3.3.2.3. Department heads, may upon review and approval of the Town Administrator and Town Council, establish such Departmental Divisions and sub-units as may be deemed desirable in the interest of economy and efficiency, and in accordance with sound administrative principals and practices.

1.3.3.2.4. Each department head shall be responsible for maintain the operation of the Department on a close and friendly basis of cooperation with all other departments.

1.3.3.2.5. The Town Administrator shall request from each department head an itemized estimate of expenditures for the next fiscal year for their department for use in the preparation of the proposed budget for said year.

1.3.3.2.6. Each department head shall be responsible for following the provisions of the Purchasing Ordinance for their department.

1.3.3.2.7. Each department head shall be responsible for the coordination of divisional functions within that Department.

1.3.4. Reorganization of Departments

1.3.4.1. The Town Administrator may propose to the Town Council a change to the organizational structure of the Town to meet unexpected requirements of the Town or to ensure the efficient operation of the government.

1.3.5. Departmental Rules and Regulations

1.3.5.1. Each department may, with the approval of the Town Administrator, create rules and procedures for the internal operation of their department. No departmental rule shall provide for any action or ordinance that is already provided for in Town Ordinance or State Statute.

1.4. TABLE OF ORGANIZATION

1.4.1. The following table of organization defines the town government by operational departments. Nothing in this table of organization shall be construed as prohibiting additional subdivisions of the annual budget to provide more comprehensive financial control or of limiting a department head from organizing or assigning responsibility within that department.

1.4.1.1. *Department of Administration*

1.4.1.1.1. Office of the Town Administrator

1.4.1.2. *Office of the Town Clerk - Tax Collector*

1.4.1.3. *Department of General Assistance*

1.4.1.4. *Department of Finance*

1.4.1.4.1. Finance

1.4.1.4.2. Personnel Administration

1.4.1.4.3. Purchasing

1.4.1.4.4. Division of Assessing

1.4.1.5. *Department of Planning and Zoning*

1.4.1.5.1. Planning and Zoning

1.4.1.5.2. Office of Conservation

1.4.1.6. *Department of Building Safety*

1.4.1.7. *Department of Public Works*

1.4.1.7.1. Highway and Public Infrastructure

1.4.1.7.2. Cemeteries

1.4.1.7.3. Solid Waste

1.4.1.7.4. Buildings and Grounds

1.4.1.8. *Department of Environmental Services*

1.4.1.8.1. Water Services

1.4.1.8.2. Waste Water Services

1.4.1.9. *Police Department*

1.4.1.10. *Fire and Ambulance Department*

1.4.1.10.1. Fire Division

1.4.1.10.2. Ambulance Division

1.4.1.11. *Department of Emergency Management*

1.4.1.12. *Department of Information Technology*

1.4.1.12.1. Information Technology

1.4.1.12.2. Channel 13/Communications

1.4.1.13. *Department of Parks and Recreation*

1.4.1.13.1. Recreation Programs

1.4.1.13.2. Parks and Recreational Facilities

1.4.1.14. *Library*

1.4.2. Common Duties and Responsibilities

1.4.2.1. Each Department is responsible for the for the execution of town policies and programs as expressed in ordinances, annual budget, and actions of the Town Council and to the extent the actions of independent boards and commissions in the execution of their responsibilities. When a specific duty provided by state law is assigned to a department division or office, any changes in state statute shall continue to apply to the appropriate organizational body.

1.4.2.1.1. All departments are charged with:

1.4.2.1.1.1. Conducting operations in accordance with the laws of the State of New Hampshire and of the Town of Newmarket

1.4.2.1.1.2. Maintaining and caring for all property and equipment assigned to the department

1.4.2.1.1.3. Purchasing appropriate materials and equipment in accordance with purchasing policies of the Town

1.4.2.1.2. Individual departments, divisions and offices have additional responsibilities as described below.

1.4.2.2. Office of the Town Clerk - Tax Collector: The Office of the Town Clerk is listed for record purposes and is governed by the Town Clerk - Tax Collector and RSA 41, the Office of the Town Clerk - Tax Collector shall:

1.4.2.2.1. Be the repository of all official records of the Town and its boards and agencies

1.4.2.2.2. Collect all fees and issue licenses as provided by State Statute

1.4.2.2.3. Arrange for and supervise all elections and Town Meeting, and maintain all associated records

1.4.2.2.4. Collect automobile registration fees as provided by state law

1.4.2.2.5. Perform all duties of a Town Clerk as provided by state statute and Town Charter

1.4.2.2.6. Perform the duties of the Tax Collector as provided by state statute including providing notices of taxes due, depositing collections including fees and penalties in coordination with the Town Treasurer; providing notice of delinquent taxes; advertising and processing tax sales and collecting tax liens and receivables

1.4.2.2.7. Perform other duties as necessary

1.4.2.3. Department of Finance: The Department of Administration and Finance shall be responsible for the oversight of the Divisions of Finance and Personnel Administration, Assessing, and General Assistance. The department head shall be the Finance Director.

1.4.2.4. *Finance and Personnel Administration*: The Division of Finance and Personnel Administration shall:

1.4.2.4.1. Include the functions of the Town Treasury in conjunction with the Town Treasurer. The Treasurer will receive and hold the funds of the Town in accordance with the Town of Newmarket Investment Ordinance

and disburse them in accordance with State Law and Town of Newmarket policies

1.4.2.4.2. Maintain the fiscal accounting and control system of the Town in accordance with generally accepted accounting principles

1.4.2.4.3. Prepare reports of financial transactions of the Town from time to time as directed by the Town Administrator

1.4.2.4.4. Under the guidance of the Town Treasurer and in accordance with the Town of Newmarket Investment ordinance, shall invest idle funds of the Town to obtain the maximum prudent return on such investment.

1.4.2.4.5. Prepare and administer the payment of employees and maintain records of time earned and used for compensation

1.4.2.4.6. Administer employee benefits

1.4.2.4.7. Perform other duties as necessary

1.4.2.5. *Division of Assessing:* The Division of Assessing shall

1.4.2.5.1. Maintain a complete roll of the appraised value of property and improvements in the Town of Newmarket

1.4.2.5.2. Prepare and maintain all assessment and tax rolls as required by State Law or Town Ordinance

1.4.2.5.3. Perform other duties as necessary

1.4.3. Department of General Assistance: The Department of General Assistance shall provide welfare assistance to eligible recipients as provided by state law and approved Town of Newmarket General Assistance Guidelines. The head of the department shall be the Welfare Director

1.4.4. Department of Planning and Zoning: The Department of Community Development shall be responsible for the Offices of Planning (in coordination with the Planning Board and Historic District Commission); Code Enforcement, Zoning and Building Appeals (in coordination with the Zoning Board of Adjustment), and Conservation (in coordination with the Conservation Commission.) The head of the department shall be the Town Planner.

1.4.4.1. *Office of Planning:* The Office of Planning shall:

1.4.4.1.1. Provide land use and economic growth planning services to all
Town Departments and boards

1.4.4.1.2. Recommend changes in land use and other regulations to
provide harmonious and economical growth for the Town

1.4.4.1.3. Work with agencies and entities outside the Town to further the
planning and development goals of the Town

1.4.4.1.4. Provide oversight and the administration of grants awarded to
the Town.

1.4.4.1.5. Perform other duties as necessary

1.4.4.1.6. Maintain appropriate records and files

1.4.4.1.7. Perform other duties as necessary

1.4.5. Department of Building Safety: The Department of Building Safety shall be
responsible for building inspections, code enforcement, and health office. The
head of the Department shall be the Building Official.

1.4.5.1. The Department of Building Safety shall receive applications and issue
permits for the construction and renovation of structures under the State of
New Hampshire's building and safety codes.

1.4.5.2. With the assistance of the Office of Planning and in coordination with
the Zoning Board of Adjustment, interpret the zoning ordinance of the Town
and other land use regulations and enforce the building code, zoning
ordinance and related land use regulations

1.4.5.3. Shall serve as the Town's Health Officer in accordance with RSA 128.

1.4.6. Department of Public Works: The Department of Public Works shall be
responsible for the Divisions of Highway and Public Infrastructure, Solid Waste,
and Cemeteries. The head of the department shall be the Director of Public
Works.

1.4.6.1. *Division of Highways and Infrastructure:* The Division of Highways
and Infrastructure shall be responsible for all the physical structures and
facilities in the Town not assigned to another department. The Division of
Highway and Infrastructure shall:

1.4.6.1.1. Repair, maintain, construct and operate the public streets, bridges, sidewalks and rights-of-ways of the Town

1.4.6.1.2. Repair, maintain, construct and operate the storm drain systems for the town

1.4.6.1.3. Maintain and repair all Town mechanical equipment except items for which other maintenance agreements have been made

1.4.6.1.4. Perform other duties as may be assigned

1.4.6.2. *Division of Buildings and Grounds:* The Division of Buildings and Grounds shall be responsible for the maintenance of all municipally owned buildings and grounds unless assigned to another department.

1.4.6.3. *Division of Solid Waste:* The Division of Solid Waste shall be responsible for the collection, recycling and disposal of solid waste for the Town. The Division of Solid waste shall:

1.4.6.3.1. Operate and maintain the Transfer Station and Solid Waste Landfill in accordance with State Law and Town Ordinance

1.4.6.3.2. Perform other duties as may be assigned

1.4.6.4. *Department of Cemeteries:* The Division of Cemeteries is listed for record purposes only and is governed by the Board of Cemetery Trustees and State law. The Department of Cemeteries shall:

1.4.6.4.1. Ensure the proper burial of the deceased in the Town of Newmarket's public cemeteries

1.4.6.4.2. Maintain the public cemeteries in the Town

1.4.6.4.3. Maintain appropriate records and files

1.4.6.4.4. Perform other duties as may be assigned

1.4.7. Department of Environmental Services: The Department of Environmental Services shall be responsible for the Division of Water and Division of Wastewater. The head of the Department shall be the Director of Environmental Services.

1.4.7.1. *Division of Water:* The Division of Water shall:

1.4.7.1.1. Provide potable drinking water within the Town

1.4.7.1.2. Provide water for fire protection

1.4.7.1.3. Operate the water supply system (wells and treatment plants) an water distribution plants.

1.4.7.1.4. Operate the Water Fund on a utility basis.

1.4.7.1.5. Perform other such related duties as may be assigned.

1.4.7.2. *Division of Wastewater:* The Division of Wastewater shall:

1.4.7.2.1. Be responsible for the operation and maintenance of the Newmarket Wastewater Treatment Facility,

1.4.7.2.2. In coordination with Wastewater Treatment Plant Laboratory, provide laboratory services to other departments.

1.4.7.2.3. Operate the Sewer Fund on a utility basis.

1.4.7.2.4. Perform other such related duties as may be assigned.

1.4.8. Department of Parks and Recreation: The Department of Parks and Recreation in conjunction with the Recreation Commission shall be responsible for the Divisions of Recreation Programs, Parks and Recreational Facilities. The head of this department shall be the Recreation Director.

1.4.8.1. *Division of Recreation Programs:* The Division of Recreational Programs shall:

1.4.8.1.1. Provide recreational programs for the residents of the Town and others, as authorized

1.4.8.1.2. Perform other duties as may be assigned

1.4.8.1.3. *Division of Parks and Recreational Facilities:* The Division of Parks and Recreational Facilities shall:

1.4.8.1.3.1. Maintain parks and recreation facilities not otherwise assigned

1.4.8.1.3.2. Perform other duties as may be assigned

1.4.8.2. Department of Library: The Department of Library is listed for record purposes only and is governed by the Board of Library Trustees and RSA 202-a, The Department of Library shall:

1.4.8.2.1. Provide library services for the Town as provided in state law for Towns (New Hampshire Revised Statutes Annotated Chapter 202-A)

1.4.8.2.2. Maintain the Newmarket Library

1.4.8.2.3. Perform other duties as necessary

1.4.9. Police Department: The Police Department shall:

1.4.9.1. Enforce the criminal laws of the state and the penal ordinances of the Town of Newmarket

1.4.9.2. Safeguard the persons and property of the residents and visitors of the Town through activities designed to deter criminal actions and to apprehend persons who have committed crimes of whatever nature within its jurisdiction

1.4.9.3. Promote community awareness of the causes of crime and its prevention

1.4.9.4. The Police Department shall consist of the following divisions:

1.4.9.4.1. *Division of Operations*

1.4.9.4.2. *Division of Support Services*

1.4.9.5. Perform other duties as may be assigned

1.4.10. Fire Department: The Fire Department shall be responsible for the Divisions of Fire, Ambulance and Emergency Management. The head of this department shall be the Fire Chief.

1.4.10.1. *Division of Fire:* The Division of Fire shall:

1.4.10.1.1. Protect the lives and property of residents and visitors through the suppression of all unwanted fires, or where suppression is not possible, prevent the spread of fire to adjacent buildings and land

1.4.10.1.2. Promote the prevention of unwanted fire by enforcement of state and local fire prevention codes and fire prevention education

1.4.10.1.3. Through the office of the Town Forest Fire Warden, appoint Deputy Forest Fire Wardens, provide permits for planned fires that meet state law and requirements, and suppress fires that are not permitted.

1.4.10.1.4. Perform other duties as may be assigned

1.4.10.2. *Division of Ambulance:* The Division of Ambulance shall:

1.4.10.2.1. Provide emergency medical services by responding to calls for assistance for medical aid

1.4.10.2.2. Maintain a mutual aid network

1.4.10.2.3. Perform other duties as may be assigned

1.4.11. Department of Emergency Management: The head of the Emergency Management Department is the Emergency Management Director. The Department of Emergency Management shall:

1.4.11.1.1. In accordance with the Town of Newmarket Emergency Management Plan insure the complete and efficient utilization of Town emergency response resources

1.4.11.1.2. Develop and maintain an effective communication system to work with all Town Departments and state and federal communication networks in accordance of RSA 21-P:38.

1.4.11.1.3. Maintain the Town's Emergency management Plan in accordance with the rules and regulations of the New Hampshire Bureau of Emergency Management

1.4.11.1.4. Perform other duties as may be assigned

1.5. TOWN BOARDS, COMMITTEES AND COMMISSIONS

1.5.1. **Planning Board**

1.5.1.1. The Planning Board shall be made up of six (6) members elected by the town at-large and one Town Councilor appointed by the Town Council. It shall conduct its business in accordance with NH RSA Chapter 673 or its successor.

1.5.2. **Zoning Board of Adjustment**

1.5.2.1. The Zoning Board of Adjustment shall be made up of five (5) members appointed by the Town Council and shall conduct its business in accordance with NH RSA Chapter 673 or its successor.

1.5.3. Cemetery Trustees

1.5.3.1. There shall be a three (3) person board of Cemetery Trustees appointed by the Town Council. The board shall have charge of the public cemeteries in the Town subject to budgetary limitations imposed by the Town Council.

1.5.4. Municipal Budget Committee

1.5.4.1. The Municipal Budget Committee shall be made up of eleven (11) members; nine (9) members elected by the Town at-large, and two additional members one member of the Town Council, and one member of the Newmarket School Board. The Municipal Budget Committee shall conduct its business in accordance with and shall conduct its business in accordance with NH RSA Chapter 32 or its successor.

1.5.5. Supervisors of the Checklist

1.5.5.1. The Supervisors of the Checklist shall be elected and shall perform their duties in accordance with Article 5 of the Town Charter and NH RSA 654 and its successors.

1.5.6. Trustees of the Trust Funds

1.5.6.1. The Trustees of the Trust Funds shall consist of three (3) members and shall be elected as provided by State Law and shall have the duties and responsibilities as provided by NH RSA 31:19.

1.5.7. Conservation Commission

1.5.7.1. The Conservation Commission shall be made up of five (5) members appointed by the Town Council. The terms of the Conservation Commission shall be for three years and shall overlap. One member of the Conservation Commission may also serve as a member of the Planning Board.

1.5.7.2. The duties of the Conservation Commission shall be to promote and develop the natural resources of the Town and to protect its watershed resources. The Conservation Commission shall have such other duties as provided in state law for conservation commissions (RSA 36-A.)

1.5.8. Library Trustees

1.5.8.1. There shall be a five (5) member board of Library Trustees of the Newmarket Library elected for a term of three years. The trustees shall exercise the powers of library boards of trustees for towns as contained in NH RSA Chapter 202-A or its successor.

1.5.9. Veteran's Memorial Trust

1.5.9.1. There shall be a five (5)-member board of Trustees of the Veteran's Memorial Trust appointed for a term of three years. The trustees shall oversee the establishment, maintenance, care and improvements of the town's veterans' memorials.

1.5.10. Town Treasurer

1.5.10.1. There shall be a Town Treasurer elected by the town at-large for a term of three (3) years. They shall exercise the powers associated with town treasurers as provided by state law in NH RSA Chapter 41.

1.5.11. Town Clerk - Tax Collector

1.5.11.1. There shall be a Town Clerk - Tax Collector elected by the town at-large for a term of three (3) years. They shall exercise the powers associated with town clerks as provided by state law in NH RSA Chapter 41.

1.5.12. Town Moderator

1.5.12.1. There shall be a Town Moderator elected by the town at-large for a term of three (3) years. They shall exercise the powers associated with town moderators as provided by state law.

1.5.13. Economic Development Committee

1.5.13.1. The Economic Development Committee shall be made up of nine (9) members. Two (2) members shall be appointed by the Town Council from its membership annually. One (1) member shall be appointed by the Planning Board from its membership annually. Two (2) members shall be appointed by the Newmarket Community Development Corporation from its membership annually. Two (2) members shall be appointed by the Newmarket Business Association from its membership annually. Two (2) members shall be appointed at-large by the Town Council for a term of three (3) years.

1.5.13.2. The purpose of the Economic Development Committee is to foster sensible economic growth in the community.

1.5.14. Highway Safety Committee

1.5.14.1. The Highway Safety Committee shall be made up of nine (9) members. The Town Administrator, Director of Public Works, Police Chief, Fire Chief, Superintendent of Public Schools, the Town Planner, the Building Official shall be ex officio members. There shall be one (1) member appointed by the Town Council from its membership. There shall be one (1) member appointed by the Town Council for a term of three (3) years.

1.5.14.2. The purpose of the Highway Safety Committee is to review and discuss of issues and subsequently make recommendations to the Town Council for implementation/placement of signage, repairs and maintenance, striping, make recommendations concerning the town's present and future needs for traffic control signs and signalization and the like in accordance with RSA238:6. In addition, to advise, upon request, any town board, committee, commission regarding matters pertaining to highway safety.

1.5.15. Personnel Advisory Board

1.5.15.1. There shall be a Personnel Advisory Board of three (3) citizens holding no other political office, who shall be appointed as follows: One (1) member by the Town Administrator, one (1) by the Town Council and the third by these two (2) appointees. The terms of all members shall be for three (3) years. It shall be the duty of the Personnel Advisory Board to study the broad problems of personnel policy and administration, to advise the Council concerning the personnel policies of the city and to advise the Town Administrator regarding administration of the Merit Plan and to hear appeals from any employee aggrieved as to the status or condition of his or her employment or retirement. The Board shall promptly issue written reports containing findings of facts and recommendations to the Town Administrator upon such appeals, but the board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee without just cause. The term "employee" as used in this section shall not include department heads and officers of the Town. Nothing herein shall be construed as prohibiting an appeal by an aggrieved employee to the court.

This Ordinance shall become effective upon its passage.

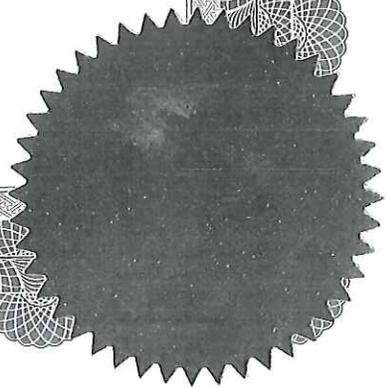
First Reading: October 2, 2013

Second Reading: November 6, 2013

Final Approval: November 6, 2013

Approved: _____
 Gary Levy, Town Council Chairman

True and Attest Copy: _____
 Donna Dugal, Town Clerk



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
Resolution #2013/2014-45
Accepting Harvest Way as a Town Street

WHEREAS, The Home Owner's Association of Harvest Way has requested that Harvest Way be accepted as a Town street, and

WHEREAS, The Department of Public Works and Planning Department have reviewed the street and determined it meets the Town standards and specifications for street acceptance.

NOW THEREFORE BE IT RESOLVED, by the Newmarket Town Council that Harvest Way be accepted as a Town street.

First Reading Date:	January 8, 2014
Second Reading Date:	January 22, 2014
Final Action by Council:	January 22, 2014 (Tabled)

Approved: _____
Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____
Donna Dugal, Town Clerk

RECEIVED

FEB 11 2014



TOWN OF NEW MARKET
ADMINISTRATOR'S OFFICE

APPLICATION FOR APPOINTMENT TO A BOARD,
COMMISSION, OR COMMITTEE POSITION WITHIN THE
TOWN OF NEWMARKET

Applicant's Name: JOHN DEZIEL

Address: PACKERS FALLS ROAD Phone/Cell (603) 219-3000

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 17 YEARS
RSA 91:2 Are you an American Citizen? Yes No (SINCE 1995)

Email address: VolunteerNHFD@gmail.com

Full membership (3 year term) position applying for MACALLEN DAM COMMITTEE

State what the new term expiration date is: _____

Alternate position (3 year term) position applying for _____

State what the new term expiration date is: _____

I feel the following experience and background qualifies me for this position: _____

I HAVE BEEN A RESIDENT OF NEWMARKET FOR OVER
17 YEARS, AND LIVE ON THE RIVER. KNOW IT VERY WELL.
I HAVE SERVED (IN THE PAST) WITH VARIOUS NEWMARKET
COMMITTEES ETC. (BUDGET COMMITTEE, NEW SUPERINTENDENT
(need more room, please use the back) FIRE DEPT. COMMITTEE COMMITTEE

Signature [Handwritten Signature]

Date FEBRUARY 06, 2014

You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Council meeting to address the Town Council prior to the decision making process. Applicants will be notified of the time and date of this meeting in advance. Thank you for your application and interest in the Town of Newmarket.

I GREATLY VALUE THE PEOPLE, HISTORY
PLACE OF NEWMARKET AND WANT TO HELP
THE TOWN THRIVE LONG-TERM W/SERVICE

RECEIVED

RECEIVED
TOWN OF NEW MARKET
MAY 10 1999

I HAVE BEEN INFORMED BY SEVERAL
WITHIN TOWN THAT THERE IS AN
AVAILABLE POSITION ON THE COMMITTEE.
I WOULD BE HONORED TO CONTRIBUTE
TO A HEALTHY PRODUCTIVE CONVERSATION
AS IT RELATES TO THE RIVER, DAM
OUR NEWMARKET TOWN.

THANK YOU FOR YOUR CONSIDERATION
TIME AND CARE!

SINCERELY,

JOHN

TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
Resolution #2013/2014-51

Purchase of a 2015 Ford F-250 for \$31,561.00 for the Water and Sewer Department

WHEREAS, the Town of Newmarket Water and Sewer Departments have been setting aside monies in Capital Reserve funds for vehicle replacement, and

WHEREAS, the 1996 Chevrolet 2500 utility truck will not pass inspection due to structural problems, and

WHEREAS, the Water and Sewer Department previously proposed the purchase of a used vehicle to replace it and the Town Council asked the Superintendent to search for a new truck with less expensive storage options, and

WHEREAS, the Water and Sewer Department was able to find a new 2015 Ford F-250 that can have side truck storage boxes mounted to the back, and

WHEREAS, the 2015 Ford F-250 with side mounted storage boxes is \$4,709 less than a Ford F-250 with a utility body.

NOW THEREFORE BE IT RESOLVED, by the Newmarket Town Council, that the Town Council authorizes the purchase of a 2015 Ford F-250 not to exceed \$31,561.00 and authorizes the Town Administrator to execute any agreements associated with the purchase, and that the amount of \$15,780.50 be withdrawn from both the Water Capital Reserve Fund and Sewer Capital Reserve Fund to cover the associated costs.

First Reading Date: February 19, 2014

Second Reading Date:

Final Action by Council:

Approved: _____
Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____
Donna Dugal, Town Clerk.

TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
Resolution #2013/2014-52

Accepting a Preferred Alternative to the Pedestrian Bridge Project

WHEREAS the Newmarket Town Council has reviewed the proposed pedestrian bridge and alternative plans to enhance pedestrian safety along Rt. 108; and

WHEREAS the pedestrian bridge, as proposed, would be an estimated \$700,000 higher than originally proposed; and

WHEREAS, of the six alternatives presented to the Town Council, the Town prefers to go forward to the design stage with *Alternative 3* as outlined in the Dubois and King study that improves pedestrian safety in the downtown area via streetscaping and other enhancements.

NOW THEREFORE LET IT BE RESOLVED by the Newmarket Town Council that it hereby approves *Alternative 3*, as proposed by the Town's engineering firm, as the "preferred alternative" and forwards that recommendation onto the NH Department of Transportation.

First Reading Date: February 19, 2014

Second Reading Date:

Final Action by Council:

Approved: _____

Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____

Donna Dugal, Town Clerk.