



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

**REGULAR MEETING APRIL 1, 2015 7PM
NEWMARKET TOWN HALL COUNCIL CHAMBERS**

6:00 PM NON-PUBLIC RSA 91-A:3 II PERSONNEL/LEGAL

- 1) **Pledge of Allegiance**
- 2) **Presentation of Appreciation**
- 3) **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.***
- 4) **Public Hearing - NONE**
- 5) **Town Council to Consider Acceptance of Minutes**
 - a) Minutes of March 18, 2015
- 6) **Report of the Town Administrator**
 - a) Presentation by Sean Greig, Superintendent of Environmental Services
- 7) **Committee Reports**
- 8) **Old Business**
 - a) Ordinances and Resolutions in the 2nd Reading
 - i. *Resolution #2014/2015-47 Agreement with Wright Pierce for Bidding Services for WWTP Improvement Project*
 - ii. *Resolution #2014/2015-48 DBU Construction Perform Horizontal Directional Drill for MacIntosh Well Project*
 - b) Ordinances and Resolutions in the 3rd Reading
 - c) Items Laid on the Table – NONE *(Items will remain on the table unless a member of the Town Council moves to remove the item.)*
- 9) **New Business/Correspondence**
 - a) Town Council to Consider Nominations, Appointments and Elections
 - i. **Appointment of Town Council Reps to a Committee/Commission**

<i>Advisory Heritage</i>	<i>Highway Safety</i>
<i>CIP Committee</i>	<i>Conservation Commission</i>
<i>Economic Development</i>	<i>Cable Franchise Renegotiations</i>
<i>School/Town Advisory Committee</i>	<i>Macallen Dam Committee</i>

- ii. **Advisory Heritage Committee:** **4 Vacancies**
NO CANDIDATES **4 Alternates**
- iii. **Cemetery Trustee Committee:** **2 Vacancies**
Candidate: Michael Pelczar Term Expires March 2018
Candidate: Richard Alperin Term Expires March 2018
- iv. **Conservation Commission:** **2 Vacancies 2 Alternates**
Candidate: Jeffrey Goldkrupt Term Expires March 2018
Candidate: Drew Kiefaber Term Expires March 2018
NO CANDIDATES: 2 Alternates Terms Expire March 2018
- v. **Economic Development:** **1 Vacancy At Large**
Candidate: Bill Arcieri At Large Member
- vi. **Housing Authority:** **2 Vacancies**
Candidate: Dominic Rovetto Term Expires March 2020
NO CANDIDATE: One Term Expires March 2019
- vii. **Trustees of the Library:** **1 Vacancy**
Candidate: Joan DeYoreo Term Expires March 2018
- viii. **Veterans Memorial Trust:** **2 Vacancies**
Candidate: Philip Nazzaro Term Expires March 2018
NO CANDIDATE: One Term Expires March 2018
- ix. **Zoning Board of Adjustment:** **2 Vacancies**
NO CANDIDATES: Terms Expire March 2017 and 2018
NO CANDIDATES: **Alternates 5 Vacancies**
1 Term Expires March 2016
2 Terms Expire March 2017
2 Terms Expire March 2018

- b) Ordinance and Resolutions in the 1st Reading
 - i. *Ordinance #2014/2015-02 Adopting the Codification of the Ordinance Book*
 - ii. *Resolution #2014/2015-49 Town Council Rules for Proceedings*
- c) Correspondence to the Town Council
- d) Closing Comments by Town Councilors

10) Adjournment

DRAFT

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

March 18, 2015 7:00 PM

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

ALSO PRESENT: Town Administrator Steve Fournier

EXCUSED: None

AGENDA

Chairman Levy welcomed all present and called the meeting to order at 7:01 pm, followed by the Pledge of Allegiance.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

Chairman Levy asked Town Administrator Fournier to briefly go over the protocol for choosing the new officials. Town Administrator Fournier stated that new Chairman and Vice Chairman were required to be elected at the first regular business meeting of the Town Council. He said that procedurally, if there was more than one (1) nominee, they would take up both nominations and go around the room which each Councilor stating his/her preference.

Town Council Chairman

Councilor Weinstein nominated Councilor Phil Nazzaro for Town Council Chairman, and Vice Chair Pike seconded the nomination.

As there were no other nominations put forward, the nomination to elect **Councilor Phil Nazzaro** as the new **Town Council Chairman** passed the council by a vote of 7-0.

Town Council Vice Chairman

Councilor Amy Thompson nominated Councilor Gary Levy for Town Council Vice Chairman, and Councilor Pickering seconded the nomination.

Councilor Weinstein nominated Councilor Dale Pike for Town Council Vice Chairman, but he declined.

As there were no other nominations put forward, the nomination to elect **Councilor Gary Levy** as the new **Town Council Vice Chairman** passed the council by a vote of 7-0.

PRESENTATION OF APPRECIATION

Chairman Nazzaro welcomed former Councilors Dan Wright and Ed Carmichael to the meeting. He stated that he was speaking for all Councilors in saying that both had done the Town proud through their professionalism and dedication. He said that there had always been healthy and robust discussions provided which benefitted the community, and that both Dan Wright and Ed Carmichael had put their personal desires aside to discuss what was best for the community during their tenure. He stated that he was sorry to see them go, and that it was his honor and privilege to present each with a token clock. He added that former Councilor John Bentley had been unable to attend the meeting.

TOWN COUNCIL TO APPOINT TOWN COUNCIL REPRESENTATIVES TO PLANNING BOARD AND BUDGET COMMITTEE

Planning Board and Planning Board Alternate

Vice Chair Levy nominated Councilor Dale Pike as Town Council Representative on the Planning Board, and Councilor Weinstein seconded the nomination.

As there were no further nominations put forward, the nomination to appoint **Councilor Dale Pike** as Town Council Representative on the **Planning Board** passed the council unanimously, 7-0.

Budget Committee Representative

Councilor Amy Thompson nominated Councilor Larry Pickering as Town Council Representative for the Budget Committee, which was seconded by Vice Chair Levy.

As there were no other nominations put forward, the nomination to appoint **Councilor Larry Pickering** as Town Council Representative on the **Budget Committee**, passed the council unanimously, 7-0.

Alternate Representative to the Planning Board

Chairman Nazzaro asked for nominations for an Alternate Town Council Representative to the Planning Board. As no nominations were forthcoming, he then asked for volunteers. Vice Chair Levy offered to fill the position as did Councilor Amy Burns.

Councilor Pike nominated Councilor Levy as Alternate Town Council Representative to the Planning Board, which was seconded by Councilor Weinstein. Councilor Amy Thompson nominated Councilor Amy Burns, which was seconded by Councilor Levy.

Councilor Levy was approved as **Alternate Representative to the Planning Board**, by a vote of 6-1.

PUBLIC FORUM

Chairman Nazzaro opened the Public Forum at 7:11 pm and asked whether anyone from the public wished to speak.

Mr. Allen of Moody Point addressed the Council. He first referred to information he had distributed to the Council regarding the opening of the Panama Canal. He said that "in our own Town paying taxes" was a consolidation/dispatch center in Newfield for the overflow in Newmarket. A connection could be made from Route 152 to the line, then to Route 125 and to Epping, with the biggest ships in the world coming in. He said that consolidations equaled jobs, with 200 truck drivers floating a ship for \$60,000 per year, and that consolidators would be willing to move to the area to put a ship together. He said that alternative gas from the dump could be used to pump natural gas for refrigeration. He mentioned the specialized cranes were needed for ships, and that appliance dealers would be needed which could drop costs of appliances by \$20/each. He said that cars could be loaded on a roll on/roll off service from the East Coast, and cattle could also be shipped out instead of first being hauled by livestock trailer to California. He added that refrigerated containers could also be used to transport produce overseas. He said that consolidation companies would work well here and boom business for the Town. Mr. Allen next stated that the property owners in Town were not happy with how the School was acting, specifically in regard to the Joint Advisory Committee. Chairman Nazzaro suggested that Mr. Allen address the School Joint Advisory Committee with his concerns. Mr. Allen stated that the School needed to learn to negotiate and that they were a corporation playing boardroom tactics against Council members, but that the Town was also a corporation. He felt that bringing up first amendment rights and 14th amendment rights regarding protection of law at a meeting should result in more than an "invitation". Chairman Nazzaro suggested that if he had an issue with the way a meeting was being run by a committee, that he tell that committee. Mr. Allen then raised the issue of the 75 students in Newmarket who were being home schooled. He stated that the School said very little money was being spent, but that incentives paid by the School came to approximately \$10,000 per student. Chairman Nazzaro suggested that he speak with the School Board regarding this issue and encouraged him to attend the next meeting.

Chairman Nazzaro closed the Public Forum at 7:20 pm.

PUBLIC HEARING – None

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Acceptance of Regular Minutes of March 4, 2015

Vice Chair Levy made a motion to approve the minutes of the regular meeting of March 4, 2015, and Councilor Weinstein seconded.

As there were no changes or questions, Town Administrator Fournier polled the council and the minutes of the Regular Meeting of March 4, 2015 were approved 4-0, with 3 abstentions.

Acceptance of Non-Public Minutes of March 4, 2015

Town Council
March 18, 2015 - Regular Meeting

Vice Chair Levy made a motion to approve the minutes of the non-public meeting of March 4, 2015, and Councilor Weinstein seconded.

As there were no changes or questions, Town Administrator Fournier polled the council and the minutes of the Non-Public Meeting of March 4, 2015, were approved 4-0, with 3 abstentions.

Acceptance of Budget Review Session II Minutes of October 29, 2015 (Revised)

Councilor Weinstein made a motion to accept the revised minutes of the Town Budget Review Session II, held on October 29, 2015. Vice Chair Levy seconded the motion.

As there were no changes or questions, Town Administrator Fournier polled the council and the minutes of the Town Budget Review Session II, October 29, 2015 were approved 4-0, with 3 abstentions.

REPORT OF THE TOWN ADMINSTRATOR

Town Administrator Fournier first took the opportunity to **welcome the new councilors**: Councilor Burns, Councilor Pickering, and Councilor Thompson. He stated that he had provided them with copies of the Town Charter, Council Rules of Procedure, and information on the Right-to-Know Law and parliamentary procedures, and that he would be scheduling an orientation session. He next reported that there was a vacant position on **Trustees of the Trust Funds**, and that the Town Council should fill this vacancy. He asked that interested persons contact him to fill out an application. He next addressed **COAST Bus Service Route 7**, stating that service to Newmarket would be ending effective July 1, 2015. He said that this also included all ADA paratransit service for the disabled, and that COAST had cited lack of local financial support from communities along the route as the reason for eliminating services. He added that \$23,000 had already been budgeted for the next fiscal year, which would not be distributed. Town Administrator Fournier stated that there was an additional transportation option for the Town with UNH Wildcat Transit, which was open to the public, and would be routed through Durham, Dover and Lee with transfer available to Portsmouth. He added that Lamprey Health Care would continue to provide transportation services for the elderly and disabled in the community, and stated that the Federal Transit Administration required that public outreach meetings be scheduled prior to any elimination of services.

Town Administrator Fournier next reported on the **Fiscal Year 2015 Budget**, stating that 67% of the budget had been expended by the end of February. He said that Public Works had seen some of the larger expenses due to winter storms, and that overtime, salt, winter equipment rental, and vehicle maintenance were all over expended, though the departments were not. At the current rate of expenditures, he estimated being 0.5% under budget at the end of the fiscal year, and said he had advised department heads to limit discretionary spending. He stated that they were continuing to see higher than anticipated revenues, with motor vehicle registrations up 5% over last year and building permits up 72%, with 77% of estimated revenues collected to date. Town Administrator Fournier lastly addressed the **Waste Water Treatment Regionalization**, with regard to the request from the Council to provide further research on costs. He stated that he had asked Wright Pierce to prepare a presentation to be made to the Council sometime in April, and was asking a third party to review the estimated costs.

He added that Mr. Bill Arcieri, the Town representative to the Southeast Watershed Alliance, would be providing an update on their group efforts to address the non-source point nitrogen issue, which would also be scheduled for April.

Town Administrator Fournier addressed one more issue regarding the upcoming **Spring Cleanup**, not included in his written report. He stated that due to a shrinking program budget, it would not be the same as in past years. As a result of the financial constraints, the program would be cut back and only done on certain days.

Discussion: Councilor Pike questioned the number of pie charts used in the Fire & Rescue report, and suggested different formats be used for presenting some of the information. Councilor Weinstein asked whether the UNH Wildcat bus service included services for the disabled, and Town Administrator Fournier replied that they did not offer scheduled pickup service. Councilor Weinstein next questioned the accuracy of the website regarding listed vacancies, as some of the listings did not seem to be up-to-date. Town Administrator Fournier asked that she report any errors found to him or the Administrative Assistant. She said that she understood that the Town Council appointed the Trustees of the Trust Fund, and asked the process for other boards listed. Town Administrator Fournier said that it depended on the board. Councilor Weinstein then asked how notification for the upcoming Visioning Process, listed on the Planning Board report, would be communicated as it was scheduled to be held in one (1) month. Town Administrator Fournier replied that notification would be sent through the press, via email newsletter, and by Channel 13, and that he would verify the date. Councilor Thompson stated that she had been a member-at-large on the Economic Development Committee, and that a vacancy would be opening up. She then asked whether there would be any opportunities during the Spring Cleanup for the Scouts or Linked Together to participate, perhaps assisting the elderly or disabled. Town Administrator Fournier replied that the Town would be picking up for the elderly or disabled, and that certain materials could not be picked up by the youth due to liability issues with the chemicals. He added that he would look into possible volunteer opportunities.

Vice Chair Levy questioned the \$23,000 that had been budgeted for COAST Bus Service, specifically the wording that the funding would not be distributed and any future contribution would have to relate to COAST services provided. He understood that the money would then remain untouched and would not be fungible, and felt that the wording was confusing. Town Administrator Fournier replied that the funds would not be distributed to COAST and that the line item would remain in the budget. Vice Chair Levy asked if no alternative to COAST was found, would the funds be earmarked only for transportation, and Town Administrator Fournier replied that funds could be moved around. Vice Chair Levy then cited the revenue increases in Motor Vehicle registrations and in building permits, and asked whether information could be presented to the Council at the next meeting showing what this equated in dollars and cents. He then asked Town Administrator Fournier who he had in mind as a third party to review the estimated costs for the Waste Water Treatment Regionalization. Town Administrator Fournier replied that he planned to use Hoyle Tanner, a firm out of Manchester and Portsmouth. Vice Chair Levy also suggested that under Planning, some sort of timeline be used regarding the Newmarket Industrial Park Excavation so that it would not go on to infinity. Chairman Nazzaro seconded the suggestion made by Councilor Weinstein regarding updating appointments and vacancies listed on the website. He then questioned whether any sort of information campaign was being planned to inform people on a day-to-

day basis of changes to the transportation services for the community with regard to COAST. Town Administrator Fournier replied that Exeter and Newmarket would be meeting with COAST to investigate other possible alternatives, and that Wildcat Transit was already providing routes. Chairman Nazzaro felt that it was unconscionable for COAST to be cutting an entire bus line and only scheduling one meeting for a Tuesday afternoon, and asked if an evening or weekend meeting could be set up.

Chairman Nazzaro next announced the recent promotions in the Fire Department, and congratulated new Deputy Chief Bill Barr, new Captain Evan Bonney, and new Lieutenants Kenny Kao and Matt Kelley.

Councilor Pike asked whether a meeting had yet been set up regarding the bike paths proposed for the Town, and Town Administrator Fournier replied that a date had not yet been set. Vice Chair Levy questioned the accuracy of the budgeting for gas and diesel under Public Works. He pointed out that \$16,000 had been budgeted in 2014 and \$46,700 spent, with \$16,000 also budgeted for 2015 and \$33,000 spent. Town Administrator Fournier replied that in the past they had been closer to the \$16,000, but that the increase in snow events over the past two years had resulted in the overages. Vice Chair Levy also questioned the increase under Contracted Services, and Town Administrator Fournier replied that the bulk of the cost was due to snow removal using bucket trucks and loaders overnight, for which they contracted out. Vice Chair Levy expressed that he was relieved to hear that the young child involved in the recent child abuse situation was doing well, and asked that this be passed along to the Police Department and the family.

COMMITTEE REPORTS

Councilor Weinstein reported on the prior week's meeting of the Conservation Commission. She stated that a representative from Wright Pierce had given a presentation on "alteration of terrain", and that the Conservation Commission had no concerns or comments regarding the issue. She said that there had been a presentation from Southeast Land Trust proposing they take over the open space conservation of a development off Bald Hill Road. She said that they had discussed whether the Homeowners Association or a conservation group would be the best owner of the property. The Conservation Commission had agreed that the owner should be a conservation group and said that they were looking for funding.

Vice Chair Levy reported on the School Joint Advisory Committee, saying that Councilor Pike had stepped in and had made a nice contribution. He said that Mr. Randy Bell was on schedule to sum up the process by April 15th. He encouraged anyone interested in the School Joint Advisory Committee who wished to have input as to the three (3) options being considered, with the costs and how they interact, to be present at the next meeting with questions. He said that Mr. Bell had met with the seniors at the Senior Center and that they had expressed their concern regarding the teachers, the students, and making the costs affordable. Councilor Pike added that the group cared very much and would like to see a local High School. Vice Chair Levy said that Mr. Bell was looking at giving his thoughts on the next steps to the School Board, once the whole product was summarized. He said that the meetings would be starting next week, and that Mr. Bell had suggested signing up at the SAU office.

Vice Chair Levy reported that at the next meeting of the Economic Development Committee they would be discussing zoning, potential development, and types of development for elderly housing.

Chairman Nazzaro pointed out that there were other committees that were appointed positions, and that if Councilors desired to be on a specific committee, they should let him know. Town Administrator Fournier said that he would send out an email listing of the other committees.

Councilor Thompson asked what she needed to do regarding her at-large vacancy on the EDC committee. Chairman Nazzaro said that she should ensure that one of the Councilors was on that board, and they would advertise that there was an at-large position available. Vice Chair Levy stated that there were two (2) at-large positions, and Chairman Nazzaro advised they not attend any meetings until further notice. Vice Chair Levy said that in addition to the website issues raised by Councilor Weinstein, he felt that it would be also be helpful for the Council to be made aware of open appointments, particularly openings the Council needed to weigh in on, before the meeting requiring the vote. He next pointed out that the Economic Development Committee (EDC) currently consisted of eleven (11) members, and that as chairman he had found it difficult to get everyone to a 5:30 pm meeting. Chairman Nazzaro asked Town Administrator Fournier how the EDC would go about making such a change, and he replied that the Council would decide. Vice Chair Levy felt that nine (9) members was a healthy committee and that if the spots were not filled, the Council might want to reconsider the number of members. Chairman Nazzaro suggested he make an agenda item for a future meeting.

Councilor Pike went back to the School Joint Advisory Committee meeting and said that he felt it was important to address what assumptions were inherent in the Model, what the weaknesses were, and what things were not accounted for. He felt that this would allow people to better understand the conclusions regarding the Model, if they understood how the Model was constructed. Vice Chair Levy said that Mr. Bell had concluded that a 30-year bond might be the most realistic number of years, as they should equal the number of years for evaluating the cost/benefit. He added that he had asked Mr. Bell about the savings to the Town with a 20-year bond and what the impact would be to the tax rate. Chairman Nazzaro recommended that anyone wanting to know about the Model and costs involved should plan to attend the April 7th meeting.

OLD BUSINESS

ORDINANCES AND RESOLUTIONS IN THE 2ND READING

Resolution #2014/2015-46 Naming Certain Streets in Town – Hayden Place (Off Bald Hill Road)

Councilor Thomson made a motion to approve *Resolution #2014/2015-46 Naming Certain Streets in Town – Hayden Place*, and Councilor Burns seconded.

Town Administrator Fournier polled the council and the motion to approve *Resolution #2014/2015-46* passed unanimously, 7-0.

ORDINANCES AND RESOLUTIONS IN THE 3ND READING - None

Town Council
March 18, 2015 - Regular Meeting

ITEMS LAID ON THE TABLE - None

NEW BUSINESS/CORRESPONDENCE

TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS - None

ORDINANCES AND RESOLUTIONS IN THE 1ST READING

Resolution #2014/2015-47 Agreement with Wright Pierce for Bidding Services for Wastewater Treatment Plant (WWTP) Improvement Project

Chairman Nazzaro read *Resolution #2014/2015-47 Agreement with Wright Pierce for Bidding Services for Wastewater Treatment Plant (WWTP) Improvement Project*, in full.

Resolution #2014-2015 – 48 DBU Construction to Perform Horizontal Directional Drill for MacIntosh Well Project

Chairman Nazzaro read *Resolution #2014-2015 – 48 DBU Construction to Perform Horizontal Directional Drill for MacIntosh Well Project*, in full.

CORRESPONDENCE/CLOSING COMMENTS

Councilor Weinstein brought up the Newmarket Community Education Partnership (NCEP), a group that last year granted \$17,000 to programs that directly affect the youth of the Town. She said that though most of the money goes to the School, some of the funds go to the Recreation Center and that she had copies of the latest newsletter available. Vice Chair Levy said that he personally wanted to thank former Councilor Bentley for his five (5) years of service and felt that Newmarket should be very grateful.

ADJOURNMENT

Vice Chair Levy made a motion to adjourn the meeting, which was seconded by Councilor Weinstein. The meeting was adjourned at 8:01 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary.

STEPHEN R. FOURNIER
TOWN ADMINISTRATOR

sfournier@newmarketnh.gov
www.newmarketnh.gov



TOWN HALL
186 MAIN STREET
NEWMARKET, NH 03857

TEL: (603) 659-3617
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

April 1, 2015

Spring Cleanup: We have scheduled Spring Cleanup Day. Spring Cleanup days and hours of operation are May 2 Saturday 7:30 AM - 4:00 PM; May 6 Wednesday 7:30 AM - 6:00 PM; May 9 Saturday 7:30 AM - 4:00 PM all at the transfer station. On those days, Newmarket residents may take items to the Transfer Station as scheduled below. Residents are limited to one pickup load of bulky waste. Additional loads will require a coupon that may be purchased at the Transfer Station. Brush, leaves, and scrap metal do not count as bulky waste and are not limited.

The only residents eligible for curbside pickup are those who are disabled or are senior citizens at least age 62. These residents **MUST** call the Public Works office at 659-3093 prior to the start date to be put on the schedule for pick up.

No contractors or commercial properties are allowed to bring materials.

If you have any questions concerning this year's program information is on the Town website, the email newsletter or people can call the Department of Public Works at 659-3093.

Municipal Code: I am happy to say that we have finally received our copies of the codified Town Ordinances from Municode. In the past, we had a series of individual documents in a number of places that constituted the ordinances of the Town. Now, as required by the Town this book now has all of the adopted laws of the Town in one book, and shortly online.

The Town Attorneys as well as attorneys from Municode have worked on this project for about two years. They reviewed old laws, updated annotations, and eliminated portions that did not comply with State law.

The next step, the Town Council will need to adopt an ordinance accepting the codification. This ordinance is on the agenda this evening for a first reading. If you would like to read the codebook, we can provide copies for the Councilors to sign out. I will have the attorney for the Town that worked on this at the meeting where you will adopt it to discuss.

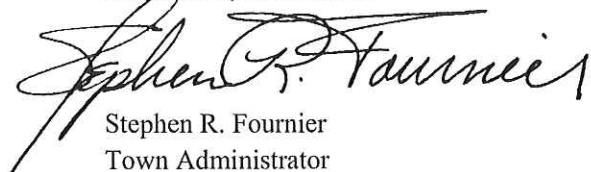
In addition, we are now undergoing the process of reviewing the ordinances that we have, and determining if some need to be added, updated or repealed. We will be making these additions in the coming months.

COAST Bus Route 7: I will have an update at the meeting.

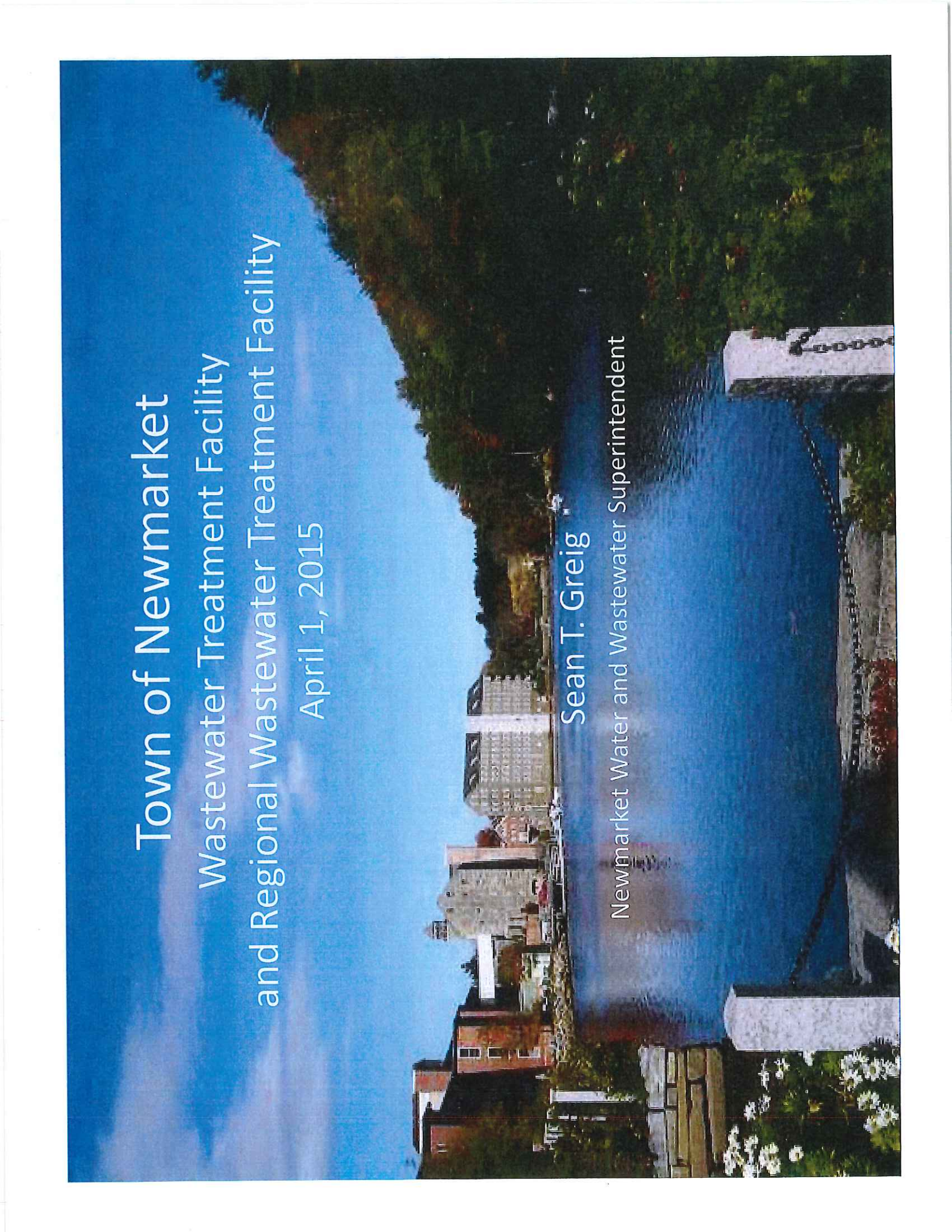
Waste Water Treatment Regionalization: Sean Greig and Tim Vadney of Wright Pierce will be giving a presentation on this topic.

Out of the Office: I will be on vacation April 9 returning to the office on April 22.

Respectfully Submitted,



Stephen R. Fournier
Town Administrator



Town of Newmarket
Wastewater Treatment Facility
and Regional Wastewater Treatment Facility
April 1, 2015

Sean T. Greig

Newmarket Water and Wastewater Superintendent

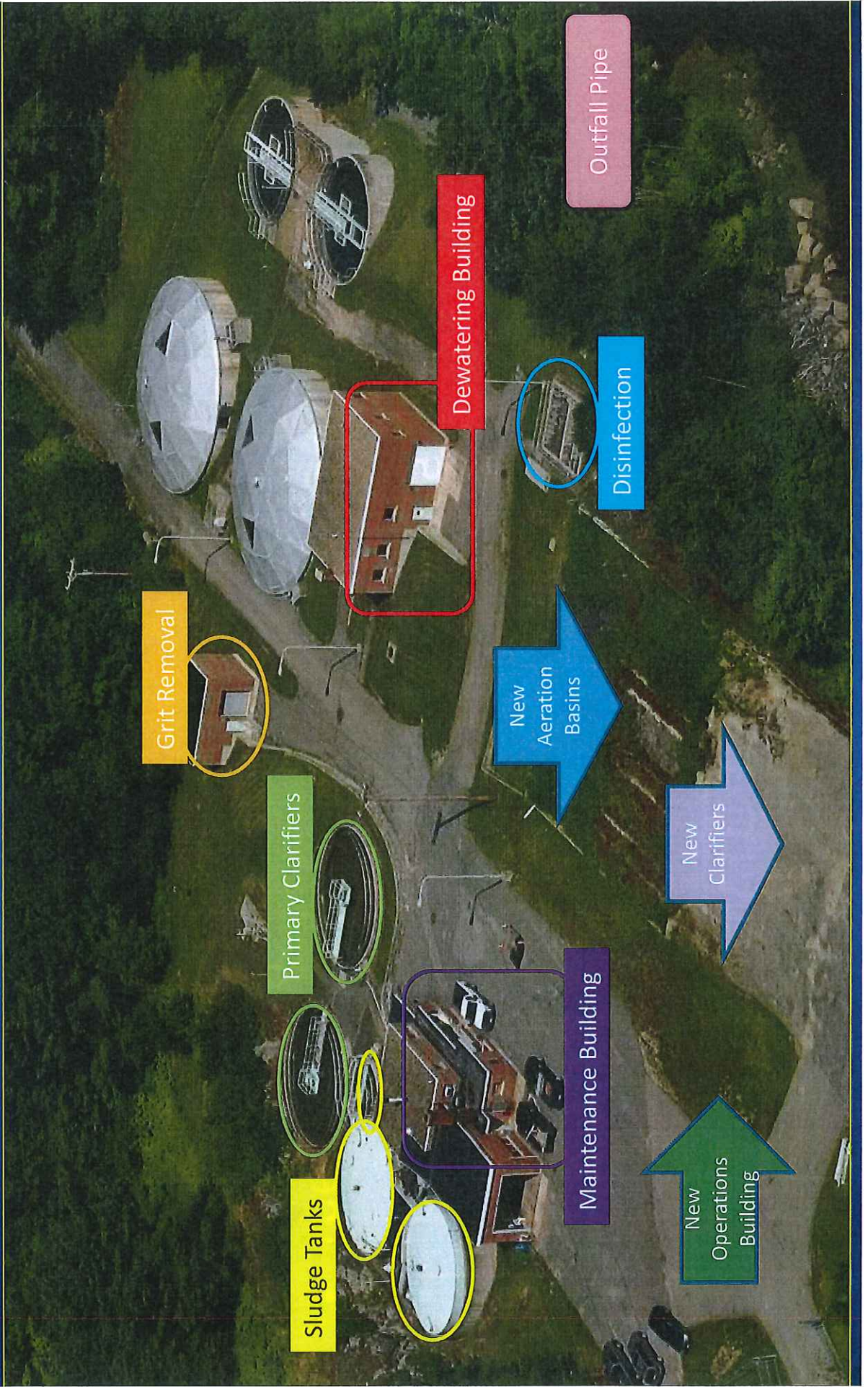
EPA AOC Requirements

- Required to begin construction on the improvements to the WWTP to meet the 8.0 mg/L Total Nitrogen permit limit by May 31, 2015.
- Required to complete construction by May 31, 2017.
- Required to meet an 8.0 mg/L Total Nitrogen limit one year from the substantial completion date.

Newmarket WWTP

- The WWTP design is complete.
- The WWTP Project is out to bid.
- The bids are due on April 16, 2015.
- The WWTP improvements project budget is \$14,068,000.
- Grants
 - NHDES State Revolving Loan \$1,762,500.
 - Rural Development \$1,966,360.
- Rural Development Loan \$10,340,000 @2.74%.

WWTP Improvements



Future WWTP



Regional Option Components

- Conveyance – pumping Newmarket’s Wastewater from Newmarket to the Pease Trade port WWTP.
- Treatment – Constructing a new WWTP at the Pease Trade port.
- Discharge – Outfall pipe to discharge the treated effluent back into the environment.

Conveyance

The conveyance are based on costs are based on Newmarket's flows and were calculated by Wright Pierce using the Town of Exeter and Stratham Regional Wastewater Disposal Study. The study was done by Underwood Engineers.

Preliminary Newmarket Pumping and Conveyance Capital Cost for Regional Treatment – Cost Sharing with Exeter	
New Pump Station at Newmarket WWTP	\$3,000,000
Force main from Newmarket WWTP to the intersection of Squamscott Rd and Route 33	\$6,120,000
Newmarket's share of force main from intersection of Squamscott Rd and Route 33 to the Pease WWTP	\$7,630,000
Total Town of Newmarket Pumping and Conveyance Capital Costs	\$16,750,000

New Regional WWTP

- The City of Portsmouth would be constructing a completely new WWTP.
- Combine the City of Portsmouth's Pease and Pierce Island WWTP's into one facility, and to have the ability take flow from other communities.
- Preliminary Costs are expected at the end of April or beginning of May.

Outfall Pipe for the Regional WWTP

- City of Portsmouth are considering three different outfall locations for the Regional WWTP.
 - Pierce Island WWTP Outfall (14 million - 2010)
 - Deer Street Pumping Station
 - Pease WWTP Outfall
- Permitting Issues
 - Antidegradation / Antibacksliding issues
 - Shellfish bed impacts

Considerations

- Exeter regionalize or construct their own WWTP.
- What are Newmarket's total costs to regionalize?

Conveyance \$16.75 million

New WWTP Capital and O&M \$?

Outfall \$?

Proposed Plan

- Continue with Bidding of WWTP
- Await completion of Regional WWTP costs
- Evaluate the two approaches when costs become available
 - Costs available end of April / beginning of May
 - Within window to award WWTP project

QUESTIONS?

Environmental Impacts

Nitrogen Contribution to the Lamprey River				
Source	Non-point Sources (lbs/year)	Point Sources (lbs/year)	Total Sources (lbs/year)	% of Total
Newmarket	20,569	60,840	81,409	22%
Other Municipalities	288,657	8,560	297,217	78%
Total	309,226	69,400	378,626	
% from Newmarket	7%	88%	22%	
80 percent reduction in point source nitrogen				
Source	Non-point Sources (lbs/year)	Point Sources (lbs/year)	Total Sources (lbs/year)	% of Total
Newmarket	20,569	12,168	32,737	10%
Other Municipalities	288,657	8,560	297,217	90%
Total	309,226	20,728	329,954	
% from Newmarket	7%	59%	10%	
100 percent reduction in point source nitrogen				
Source	Non-point Sources (lbs/year)	Point Sources (lbs/year)	Total Sources (lbs/year)	% of Total
Newmarket	20,569	0	20,569	6%
Other Municipalities	288,657	8,560	297,217	94%
Total	309,226	8,560	317,786	
% from Newmarket	7%	0%	6%	

TOWN OF NEWMARKET, NEW HAMPSHIRE

By the Newmarket Town Council

Resolution #2014/2015-47

**To Authorize the Town Administrator to Enter into an Agreement with Wright
Pierce For Bidding Services Related to the Wastewater Treatment Plant
Improvements Project**

WHEREAS, the Town of Newmarket Environmental Services Department is required by the New Hampshire Department of Environmental Services and by Rural Development to perform a sealed bid process for the Wastewater Treatment Plant Improvements Project, and

WHEREAS, Wright Pierce designed the improvements, and

WHEREAS, the Water and Sewer Superintendent recommends Wright Pierce to perform the Bidding Services task for \$28,414.00.

NOW THEREFORE BE IT RESOLVED, that the Newmarket Town Council does hereby authorize the Town Administrator to enter into a contract with Wright Pierce for \$28,414.00 for Bidding Services related to the Wastewater Treatment Plant Improvements Project. Further, the Newmarket Town Council does hereby authorize the Town Administrator to enter into future contract amendments with notice to the Town Council.

First Reading: March 18, 2015

Second Reading: April 1, 2015

Council Approval: April 1, 2015

Approved: _____
Philip Nazzaro, Town Council Chairman

A True Copy Attest: _____
Terri Littlefield, Town Clerk

**ENGINEERING CONSTRUCTION PHASE
CONTRACT FOR PROFESSIONAL SERVICES
FOR
TREATMENT WORKS**

CITY/TOWN OF NEWMARKET, NEW HAMPSHIRE

This AGREEMENT made and entered into at Rockingham County, New Hampshire, this _____ day of _____ 2015, by and between City/Town of Newmarket hereinafter called the OWNER, and Wright-Pierce hereinafter called the ENGINEER.

WITNESSETH:

WHEREAS, the OWNER intends to construct Treatment Works _____

WASTEWATER TREATMENT FACILITY UPGRADE

hereinafter called the PROJECT, and

WHEREAS, professional sanitary engineering services will be required for construction administration, resident engineering and related services, and

WHEREAS, such services are of a distinct professional nature and hence not subject to the bidding process,

NOW THEREFORE, in consideration of these premises and of the mutual covenants herein set forth, the OWNER hereby employs the ENGINEER to furnish the following engineering services in connection with the proposed PROJECT; and it is agreed by and between the OWNER and the ENGINEER as follows:

I. Services to be Performed by the ENGINEER

A. Upon execution of this AGREEMENT, the ENGINEER shall proceed with the general administration of construction and full-time inspection by qualified personnel of the contractor's work to assure compliance with the contract documents and any coincident or subsequent changes or change orders for the construction of the treatment works for the

Town of Newmarket

Said services shall include, but shall not necessarily be limited to:

1. General Construction Administration

a. Updating and modifications of contract documents to meet changed site and project conditions or variations in State or Federal requirements.

b. Assistance in securing construction bids, conduct bid opening, tabulation and analysis of bids, and recommendation regarding award of contract. A copy of the bid analysis will be furnished to the Department of Environmental Services, Water Division, hereinafter called the DIVISION, and EPA. (Where applicable)

c. Completion of formal contract documents for the award of contracts.

d. Checking detail construction, shop and erection drawings submitted by the contractor.

e. Reviewing laboratory, shop, and mill test reports of materials and equipment.

f. Preparation of drawings and technical material as required to supplement and/or clarify the contract documents.

g. Review, verification, and approval of estimates for periodic and final payments to the contractors for submittal to the OWNER and the DIVISION.

h. Periodic inspection of work and final inspection.

i. Observing and reporting performance and qualifying tests required by specifications.

j. Keeping daily records of construction progress and compiling same into progress reports for submission to the OWNER and DIVISION.

k. Verifying and keeping records of construction items of work accomplished for use as a basis of checking contractors' monthly estimates.

l. Consultation and advise during construction.

m. Determination of need for and preparation of change orders for approval by the OWNER and DIVISION based on conditions found during construction and/or additions or modifications to the work requested by the OWNER and approved by the ENGINEER and the DIVISION and implemented at a price recommended by the ENGINEER as equitable. For change order items exceeding \$10,000, the ENGINEER shall prepare an independent cost estimate.

n. Determination of "equality" for substitution of materials and equipment specified and securing DIVISION approval thereof.

o. Provide and maintain construction control lines and grades. For sewers - offset lines and grade elevations, with cut depths at manholes; at treatment plant and pumping station sites - base lines for layout and benchmarks.

p. Preparation of application, supporting and associated documents for Federal, State, and other grant or loan programs, including monthly reimbursement requests.

q. Preparation of certificate of substantial completion and contract completion.

r. Assist the OWNER in obtaining the required project related approvals of State and Federal agencies.

2. Resident Inspection and Other Special Services

a. The ENGINEER agrees to provide one qualified Resident Project

~~Representative (RPR) on the project site (full time) to assist the ENGINEER in the work of General Administration as described under I(A) and in observing construction activity for compliance with the contract documents and any associated change orders. The DIVISION shall be notified in writing of the name of the resident engineer, assistant engineers, and construction inspectors, and shall be provided with a brief history of the resident engineer's construction experience. The resident engineer and his inspectors shall be in the employ of and under direct control of the ENGINEER. It is further agreed that failure of the resident engineer to administer the PROJECT to the satisfaction of the DIVISION or OWNER is deemed to be sufficient basis for his removal from the PROJECT and replacement.~~

~~b. The ENGINEER agrees to provide supervision of initial start-up and operation and for services during the twelve-month warranty period and to prepare the Project Performance Certification and associated documentation.~~

~~e. Preparation of an *Operation and Maintenance Manual* for approval by the DIVISION. After DIVISION approval, the ENGINEER agrees to supply five (5) sets of the completed manual, one (1) of which will be for the DIVISION.~~

~~d. Preparation of record drawings of the work as constructed. Three (3) sets of prints to be furnished, one (1) of which shall be for the DIVISION.~~

II. The OWNER'S Responsibilities

A. Assist the ENGINEER by placing at his disposal all available information pertinent to the PROJECT, including previous reports and other data relative to the reports.

B. Make provisions for the ENGINEER to enter upon public and private lands, municipal facilities and industrial establishments as required to perform work under this AGREEMENT.

C. The OWNER also agrees to comply with DIVISION and Federal (Where applicable) requirements as they relate to this project.

III. Compensation to be Paid the ENGINEER

A. Method of Payment - Amount of Fee

1. Payment to the ENGINEER, for services rendered, shall be according to the following schedule:

Statements will be rendered (with modifications if necessary) monthly with billing by the hour and rate by labor category with mark-up and incidental expenses in accordance with the attached fee schedule.

2. The OWNER agrees to pay and the ENGINEER agrees to accept for all services under this AGREEMENT, a fee not to exceed

Twenty Eight Thousand, Four Hundred and Fourteen Dollars
(\$ 28,414.00).

B. Limits of All Payment

1. The ENGINEER further agrees that the following fee for his services under I(A)(1), for Construction Administration on this PROJECT, (exclusive of work performed by resident engineering staff) is adequate to complete the work and shall not exceed

Twenty Eight Thousand, Four Hundred and Fourteen Dollars
(\$ 28,414.00).

2. ~~Payment to the ENGINEER for resident engineering and other special services shall be as follows:~~

~~a. Resident engineering and supporting staff (as agreed to by the OWNER and DIVISION) as described under I(A)(2)(a) for a period of 0 working days, an amount not to exceed~~

~~Zero Dollars
(\$ 0).~~

~~Overtime shall be converted to equivalent fractions of 8-hour days. If the number of working days for inspection personnel stated above is not sufficient to provide adequate inspection of the PROJECT, it is agreed that the additional cost of resident services may be negotiated with the OWNER and the DIVISION.~~

~~b. For supervision of initial start up and operation of the project and Project Performance Certification as described under I (A)(2)(b), during a period of Twelve (12) months, an amount not to exceed~~
~~Zero~~ _____ Dollars
~~(\$ 0).~~

~~e. For preparation of the Manual as described under I (A)(2)(c) and instructions on its use, an amount not to exceed~~
~~Zero~~ _____ Dollars
~~(\$ 0).~~

~~d. For special services, an amount equal to the actual cost of such work. The actual cost shall include compensation to the ENGINEER for his work on these services. The ENGINEER also assures the OWNER that the moneys to be paid under this item are adequate for the work proposed and shall not exceed~~
~~Zero~~ _____ Dollars
~~(\$ 0).~~

~~e. For preparation of the Record Drawings as described under I (A)(2)(d), an amount not to exceed~~
~~Zero~~ _____ Dollars
~~(\$ 0).~~

IV. Additional Covenants

A. The ENGINEER agrees to provide in active charge of this PROJECT for the life of the contract a Project Engineer who is a permanent employee of the ENGINEER and who is a "qualified sanitary engineer" as defined under the DIVISION'S "Rules and Regulations for the Prequalification of Consulting Engineers". The Project Engineer shall be*

Timothy R. Vadney, PE – Wright-Pierce
(name and address)

230 Commerce Way, Suite 302, Portsmouth, NH 03801

* *Resume clearly describing the candidate's qualifications for the assignment is appended for convenience of reference.*

Any proposed change in identity of the Project Engineer on the PROJECT shall first be approved by the DIVISION before transfer of responsibility is made. Failure of the Project Engineer to administer the PROJECT to the satisfaction of the OWNER and/or DIVISION is deemed sufficient basis for his removal and replacement.

B. The ENGINEER agrees to be solely responsible for all bills or claims for payment for services rendered by others and for all services and materials employed in his work, and to indemnify and save harmless the OWNER, and all the OWNER'S officers, agents and employees against all suits, claims or liability of every name and nature arising out of or in consequence of the negligent acts or failures to act of the ENGINEER or others employed by him in the performance of the work covered by this AGREEMENT.

C. The ENGINEER further agrees to procure and maintain at his expense such workmen's compensation insurance as is required by the statutes and public liability insurance in amounts adequate to provide reasonable protection from claims for bodily injury, death or property damage which may arise from his performance and the performance of his employees under this AGREEMENT.

D. All documents, including original drawings, design calculations, work sheets, field notes, estimates, and other data shall remain the property of the OWNER; they shall be transmitted to the OWNER in clean and orderly condition on demand by the OWNER; however, these may be left in the possession of the ENGINEER at the OWNER'S discretion.

E. The ENGINEER shall not sublet, assign or transfer any part of the ENGINEER'S services or obligations (except special services) under this AGREEMENT without the prior approval and written consent of the OWNER, and the contract shall be binding upon and inure to the benefit of the parties, their successors and assigns.

F. It is further agreed that before any construction is undertaken the ENGINEER will assist the OWNER or

his authorized agent in providing the DIVISION with clear documentation certifying that the purchases of land have been secured to provide for location of the treatment works and other associated structures and equipment as shown on the construction plans or described in the specifications. Similar documentation shall be submitted on approvals from the State Highway Department regarding location of the treatment works and other project related facilities within rights-of-way and other lands under its jurisdiction.

G. The ENGINEER also agrees to provide in active residence and full time control at the site of the proposed construction a DIVISION approved ~~registered civil engineer~~ *qualified project representative* and DIVISION approved ~~inspectors (full time, part time)~~ as needed with the experience and other approved background to assist the ENGINEER in the work of General Administration and to assure contractors conformance with the plans and specifications and any approved coincident or subsequent changes or change orders related to the PROJECT. The resident ~~registered engineer~~ *representative* for the life of this contract shall be

To be provided for review and acceptance prior to on-site construction

(Name and Address)

(Append resume describing Candidate's qualifications)

Any Proposed change in the identity of the resident ~~engineer representative~~ on this PROJECT must first be approved by the DIVISION before transfer of responsibility is made. Additionally, if it is found by the DIVISION that a resident ~~engineer representative~~ (or inspector) cannot or will not administer the PROJECT in a manner satisfactory to the DIVISION, the ENGINEER agrees to replace him promptly upon receipt of a written request from the DIVISION with a qualified resident ~~engineer representative~~ who will acceptably administer the PROJECT. It is further agreed that failure of the ENGINEER to abide by the above covenant is sufficient cause for removal from the DIVISIONS Roster of Prequalified Engineers

H. This AGREEMENT shall be deemed to have been entered into in the State of New Hampshire and shall be construed in accordance with the laws of the State of New Hampshire.

V. Termination

A. The OWNER shall have the right at any time for any reason whatsoever to interrupt or terminate the work required of the ENGINEER under this AGREE-

MENT, with a seven (7) day written notice of such interruption or satisfaction of the DIVISION and the OWNER, and pursuant to this AGREEMENT. In order that the ENGINEER shall receive payment under termination notice, all plans, drawings, tracings, field notes, estimates, specifications, proposals, sketches, diagrams, and calculations, together with all other materials and data prepared in connection with the PROJECT shall be transmitted to the OWNER in a form acceptable to the OWNER and DIVISION.

IN WITNESS WHEREOF, the parties hereto have affixed their hand and seals at Rockingham County, New Hampshire, the day, month, and year first above written.

ENGINEER:

WRIGHT-PIERCE

By: _____
(Authorized Representative*)

Date: _____

OWNER:

By: _____
(Authorized Representative*)

Date: _____

APPROVED: **

DEPARTMENT OF ENVIRONMENTAL SERVICES
Water Division

By: _____
(Authorized Representative)

Date: _____

APPROVED:

RURAL DEVELOPMENT

By: _____
(Authorized Representative)

Date: _____

* Signatures should be supported by appropriate document.
** It is agreed that as an act in furtherance of its statutory authority to approve engineering agreements for treatment works, the DIVISION's approval does not impose any contractual obligation or liability on the State of New Hampshire, the Department of Environmental Services or the Division.

Approved as to form:

Town Counsel

At a meeting of the Partners/Directors of _____,
held on _____, at which all the Partners/Directors were present, except _____
_____, it was

VOTES: That all contracts may be signed by any one of the following:

A true copy

Attest: _____

Place of Business: _____

Date of this Contract: _____

I hereby certify that I am the Clerk of _____,
that _____ is the duly elected _____,
and that the above vote has not been amended or rescinded and remains in full force and effect as of this date.

Clerk

RURAL DEVELOPMENT SUPPLEMENT

1. The ENGINEER will attend conferences with the OWNER, representatives of RD or other interested parties as may be reasonably necessary.
2. The ENGINEER will cooperate and work closely with RD representatives.
3. Payments are due within 30 days of invoice. If OWNER fails to make any payment due ENGINEER within 60 days or services and expenses and funds are available for the project then the ENGINEER shall be entitled to interest at the rate of 12 percent per annum from said 60th day, not to exceed an annual rate of 12 percent.
5. This Agreement shall not become effective until approved by Rural Development. Such approval shall be evidenced by the signature of a duly authorized representative of Rural Development in the space provided at the end of this Agreement. The approval so evidenced by Rural Development shall in no way commit Rural Development to render financial assistance to the OWNER and is without liability for any payment hereunder, but in the event such assistance is provided, approval shall signify that the provisions of this Agreement are consistent with the requirements of Rural Development.

COST OR PRICE SUMMARY FORMAT FOR SUBAGREEMENTS UNDER NH SAG & SRF			Form Approved DES 3/96	
PART I - GENERAL				
1. GRANTEE / LOANEE - TOWN OF NEWMARKET, NEW HAMPSHIRE			2. GRANT/LOAN NO. CS-330162-07	
3. NAME OF CONTRACTOR OR SUBCONTRACTOR - Wright-Pierce			4. DATE OF PROPOSAL 3/4/2015	
5. ADDRESS OF CONTRACTOR OR SUBCONTRACTOR (Include ZIP) 230 Commerce Way, Portsmouth NH 03801			6. TYPE OF SERVICE TO BE FURNISHED Engineering Construction Phase Services Wastewater Treatment Facility Upgrade	
PART II - COST SUMMARY				
7. DIRECT LABOR (Specify labor categories)	HOURS	HOURLY RATE	ESTIMATED COST	TOTAL
Principal In Charge	0	65.00	\$0.00	
Project Manager	50	48.00	\$2,400.00	
Lead Project Engineer	52	33.00	\$1,716.00	
Project Engineer	52	28.00	\$1,456.00	
Civil Engineer	8	33.00	\$264.00	
Electrical Engineer	8	49.00	\$392.00	
Instrumentation Engineer	8	48.00	\$384.00	
Structural Engineer	8	34.00	\$272.00	
Architectural Engineer	8	42.00	\$336.00	
Mechanical Engineer	8	40.00	\$320.00	
Engineering Technician	29	25.00	\$725.00	
Office Assistant	20	21.50	\$430.00	
DIRECT LABOR TOTAL:				\$8,695.00
8. INDIRECT COSTS (Specify indirect cost pools)	RATE	x BASE =	ESTIMATED COST	
	1.68	\$8,695.00	\$14,608.00	
INDIRECT COSTS TOTAL:				\$14,608.00
9. OTHER DIRECT COSTS				
a. TRAVEL			ESTIMATED COST	
Transportation			\$116.00	
Per Diem			\$0.00	
TRAVEL COSTS TOTAL:				\$116.00
b. EQUIPMENT, MATERIALS, SUPPLIES (Specify categories)			ESTIMATED COST	
Telephone/communication	QTY	COST		
Printing/shipping	1	\$100.00	\$100.00	
CAD	1	\$1,050.00	\$1,050.00	
Misc.	1	\$200.00	\$200.00	
	1	\$150.00	\$150.00	
EQUIPMENT SUBTOTAL :				\$1,500.00
c. SUBCONTRACTS			ESTIMATED COST	
SUBCONTRACTS SUBTOTAL :				\$0.00
d. OTHER (Specify categories)			ESTIMATED COST	
OTHER SUBTOTAL :				\$0.00
e. OTHER DIRECT COSTS TOTAL :				\$1,616.00
10. TOTAL ESTIMATED COST				\$24,919.00
11. PROFIT (15% Labor; 5% Subcontracts; 0% all other costs)				\$3,495.00
12. TOTAL PRICE				\$28,414.00

TIMOTHY R. VADNEY, P.E.

Senior Project Manager

PROJECT ASSIGNMENT: Senior Project Manager

Education

B.S., Civil Engineering, University
of New Hampshire

Professional Registration

New Hampshire
Maine
Massachusetts

Experience

12 Years

Joined Firm

2002

Professional Affiliations

Water Environment Federation,
Maine and New Hampshire Water
Pollution Control Associations

Presentations

Vadney, T. R., "Dewatering System
Upgrade- City of Nashua NH"
NEWEA Annual Conference
Boston, MA - January 2012

Vadney, T. R., "Pump Station and
Forcemain Improvements -
Ogunquit Sewer District"
NEWEA Annual Conference
Boston, MA - January 2010

Vadney, T. R., "Optimization of
the Activated Sludge Process"
NEWEA Spring Conference
Hyannis, MA - June 2008

Vadney, T. R., "Energy Audit
Process for Wastewater
Treatment Facilities"
CTAWWA Specialty Conference
Hartford, CT - Jan 2008

EXPERIENCE SUMMARY

Mr. Vadney is a Project Manager in the Wastewater Practice Group. Mr. Vadney is currently serving clients throughout New England. Mr. Vadney has extensive experience in a wide variety of wastewater fields including wastewater treatment, odor control, residuals management, septage treatment, collection systems, and pump stations.

SELECT RELEVANT PROJECT EXPERIENCE

Wastewater Treatment Facility Designs

- Sludge Dewatering Upgrade - Nashua, NH
- Wastewater Treatment Facility Upgrade - Durham, NH
- Wastewater Treatment Facility Upgrade - Dover, NH
- Wastewater Treatment Facility Upgrade - Hudson, MA
- Wastewater Treatment Facility Upgrade - Sanford, ME
- Water Pollution Control Facilities Upgrade, Manchester, CT
- Water Pollution Control Facilities Upgrade - Glastonbury, CT
- Wastewater Treatment Facility Upgrade - Farmington, NH
- Wastewater Treatment Facility Feasibility Study - Rockport, MA
- Wastewater Treatment Facility Evaluation - Seacoast, NH
- Construction Administration - Old Town, ME
- Pilot Testing - Sanford, ME
- Sludge Dewatering Upgrade - Keene, NH
- Sludge Dewatering Upgrade - Hampton, NH

Pump Station Designs

- Hampton, NH Church Street Pump Station Upgrade
- Mechanic Street Pump Station Upgrade - Portsmouth, NH
- River Street Pump Station Upgrade - Dover, NH
- Mousam River Sewerage Pump Station Upgrade - Sanford, ME
- Goodall Brook Sewerage Pump Station Upgrade - Sanford, Maine
- Pump Stations No. 1 and No. 2 - Wells, Maine
- Pump Station No. 10 - Wells, Maine
- Pump Station No. 2 - Ogunquit, Maine
- Pump Station No. 4 - Ogunquit, Maine
- Pump Station No. 6 - Ogunquit, Maine

Odor Control

- Odor Investigation - Milford, NH
- Odor Investigation - South Berwick, ME
- River Street Pump Station - Dover, NH

TIMOTHY R. VADNEY, P.E.
Senior Project Manager

Modeling

- CORMIX Model - Rockland, ME
- Sewer CADD Model - Somersworth, NH
- Water Distribution System Hydraulic Model - Belfast, ME
- Water Distribution System Hydraulic Model - Presque Isle, ME
- Hydraulic Model - Bow, NH

Infiltration/Inflow

- I/I Study - Farmington, NH
- I/I Study - Skowhegan, ME
- I/I Study - Kennebunkport, ME
- I/I Study - Pittsfield, NH
- I/I Study - Greenville, NH
- I/I Study - Newmarket, NH
- I/I Study - Durham, NH
- I/I Study - Dover, NH

TOWN OF NEWMARKET, NEW HAMPSHIRE

By the Newmarket Town Council

Resolution #2014/2015-48

To Authorize the Town Administrator to Enter into an Agreement with DBU Construction to Perform a Horizontal Directional Drill to Install an 8" Water Main for the MacIntosh Well Project

WHEREAS, a Horizontal Directional Drill is required to install an 8" Water Main under wetlands for the MacIntosh Well Project, and

WHEREAS, DBU Construction is the low bidder, and

WHEREAS, the Water and Sewer Superintendent recommends DBU Construction to perform the Horizontal Directional Drill work for the sum of \$233,725.00.

NOW THEREFORE BE IT RESOLVED, that the Newmarket Town Council does hereby authorize the Town Administrator to enter into a contract with DBU Construction for \$233,725.00 for Horizontal Directional Drill related to the MacIntosh Well Project. Further, the Newmarket Town Council does hereby authorize the Town Administrator to enter into future contract amendments with notice to the Town Council.

First Reading: March 18 2015

Second Reading: April 1, 2015

Council Approval: April 1, 2015

Approved: _____

Town Council Chairman

A True Copy Attest: _____

Terri Littlefield, Town Clerk

24 Federal Street
5th Floor
Boston, MA 02110

617 574-4747
hazenandsawyer.com

March 24, 2015

Mr. Sean Grieg
Superintendent of Water and Sewer
Town of Newmarket, NH
4 Young Ln
Newmarket, NH 03857

**Re: MacIntosh Well Transmission Main Horizontal Directional Drilling
Recommendation of Award**

Dear Mr. Grieg

This letter presents our analysis of bids, identifying the lowest responsible and responsive bidder on the above referenced project. Two bids were received and opened on Tuesday, March 10, 2015 at 1:00 PM. DBU Construction, Inc. was the low bidder with a bid amount of \$233,725.00 and was determined through the evaluation process to be responsive and responsible.

Analysis of Low Bidder

DBU Construction, Inc (DBU) of Epsom, NH submitted the lowest total bid for Items 1-1 through 1-5 of the work of \$233,725.00, which is \$133,050.00 lower than the next bidder, Henniker Directional Drilling, LLC (\$366,775.00), and approximately \$38,000.00 higher than the Engineer's estimate of probable construction cost. In general, DBU's bid was correctly prepared and the required documents were submitted with their bid. DBU responded to all requests for information set forth in the Specifications.

DBU is a locally operated construction firm specializing in trenchless construction that has been in operation for 17 years. The Bidder's Qualification package submitted with their Bid indicates that they have been the drilling contractor on numerous installations of similar size and scope to this project. The company has worked with several municipalities in northern New England including the Town of Chichester, NH, the Berlin (NH) Water Works and the Sunapee, NH Water Department.

Conversations with the references provided in DBU's Bid package revealed that the Contractor has maintained highly successful client relationships over the course of the recent projects mentioned above. A focus was placed on municipal clients during the reference check. All references were pleased with the quality of the finished work performed by DBU and would welcome them to work in their municipalities on future projects.

NHDES forms for WBE and DBE utilization were submitted for the project as a portion of the bid package. DBU is itself a Women's Business Enterprise. They do not anticipate any subcontracted work on the job, so no DBE subcontractors were indicated.

Based on the above information, we determine DBU Construction, Inc to be a responsible bidder for this project and recommend their selection for award of the Contract

If you have any questions or require any additional information, please contact me at (617) 574-4747.

**Very Yours Truly,
Hazen and Sawyer**

A handwritten signature in black ink, appearing to read 'M. Greeley', with a long horizontal line extending to the right.

Michael M Greeley, PE
Associate

Enclosure: Bid Tab Summary

TOWN COUNCIL COMMITTEE REPRESENTATIVES

	<u>Last Year Reps</u>
Advisory Heritage Committee	
Macallen Dam Committee	Dale Pike
Highway Safety	
Budget Committee	Larry Pickering (Current)
Cable Franchise Renegotiations	Gary Levy
CIP Committee	Philip Nazzaro
Conservation Commission	Toni Weinstein
Economic Development	Phil Nazzaro Gary Levy
Planning Board	Dale Pike (Current)
Planning Board Alternate	Gary Levy (Current)
School/Town Joint Advisory Committee	



RECEIVED

FEB 10 2015

TOWN OF NEWMARKET ADMINISTRATOR'S OFFICE

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

Applicant's Name: Michael Pelczar

Address: 11 Stonewall Way Phone/Cell 603 817 9662

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 35
RSA 91:2 Are you an American Citizen? Yes No

Email address: sixsixzar@aol.com

Full membership (3 year term) position applying for 3 yr term Cemetery

State what the new term expiration date is: March 2018

Alternate position (3 year term) position applying for N/A

State what the new term expiration date is: N/A

I feel the following experience and background qualifies me for this position: I have been a cemetery trustee for many terms and would like to continue. I have great knowledge because of my funeral director background + working with other cemeteries. Thank you for your time.
(need more room, please use the back)

Michael Pelczar
Signature

2/7/15
Date

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.

RECEIVED

MAR -2 2015

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: Richard Alperin

Address: 183 Main st # 5 Phone/Cell 603-686-3642

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 29
RSA 91:2 Are you an American Citizen? Yes No

Email address: ralperin@gmail.com

Full membership (3 year term) position applying for Cemetery Trustee

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: _____

Member of Cemetery Trustees since inception

(need more room, please use the back)
Richard Alperin _____
Signature Date 3/3/15

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.

RECEIVED

FEB 24 2015

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: Jeffrey Goldknopt Goldknopt

Address: 117 Ash Swamp Road Phone/Cell 603-231-4753

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 15 YEARS TOTAL
RSA 91:2 Are you an American Citizen? Yes No (9 CONSECUTIVE)

Email address: backwoodsgoldy@hotmail.com

Full membership (3 year term) position applying for CONSERVATION COMMISSION

State what the new term expiration date is: MARCH 2018

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: _____

THIS WILL BE MY 3RD TERM ON THE CON. COM.

(need more room, please use the back)

[Signature]
Signature

2/24/15
Date

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.

RECEIVED

MAR -2 2015

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: Drew Kiefaber

Address: 50 Elm Street Newket Phone/Cell 659-6124

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 20+
RSA 91:2 Are you an American Citizen? Yes No

Email address: drew.kiefaber@gmail.com

Full membership (3 year term) position applying for Conservation Commission

State what the new term expiration date is: 2018

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 previously served on the Newmarket
Conservation Commission and Open Space Commission.

(need more room, please use the back)

Drew E. Kiefaber
Signature

March 1, 2015
Date

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.

RECEIVED

FEB 23 2015

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: Bill Arcieri

Address: 36 Braille Circle Phone/Cell 603-219-2811

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 26

RSA 91:2 Are you an American Citizen? Yes No

Email address: barcieri@msu.com

Full membership (3 year term) position applying for Economic Develop Comm

State what the new term expiration date is: march 2018

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: _____

Currently serving on the Committee for last
2-3 yrs.

(need more room, please use the back)

Bill Arcieri
Signature

Feb 20, 2015
Date

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.

RECEIVED

MAR 18 2015

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: Dominic Rovetto

Address: 4 Riverbend Rd Phone/Cell 603-247-4719
Newmarket, NH 03857

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 9

RSA 91:2 Are you an American Citizen? Yes No

Email address: dominic.rovettojr@ecolab.com

Full membership (3 year term) position applying for NHA Commissioner

State what the new term expiration date is: March 2020

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 am

a current NHA commissioner and active
in meetings.

(need more room, please use the back)

Dominic Rovetto
Signature

2/26/15
Date

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.

RECEIVED

FEB 10 2015

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: Joan DeYoreo

Address: 191 Bay Road Phone/Cell 659-6530

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 22
RSA 91:2 Are you an American Citizen? Yes No

Email address: nhmaplemom@yahoo.com

Full membership (3 year term) position applying for Library Trustee

State what the new term expiration date is: March 2018

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 Library Trustee since 2000, and enjoy
helping the Library be more accessible to Newmarket
residents, providing books and other media, and information
meeting space, building the Community.

(need more room, please use the back)

Joan DeYoreo
Signature

Jan 21, 2015
Date

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.

RECEIVED

MAR 10 2015

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: Phil Nazzaro

Address: 6 Bay Rd, Unit A9; Newmarket Phone/Cell 603-292-3604

RSA 669:19 Newmarket Registered Voter: Yes No # of Years as Resident: 14
RSA 91:2 Are you an American Citizen? Yes No

Email address: Philip.Nazzaro@yahoo.com

Full membership (3 year term) position applying for Veteran's Memorial Trust Committee

State what the new term expiration date is: March, 2018

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: _____

- 10 year Army Vet; West Point Grad

- 2 Terms on Vet's Memorial Trust Comm; 2 years as Vice-Chair

- IN second term as Town Councilor

(need more room, please use the back)

[Handwritten Signature]
Signature

3/10/15
Date

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.

TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council
ORDINANCE NO. 2014/2015-02

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF NEWMARKET, NEW HAMPSHIRE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

The Town of Newmarket ordains:

Section 1. The Code entitled "Municipal Code of the Town of Newmarket, New Hampshire," published by Municipal Code Corporation, consisting of chapters 1 through 30, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before May 7, 2014, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not to exceed \$1,000.00. Except as otherwise provided by law or ordinance: (1) with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense; and (2) with respect to violations of this Code that are not continuous with respect to time, each act constitutes a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate an intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after May 7, 2014, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective upon final adoption.

First Reading: April 1, 2015
Second Reading:
Third Reading:
Council Approval:

Approved: _____
Philip Nazzaro, Town Council Chairman

A True Copy Attest: _____
Terri Littlefield, Town Clerk

TOWN OF NEWMARKET, NEW HAMPSHIRE

By the Newmarket Town Council

Resolution 2014/2015-49

2015-2016 TOWN COUNCIL RULES FOR PROCEEDINGS

WHEREAS, Section 3.2 of the Town Charter requires the Town Council to adopt rules of Council Proceedings.

NOW THEREFORE LET IT BE RESOLVED BY THE NEWMARKET TOWN COUNCIL, That the Town Council adopts their 2015-2016 Rules of Council Proceedings as appended to this Resolution.

First Reading: April 1, 2015

Second Reading:

Third Reading:

Council Approval:

Approved: _____

Philip Nazzaro, Town Council Chairman

A True Copy Attest: _____

Terri Littlefield, Town Clerk



TOWN *of* NEWMARKET, NEW HAMPSHIRE

2015-2016
TOWN COUNCIL RULES FOR PROCEEDINGS

1. **Council Meetings**

All meetings of the Town Council shall be public as required by RSA 91-A.

Business meetings shall be held on the first and third Wednesday of each month at 7:00 p.m., unless otherwise provided by ordinance or resolution. When Wednesday is a holiday, the regular meeting shall be held on a Wednesday following at the same hour unless otherwise provided by motion. The public portions of Council meetings shall end by 10:00 p.m., unless the Chairman or a majority of the Council present determines that continuing the meeting shall allow the necessary business of the meeting to be completed. In order to proceed beyond 10:00 p.m., a motion to do so shall be made and a vote shall be taken. The motion shall pass to the extent two-thirds (2/3) of the votes cast. Notwithstanding the foregoing, non-public sessions of the Council may continue after 10:00 p.m.

Business Meetings are for the purpose of deliberating and voting upon Town business. Agendas will generally follow the order of business established in Section 5 below and shall include on the agenda an opportunity for citizen comment related to the matter(s) included on the agenda and/or pertaining to the business of the City Council.

Special Meetings are for the purpose of deliberating and voting upon Town business at times other than during a regularly scheduled Business Meeting. Such meetings are "special" because the Chair, or upon request of the Town Administrator, or five (5) Council Members by written request submitted to the Chair, can call them on a minimum of 24 hours' notice. Agendas will generally follow the order of business established in Section 5 limited to one or more items requiring Council action and shall include on the agenda an opportunity for citizen comment specifically related to the matter(s) included on the agenda.

Special Meetings may be scheduled for any day provided sufficient notice is afforded in accordance with provisions of State law.

Workshop Meetings are for the purpose of the Council receiving information about Town business in an informal setting during which no formal action can be taken. The workshop agenda format is intended to encourage in-depth presentations by Town Boards, Commissions, Committees and/or staff (including consultants engaged for purposes of advising the Council), and detailed questioning and brainstorming by Council Members. The Council may discuss the material freely without following formal rules of parliamentary procedure, subject to the direction of the presiding officer. Although formal action may not be taken during Workshop Meetings, the presiding officer may poll Council Members during the meeting to determine the general consensus of the Council in order to bring matters back for consideration at future meetings. Agendas will generally follow the order of business established in Section 6 below limited to one or more items for Council review and discussion and shall include on the agenda, prior to the end of the meeting, an opportunity for citizen comment related to the matter(s) included on the agenda.

Non-Public Meetings are held to discuss only certain items specified in State law during which the public cannot attend. Non-Public Meetings shall be properly noticed and State law pertaining to the appropriateness and necessity of holding such meetings shall be strictly adhered to in all cases.

Non-Public meetings are typically scheduled as necessary, before or after other Council meetings.

Consultation with Legal Counsel/Collective Bargaining Strategy or Negotiation meetings are held solely for purposes of receiving legal counsel and/or for collective bargaining matters relating to strategy or negotiations during which the public cannot attend. These sessions are typically scheduled as necessary, before or after other Council meetings.

The place of the meetings shall be the Council Chambers at the Town Hall.

A quorum of the Council for the transaction of any business shall be four (4) of the members currently in office. A majority of those members present may adjourn the meeting to another time or date.

2. **Presiding Officer**

The Chairman shall be the presiding officer at all Council meetings. He/She shall take the chair precisely at the hour appointed for the meeting and call the members to order. In the absence or disability of the Chairman, the Vice-chairman shall preside and act as Chairman during such absence or disability.

3. **Chairman Pro Tem**

In case of the absence of both the Chairman and the Vice Chairman, the Recording Secretary shall call the Council to order and call the roll of the members. If a quorum is found to be

present, the Council shall choose one of its members to act as Chairman *pro tem* by a plurality of votes until the Chairman or Vice-Chairman appears.

4. **Recording Secretary**

The Recording Secretary shall be ex-officio Recording Secretary of the Council and shall keep minutes of the meetings and perform such other and further duties, as may be ordered by the presiding officer or Council. The Recording Secretary shall record the names of the members present and coming in after the call to order. It shall be sufficient for the Recording Secretary to record special and non-public meetings by written form. Not more than 5 business days, excluding weekends and national and state holidays, the Recording Secretary shall make available a copy of the minutes of the previous meetings to include regular, special and non-sealed non-public meetings. In the absence of the Recording Secretary, the presiding officer shall appoint an acting recording secretary during such absence that shall tape record the meeting and take minutes.

5. **Order of Business**

The business of all business meetings and workshops of the Council shall be transacted in the following order unless the Council, by a vote of at least two-thirds (2/3) of the votes cast, shall suspend the rules and change the order.

Business Meetings:

1. Pledge of Allegiance
2. Public Forum
3. Public Hearing
4. Town Council to Consider Acceptance of Minutes
5. Report of the Town Administrator
 - a. Monthly Department Heads Report
6. Committee Reports
7. Old Business
 - a. Ordinances and Resolutions in the 2nd Reading
 - b. Ordinances and Resolutions in the 3rd Reading
 - c. Items Laid on the Table
8. New Business/Correspondence
 - a. Town Council to Consider Nominations, Appointments and Elections
 - b. Ordinances and Resolutions in the 1st Reading
 - c. Correspondence to the Town Council
 - d. Closing Comments by Town Councilors
9. Adjournment

6. **Ordinances and Resolutions**

- a. Ordinances - Any Ordinance to be considered by the Council other than those to be enacted for purposes of addressing emergency circumstances as specified in the Town Charter shall be initiated and acted upon in accordance with the requirements established herein.
 - i. A proposed Ordinance shall appear on a meeting agenda for a first reading after which it may be referred to a Workshop Meeting, if deemed necessary, and/or a future Public Hearing date shall be set.
 - ii. After a Public Hearing relating to a proposed Ordinance has been held and testimony allowed in accordance with these rules, the proposed Ordinance shall be brought before the Council for a second reading during the same meeting, together with any and all recommendations for passage, rejection, referral to a workshop, or to a third reading.
 - iii. Any proposed Ordinance submitted for consideration by the Council, may be amended and/or enacted by a majority roll call vote in conjunction with the second and/or subsequent readings.
 - iv. If a proposed Ordinance is extensively amended following the first reading and the Council wishes further review, or additional time is needed for the public to express its opinion on the issue, it may be held for a third reading, on a simple majority vote of Council Members present.
 - v. Unless otherwise provided, each Ordinance approved by the Council shall become effective upon its passage, after it has been duly advertised within 7 business days of the Council meeting at which time the ordinance was adopted.
 - vi. The Town Clerk shall certify that the amendments are incorporated into the original ordinance with the proper reference to the amended ordinance number and date.
- b. Resolutions - Any Resolution to be considered by the Council shall typically be initiated and acted upon in accordance with these rules above. Resolutions subject to public hearings will also be subject to the following:
 - i. A proposed Resolution shall appear on a meeting agenda for a first reading after which it may be referred to a Workshop Meeting, if deemed necessary, and/or a future Public Hearing date shall be set, if necessary. If no workshop or Public Hearing is necessary, than the Resolution will be referred to the next regular business meeting.
 - ii. After the proposed Resolution has been presented at the required public hearing, if necessary, it shall then be brought before the Council for a second reading the same meeting, together with any and all recommendations, for passage, rejection, referral to a workshop or other meeting.
 - iii. If a proposed Resolution requiring a public hearing is extensively amended following the public hearing and the Council wishes further review, or additional time is needed for the public to express its opinion

on the issue, it may be held and referred for action at a future meeting, on a simple majority vote of Council Members present.

7. **Meeting Protocol**

No person will be allowed to speak unless and until recognized by the Chair.

No Councilor will be allowed to address an agenda item twice before each Councilor wishing to be recognized has been recognized once.

No person will be allowed to respond out of order to any statement by any other person.

All comments will be addressed to the Chair.

The Chair reserves the right to rule persons, including Councilors, out of order for violating this Resolution, as well as any other applicable statute, ordinance, resolution, or Charter provision.

Any person ruled out of order three times at one meeting will be asked to leave the meeting.

Motions will be entertained at workshops only under extraordinary circumstances. Motions will only be entertained under new business only under extraordinary circumstances. Any matter discussed under new business that the Council wishes to consider further will be referred to the next available workshop.

8. **Filing with the Town Clerk**

Per Section 3.8.A of the Town Charter any ordinance may be introduced by any member at any regular or special meeting of the Council. Upon introduction of any ordinance, the Town Clerk shall distribute a copy to each Councilor and to the Town Administrator shall file a reasonable number of copies in the office of the Town Clerk, and post a copy in such other public places as the Council may designate.

In addition, copies of ordinances, resolutions and documents to come before the Council for consideration will be given to the Town Administrator's office by noon three (3) working days preceding the day on which the Council meets. All Town Council packets shall be made available for pick up on the Friday before the scheduled business meeting and workshop at the Town Hall.

9. **Motion to be Stated by the Recording Secretary**

Any Council member may ask the Recording Secretary to state the motion before the vote. The mover without the consent of the member seconding it may not withdraw a motion.

9. **Voting**

Each member present when a question is put shall vote either aye or nay by voice vote. If a member abstains, he/she shall give the reason for abstaining. All voting shall be by roll call vote except votes on procedural matters.

10. **Conflict of Interest**

Any member who has a financial interest, direct or indirectly, in any planning or existing contract, job, work or service to be performed by the Town or voluntary sale to the Town of any land, materials, supplies, equipment or other property shall make full disclosure of such interest to the Council prior to deliberating any such matter or transaction.

The member, or if a member's family member, as defined by Section 7.3 (B) of the Town Charter is financially interested in such matters or transactions shall not vote nor advise on nor otherwise participate in the Council's consideration of such matter or transaction.

11. **Anonymous Communications**

Unsigned communications shall not be introduced in Council meetings nor shall the Council entertain any review, discussion or action upon unsigned communications.

12. **Permission to Address the Council**

To encourage and allow ongoing input and feedback from citizens, Regular, Special and Workshop meetings shall include on the agenda an opportunity for citizens to address the Council. In addition to public hearings that may be scheduled for public comment on specific matters, the Public Forum will ensure citizens have the opportunity to speak to all other items on a meeting agenda and/or matters pertaining to the business of the Council.

- i. Speakers shall be residents of the Town of Newmarket, property owners in the Town of Newmarket, and/or designated representatives of recognized civic organizations or businesses located in the Town of Newmarket.
- ii. Speakers shall address their comments to the presiding officer and the Council as a body and not to any individual member.
- iii. Speakers shall first recite their name and address for the record.
- iv. Each speaker shall be provided a single opportunity for comment, limited to five (5) minutes with the five (5) minutes beginning after the obligatory statement of name and address by the speaker.
- v. Citizen Forum shall not be a two-way dialogue between speaker(s), Council Member(s), and/or the Town Administrator.

The presiding officer shall preserve strict order and decorum for and by all speakers appearing before the Council.

13. **To Suspend the Rules**

These rules may be temporarily suspended by a vote of two-third (2/3) of the votes cast.

14. **To Amend Rules**

These rules may be amended, or new rules adopted, by a majority vote of all members of the Council present. Any proposed amendments to these rules shall be submitted in writing at a business meeting, and shall be placed on the agenda under the order of "New Business". This requirement shall be waived only by unanimous consent with a recorded vote of all members.

15. **Roberts Rules of Order**

Roberts Rules of Order shall be used to decide all parliamentary questions not specifically provided for in these rules.

16. **Committees**

Budget Committee: As provided for in RSA 32:15, I(b) *Budget Committee Membership*, "One member of the governing body of the municipality...shall be appointed by their respective board to serve for a term of one year and until their successor are qualified. Each such member may be represented by an alternate member designated by their respective board, who shall, when sitting, have the same authority as the regular member."

Planning Board: As provided for in RSA 637:2, I-b(a) *Planning Board*, The council shall appoint "A member of the town council...of the town selected by the town council."

The Chairman shall have the power to appoint such advisory committees, as he/she deems necessary to serve him/her in an advisory capacity. The first-named person on each advisory committee shall serve as its chairman.

17. **Councilor Development**

All newly elected Council members shall, within the first year of their election, attend at least one workshop or educational seminar for local officials offered by the New Hampshire Municipal Association, Local Government Center, or comparable local agency.

All other Councilors are also encouraged to attend at least one workshop/seminar during each remaining term year with particular emphasis upon the Right-To-Know Law, municipal budgeting, and/or other matters pertaining to local government.

18. **Annual Review and Adoption**

Consistent with Section 3.2 of the Town Charter, this Resolution shall be in effect until the next organizational meeting of the Council, at which time, the Council shall renew, amend, and re-adopt or otherwise act on this Resolution.

19. **Councilor Stipend**

Consistent with Resolution #2009/2010-08, Pertaining to the Disbursement of Town Council Member's Annual Stipend, Councilors stipend shall begin with the start of the Town's fiscal year with payment made in July, September, December and March.