



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

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

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- 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 September 16, 2015
  - b) Non-Public Minutes of September 16, 2015
- 5) **Report of the Town Administrator**
- 6) **Committee Reports**
- 7) **Old Business**
  - a) Ordinances and Resolutions in the 2<sup>nd</sup> Reading
    - i. Resolution #2015/2016-15 Increase of Sewer Rates
    - ii. Resolution #2015/2016-16 Approval of 2015 MS-535 – Financial Report
    - iii Resolution #2015/2016-17 Authorizing the Town Administrator to Enter Into a 5-Year Agreement with Municipal Resources Inc.(MRI) for Assessing Services
  - b) Ordinances and Resolutions in the 3<sup>rd</sup> 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.)*
- 8) **New Business/Correspondence**
  - a) Town Council to Consider Nominations, Appointments and Elections
    - i. *Town Council to Appoint Council Rep. to Budget Committee and an Alternate*
  - b). Ordinance and Resolutions in the 1<sup>st</sup> Reading
    - i. Resolution 2015/2016-18 Sale of Tax Deeded Property
    - ii. Resolution 2015/2016-19 Contract for Waterline to Install a Well, a Waterline, a Blending facility, and all Necessary Equipment for MacIntosh Well Project
    - iii. Resolution 2015/2016-20 Engineering Contract for Construction Administration and Oversight for the MacIntosh Well Project
  - c) Correspondence to the Town Council
  - d) Closing Comments by Town Councilors
- 9) **Adjournment**

**DRAFT**

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

**September 16, 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, Public Works Director Rick Malasky, Recreation Director Jim Hilton

**AGENDA**

Chairman Nazzaro welcomed everyone to the September 16, 2015 Newmarket Town Council Meeting and called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance.

Vice Chair Levy made a motion to approve the Consent Decree between the Town of Newmarket and D. B. Brady and Carol J. Frazier, Docket #4352015-SC 002-05. The motion was seconded by Councilor Pike

Town Administrator Fournier polled the Council and the motion to approve the Consent Decree between the Town of Newmarket and Brady/Frazier was approved unanimously, 7-0.

**PUBLIC FORUM**

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

Mr. Allen of Moody Point stated that he had sent an email to all Councilors listing 10 objections and 3 mutes with regard to Kruczek's Garage, whose owners had received a letter from the Town questioning the use of the property. He said he had also checked with the State and found nothing pending there. He stated that the property on Main Street was basically not a junkyard, but a generational garage, and that the owners of the establishment were present to speak to the Council. He said that he had put the objections in on their behalf and made sure there were no outstanding public complaints. He stated that he had also added an objection to RSA 236:123 regarding scrap yard/junkyard laws. He said that the family saved the Town approximately \$45,000/year off the Town Budget, and that other towns paid \$750/month for impound services for towed vehicles. He said that Police Impound pulled the registrations for Newmarket, and that the Town got the titles and handed over a check. He said it was not fair when cars were towed and the owners did not have insurance and the garage ended up owning the vehicles. He said that the owners had held an auction last week to sell the vehicles. He stated that he wanted to make sure the email and attachments were received and that it was on file with objections.

Mr. Bryan Kruczek of 387 Wadleigh Falls Road addressed the Council. He stated that his father, Mr. Joe Kruczek, who was also present, was the owner of Kruczek's Garage on Main Street. Mr. Bryan Kruczek stated that they had received a letter from the Town that per RSA 236:112 the current property on Main Street classified as a motor vehicle recycling yard or junkyard. He stated that neither of these were listed



with the State under their business ownership, and that they were classified by the State as an Auto Repair Facility/State Inspection Facility and Towing Facility. He said that this was the third time they have had to deal with this issue. Chairman Nazzaro asked who had signed the most recent letter, and Mr. Kruczek replied that Mr. Mike Hoffman had signed it. He said they had tried to speak with him and he told them to write a letter to the Town. Town Administrator Fournier said that procedurally the Council would not hear this appeal. He said that since this was a decision of the Code Enforcement Officer, the appeal would go to the Zoning Board of Adjustments, and that he would make sure they were able to meet with the Code Enforcement Officer before that happened. He said if the decision stays, they would have to write an appeal to the Zoning Board who would then hear the case. Chairman Nazzaro said he highly encouraged Town Administrator Fournier and the Code Enforcement officer to set up a meeting with the parties, as the establishment had been in the Town for a long time. Mr. Kruczek said that if there was a plan of action, they were eager to resolve the issue. Town Administrator Fournier suggested they call his office in the morning and he would set up a meeting with the Building Inspector/Code Enforcement Officer ASAP, and walk them through the process if necessary.

Mr. Allen of Moody Point again addressed the Council with regard to a possible 6,000 kilowatt Solar Array for Durham. He said that it was originally intended for Wilson's Farm and the engineering had already been done. He said because Lee planned to tax Durham, they would no longer be getting the solar array and he encouraged the Town Economic Development Committee to try bring the offer back to Newmarket. Town Administrator Fournier explained that the Town of Durham was building a solar array, but that they had never approached the Town of Newmarket. Mr. Allen said the article had been in the paper on Monday. Chairman Nazzaro replied that the Council would take up the matter with the committee that looked at Town properties, and that it would be made public at some Town Council meeting in the future.

Chairman Nazzaro closed the Public Forum at 7:11 pm.

**PUBLIC HEARING – None**

#### **TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES**

##### **Acceptance of the Minutes of the Regular Meeting of September 2, 2015**

Councilor Weinstein made a motion to accept the minutes of the regular meeting of September 2, 2015, and Councilor Thompson seconded.

As there were no corrections requested, Town Administrator Fournier polled the Council and the minutes of the regular meeting of September 2, 2015 were approved by a vote of 7-0.

#### **REPORT OF THE TOWN ADMINSTRATOR**

Town Administrator Steve Fournier first addressed the **Emergency Expenditure Approval from DRA** for the MacIntosh Well, and said that it had been unanimously approved by the Municipal Budget Committee at a special meeting on September 8<sup>th</sup>. He said that two (2) days later the Department of

Revenue Administration (DRA) had approved the request and they were now moving forward to get the project back on track. He next addressed **Well Levels** stating that the Town continued to see low levels in both wells, which were monitored daily. He said that if the Town did not receive significant rainfall shortly, they would be moving from a Stage 3 to Stage 4 Water Emergency which would prohibit all outside water use. He next reported that the Council Subcommittee had met prior to the last Town Council meeting to review and revise the **Organizational Study** Request for Proposals (RFP), and that the revised RFP was attached to his report. He stated that the requests had been reissued and that the Subcommittee would review the proposals and bring a recommendation to the Town Council.

Town Administrator Fournier next addressed the **FY16 Budget**, saying that after review of the revenue and expense report for August, no issues were found with the current budget. He said that Human Resources was running high due to higher than anticipated rate increases in Workers Compensation and Property Liability Insurance. He also warned that one of the two companies used by the Town would be pulling out in the coming year. He explained that most companies did not underwrite municipalities because of the liability of the Public Safety Department and due to the number of claims received by the Town. He reported that on the revenue side, Motor Vehicle Registrations were running about 13% higher, but that building permits were approximately 50% lower than at the same time last year. Town Administrator Fournier said on his unwritten report he had an update on the Eagles property which had been taken for taxes. He said they were currently in the legal process of securing the property and hoped to take ownership within 30-60 days. He stated that his recommendation after that would be to sell the property.

Discussion: Councilor Thompson said that she wanted to clarify with Town Administrator Fournier that a local hydrant would not be used during a controlled burn on the Carpenter Property due to concerns about water levels. Town Administrator Fournier said that the hydrant would only be used in the case of an emergency. Councilor Thompson then questioned the number of uncollected taxes for both property and water & sewer, saying they seemed higher than usual. Town Administrator Fournier said the reason for the taxes was that only half of the year had been collected so far and that was a normal situation. Councilor Thompson mentioned that the Planning Board report was almost the same every month and asked if some of the completed projects could be weeded out. Vice Chair Levy referred to the Fire & Rescue report and asked if the mileage on the current ambulance was known. Public Works Director Rick Malasky estimated that it was approximately 58,000-59,000 miles. Vice Chair Levy said he would like clarification on what types of problems they were having with the vehicle and how much had been spent on repairs over the last couple of years. He also asked, with regard to department bids, if the Council could get a breakdown between roadways and sidewalks. Town Administrator Fournier said that next year in the budget they would be separated and it would be clearer.

Chairman Nazzaro commented on building permits being down, saying they knew it would eventually happen and it would also happen with motor vehicles. He said it showed that relying on revenue was not a good strategy. He stated that he had received a lot of complaints from people about the new monthly water bills. He said that one of the reasons for doing it monthly had been that it would allow people to budget and would result in fewer delinquent water bills, and he asked for a comparison to the prior year. Town Administrator Fournier explained that they had only been doing it for one (1) month and that it would take longer to go through the process to decide if it was working. He said some people



preferred to pay once a year or pay ahead and this could still be done, but that more time was needed to make sure it was effective. Chairman Nazzaro said the issue was the frequency of bills and asked Town Administrator Fournier to compare the difference at a quarterly point.

## **COMMITTEE REPORTS**

Councilor Pike reported on the Planning Board meeting of the previous evening saying that the meeting was short, as the development on Elm Street was continued to the next meeting. He said they basically discussed the Vision Statement and the Report on Forums, both of which were approved and would go to a Public Meeting.

Councilor Weinstein reported on the CIP Committee meeting. She said the Committee had toured all Town facilities over the past few weeks and met with Department Heads to go over all CIP requests. She said that the requests would be discussed at the next meeting on September 29<sup>th</sup> and would then be voted on.

## **OLD BUSINESS**

### **ORDINANCES AND RESOLUTIONS IN THE 2<sup>ND</sup> READING**

#### **Resolution #2015/2016-09 Creation of a Weather/Emergency Expendable Trust Fund**

Councilor Weinstein made a motion to approve *Resolution #2015/2016-09 Creation of a Weather/Emergency Expendable Trust Fund*, which was seconded by Councilor Burns.

Town Administrator Fournier stated that this was the result of a discussion on possible weather emergencies this year and budgeting. He explained that the resolution was to create an Expendable Trust, from which they could withdraw money in the event of an overage to pay off abnormal situations. He said that it could not be budgeted until the next budget year, and was a sort of savings account in case of a weather emergency with the Council named as agents.

Discussion: Councilor Thompson said that currently when this happens budget items are juggled around, and asked if this had typically been successful and why a change was being made. Town Administrator Fournier said there were two (2) reasons for the decision, the first being that Councils and Budget Committees were budgeting closer to spending, and this would allow for capital reserve funds to offset that difference. Councilor Burns asked if the Town Council would need to be call an emergency meeting to approve the funds, and Town Administrator Fournier said they would probably wait until the end of the budget season unless the emergency was more immediate. Councilor Pike recalled this being discussed at budget time last year. He said that since they were moving toward leaner budgets based on prior-year actual expenditures, they had discussed having some sort of contingency category in order to continue in that manner. Town Administrator Fournier said that procedurally this was the first resolution of this type the Town Council had seen. He said that as a result of the changes last year in the Town Charter, Capital Reserve Funds had gone back into the operating budget. He said he had discussed the law which required that any appropriations go before the voters with the Town Attorney. He said

appropriations would be part of the budget, but that the creation of a capital reserve fund rests with the legislative body, which is the Town Council. Chairman Nazzaro asked why they were going with a trust fund instead of a capital reserve fund, and Town Administrator Fournier replied that capital reserve funds were for capital items. Chairman Nazzaro asked about the application for Federal funding for snowstorms this year, and Public Works Director Malasky replied the amount had been cut back to only \$17,000. Chairman Nazzaro felt they usually found the money needed in the budget, and that for something larger there was FEMA or State funding. He said his concern was that the trust would be continuously funded and would keep building and asked if there was a way to cap the amount. Town Administrator Fournier replied that it could be capped and that money would not be put back in the trust until funds had been withdrawn, and be replenished the following year. He said his recommendation would be to withdraw the funds for the trust from the Fund Balance.

Vice Chair Levy said that it seemed reasonable, but that he could not support the resolution, as he felt they tried to fund pretty closely to the budget and usually found the money for any aberrations. He added that Department Heads usually saved money in their budgets, and that the Town had also benefitted from unanticipated revenues coming in significantly higher. He said he would rather find the money in the budget in an aberration year than create yet another fund, and said he did not feel this was necessary. Councilor Thompson said she was concerned that if this was funded and came before the Town Council, they would have to prove it was a weather emergency. She added that it was not a line-item contingency as it was specified for weather emergency. She said she agreed that she could not support this resolution as the money had always be found in the budget, and they had FEMA for bigger emergencies. Chairman Nazzaro said he thought it was a great idea, but preferred having a "general" contingency fund that would go for anything in the budget. He said that if the Town had a fund balance, he would prefer doing \$50,000 of road paving rather than creating this fund. Town Administrator Fournier said that for public information, it would be better to have a general contingency fund but that the legislature only allowed it by an annual vote separate from the budget. Vice Chair Levy asked Town Administrator Fournier to speak with the Town Attorney to get some kind of language to go to legislators to find a way to address this issue at the legislative level.

Town Administrator Fournier polled the council and the motion to approve *Resolution #2015/2016-09 Creation of a Weather/Emergency Expendable Trust Fund*, failed by a vote of 1-6.

**Resolution #2015/2016-10 Authorizing the Town Administrator to Enter into an Agreement for Granite Curbstone on Bennett Way**

Councilor Weinstein made a motion to approve *Resolution #2015/2016-10 Authorizing the Town Administrator to Enter into an Agreement for Granite Curbstone on Bennett Way*, which was seconded by Councilor Burns.

Discussion: Councilor Weinstein stated that she wanted to go over the points she raised on this issue in her prior letter. She said that sidewalks were not a luxury, but a true safety concern for residents, and added that granite curbing would contribute to that safety. She said that they had granite curbing on almost all the sidewalks in Town aside from Hersey Lane, which was a drainage issue. She said they needed to insure the safety of Newmarket residents today, and that she supported the granite curbing



for Bennett Way. Councilor Pike said that he had had a lot of conversations regarding the issue and that it was a close call for him due to the expense. He said he agreed that it was in their Master Plan that Newmarket was a walking city. He said he had recently observed the residents of Bennett Way with no place to walk down, and felt that due to the number of people living there he was trending toward supporting the resolution. Councilor Thompson pointed out that for the last few years the CIP had not voted to fund a capital reserve fund for sidewalks and their reasons needed to be respected. She said they had not seen any engineering or design work for how this would look, and said she was concerned about water runoff and potential liability. She said she felt that in this particular area sidewalks were a want and not a need, and that funds were desperately needed to finish road paving. She said the cost of \$200,000 did not include any labor numbers and felt she could not support the resolution at this time.

Vice Chair Levy said that there had been no orderly criteria in the document of the original committee in 2010 concerning which projects to fund when, and that nothing had been prioritized. He said that without knowing the labor costs he could not support the resolution for the same reasons as before. He added that if they were going to prioritize work in the Town it would be helpful to know the labor for this project versus others that needed to be done. Chairman Nazzaro said he agreed with Vice Chair Levy, that as a community they needed to be able to weigh labor costs of one project against another. Town Administrator Fournier said that he wanted to make it clear that this resolution had been put forward once and defeated, and that there was no advocacy on the part of the Town and no additional work had been done. Councilor Pike said the original map showed sidewalks on both sides on Bennett Way, and Town Administrator Fournier said there would only be sidewalks on one side of the street.

Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015/2016-10 Authorizing the Town Administrator to Enter into an Agreement for Granite Curbstone on Bennett Way*, passed by a vote of 4-3.

**Resolution #2015/2016-11 Authorizing the Town Administrator to Enter into an Agreement with Bell & Flynn of Stratham, NH for Paving Ash Swamp Road**

Councilor Weinstein made a motion to approve *Resolution #2015/2016-11 Authorizing the Town Administrator to Enter into an Agreement with Bell & Flynn of Stratham, NH for Paving Ash Swamp Road*, which was seconded by Councilor Burns.

Public Works Director Rick Malasky explained that this was the portion of Ash Swamp Road from the Four Corners to where they had stopped before. He said typically they only do base reclamation and let it sit for a year to go through a freeze/thaw cycle, but that with the composition of the base today it needed to be protected and sealed. He said the \$125,000 was available in the operating budget, and that they still had the \$125,000 in CIP for when the University updated a plan they were working on. Town Administrator Fournier said that he wanted to clarify that the University was trying to secure funding from the State Department of Transportation, and that they were waiting for approval from Strafford Regional Planning to do so. He said they were waiting to hear from Strafford Regional Planning as to whether or not they were approved for a third project, and that they were still looking at capital reserve funds to pay the difference.

Discussion: Chairman Nazzaro asked what they could do as Councilors to encourage Stafford Regional Planning to approve the project, and Town Administrator Fournier said they would just have to wait for the vote. Councilor Thompson asked for the anticipated cost for this portion of Ash Swamp Road, and Public Works Director Malasky replied that with shoulders and finish the price was approximately \$125,000. Vice Chair Levy asked for the total price from Bell & Flynn, as Pike Industries had provided a total estimated bid of \$232,000. Public Works Director Malasky explained that requests were made for a price-per-unit for reclamation, finish course, and shoulder gravel. He said they asked for a unit price as they did not know how much paving would eventually be done, and he said the estimate from Pike Industries was off by 1,000 tons of what had been requested. Vice Chair Levy asked what the price would be from Pike Industries on the same amount of tonnage. Public Works Director Malasky said their unit price was \$78/ton versus \$72/ton from Bell & Flynn, but that Pike Industries did not break up the pricing. He explained that typically the binder was one price and the finish course another, and said that Bell & Flynn broke out the tonnages. He recommended looking at the unit prices for binder, finish course, reclamation, and fine grading under each bid. He reiterated that Pike Industries was off on the number of tons, and that the bid was not requested to be redone as they refused to change their prices. Vice Chair Levy asked what Pike Industries would have been for the same material and Public Works Director Malasky estimated approximately \$10,000 more to put the finish course and shoulders on Ash Swamp Road. He said that basically Pike Industries would rather sell their mix than be out paving Newmarket. Town Administrator Fournier explained that they were pricing themselves out, but that they still wanted to be listed in case the market dropped on their side. Public Works Director Malasky said that Continental was the only other company that made their own mix at their plant in Londonderry, and that everyone else bought the mix from Pike Industries. Councilor Weinstein said, going back to the original resolution, that they had started the process and she supported it being finished. Councilor Thompson felt it seemed too convenient to have \$125,000 in the budget and the CIP with the cost from Bell & Flynn being exactly that amount. Public Works Director Malasky explained the price from Bell & Flynn was based on the tonnage times their rate plus the shoulders, and that they worked with them on the shoulders to keep the cost down. He said paving came to \$118,000 with approximately \$7,000 to do the shoulders, bringing the total cost to \$125,000.

Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015/2016-11 Authorizing the Town Administrator to Enter into an Agreement with Bell & Flynn of Stratham, NH for Paving Ash Swamp Road* passed unanimously by a vote of 7-0.

**Resolution #2015/2016-12 Replacing the Backstop at Beaulieu Little League Field**

Councilor Weinstein made a motion to approve *Resolution #2015/2016-12 Replacing the Backstop at Beaulieu Little League Field*, which was seconded by Councilor Burns.

Town Administrator Fournier explained that three (3) bids had been received and said that Beaulieu Field needed a lot of work and the backstop needed to be replaced. He said the resolution was brought before the Council as funds needed to be withdrawn from capital reserves. He said the Recreation Capital Improvement Fund currently had a balance of \$168,300, and he recommended hiring Fences Unlimited as the lowest bidder for the project at \$15,514.



Discussion: Councilor Weinstein said she was happy to see the commitment to improve the field and everything in Town for the Youth Sports Program, and that she supported this as well as the other two (2) resolutions to follow. Vice Chair Levy asked for an explanation of what exactly was happening with the backstop. Recreation Director Jim Hilton said that after many years the backstop was starting to roll up and had some sharp edges, and he was concerned that children could be hurt going after balls. Vice Chair Levy asked if this could be repaired, and Recreation Director Hilton said that it could not. He explained that the new backstop would have a canopy attached and the old one would need to be taken down as the edges would not line up. Chairman Nazzaro said that he felt this request was in alignment with the Capital Improvement Plan.

Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015/2016-12 Replacing the Backstop at Beaulieu Little League Field* passed unanimously by a vote of 7-0.

**Resolution #2015/2016-13 Replacing the Infield Dirt at Beaulieu Little League Field**

Councilor Weinstein made a motion to approve *Resolution #2015/2016-13 Replacing the Infield Dirt at Beaulieu Little League Field*, which was seconded by Councilor Burns.

Town Administrator Fournier explained that it was the same situation and that replacing the dirt was part of the renovation of Beaulieu Field.

As there was no discussion, Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015/2016-13 Replacing the Infield Dirt at Beaulieu Little League Field* passed unanimously by a vote of 7-0.

**Resolution #2015/2016-14 Replacing the Infield Dirt at Beanie Howcraft Memorial "D-Field"**

Councilor Pike made a motion to approve *Resolution #2015/2016-14 Replacing the Infield Dirt at Beanie Howcraft Memorial "D-Field"*, which was seconded by Councilor Weinstein.

Discussion: Vice Chair Levy asked if the dirt on the field could be regraded rather than replaced. Recreation Director Hilton said that in 1993 when the field was built, the practice at the time was to use stone dust and explained that this was not a good thing for two reasons. He said the consistency became hard over time like rock and was not safe for kids when sliding to bases. He said the second reason was that when it rained on stone dust, the water sat on top and they had to wait until the field dried out. He said the new turf mix would absorb the water and keep the field soft. Councilor Weinstein felt it was apparent that the fields were in dire need of repair. Councilor Burns said that she had taken a tour of the fields with Recreation Director Hilton, and said the surface was more like gravel than dirt and she felt it would be better if it were just replaced.

Town Administrator Fournier polled the Council and the motion to approve *Resolution #2015/2016-14 Replacing the Infield Dirt at Beanie Howcraft Memorial "D-Field"* passed unanimously by a vote of 7-0.

**ITEMS LAID ON THE TABLE - None**

**NEW BUSINESS/CORRESPONDENCE**

**TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS**

**Trustees of the Trust Funds**

**Candidate:** *Jim Bergeron – Term Expires March 2016*

Vice Chair Levy made a motion to approve the nomination of *Jim Bergeron*, Term to Expire March 2016, as a member of the *Trustees of the Trust Fund*, which was seconded by Councilor Thompson.

Town Administrator Fournier polled the Council and the motion to approve the appointment of *Jim Bergeron* as a member of the *Trustees of the Trust Fund* passed unanimously by a vote of 7-0.

**ORDINANCES AND RESOLUTIONS IN THE 1<sup>ST</sup> READING**

**Resolution #2015/2016-15 Increase of Sewer Rates**

Chairman Nazzaro read *Resolution #2015/2016-15 Increase of Sewer Rates* in full.

**Resolution #2015/2016-16 Approval of 2015 MS-535 - Financial Report**

Chairman Nazzaro read *Resolution #2015/2016-16 Approval of 2015 MS-535 - Financial Report* in full.

**Resolution #2015/2016-17 Authorizing the Town Administrator to Enter into a 5-Year Agreement with Municipal Resources Inc. for Assessing Services**

Chairman Nazzaro read *Resolution #2015/2016-17 Authorizing the Town Administrator to Enter into a 5-Year Agreement with Municipal Resources Inc. for Assessing Services* in full.

**CORRESPONDENCE/CLOSING COMMENTS**

Vice Chair Levy asked Town Administrator Fournier if he could have an engineer review the drainage issue on Bennett Way before the project was started, and Town Administrator Fournier said that he would. Councilor Weinstein said that the Sunrise Sunset Center was hosting a harvest dinner a week from Friday, and that tickets were on sale for \$20 per person. She also said that per the Town's Charter the Town Council was required to invite the School Board to an annual meeting, and felt that this was something they needed to discuss.

Councilor Pike stated that he had constituents voicing concern that Kruczek's Garage did look like a junkyard at one time, and said he was happy to see the letter from Mike Hoffman to address the issue and go through the process. He said he felt this was the appropriate action, and that if the standards for that type of business were not being met then they needed to figure out their options. Chairman Nazzaro said he agreed that it was the right course of action, but said he did not think there was



Town Council  
September 16, 2015 - Regular Meeting

comprehension of what the letter actually said. Councilor Thompson raised the issue of committees and wondered if the Advisory Heritage Committee should just be abolished and whether there were other similar committees out there. Chairman Nazzaro asked Town Administrator Fournier to provide a review of the committees, with budget season approaching.

Councilor Pickering announced that after a lot of thought, he was resigning his position as Council Representative to the Municipal Budget Committee effective this evening. Chairman Nazzaro thanked him for his service and said they would vote on an alternate at the next meeting. He asked anyone interesting in the position to contact him. Councilor Pickering asked if any plans were being made this fall to start patching the many holes and cracks on Town roads before winter. Town Administrator Fournier said that the first step was signing the agreement with Bell & Flynn for asphalt. Chairman Nazzaro asked that an update be provided at the next meeting.

#### **ADJOURNMENT**

Vice Chair Levy made a motion to adjourn the meeting, which was seconded by Councilor Thompson. The meeting was adjourned at approximately 8:30 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary

**THE TOWN  
ADMINISTRATOR'S  
REPORT WILL BE  
AVAILABLE ON  
MONDAY  
OCTOBER 5, 2015**



CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



**TOWN OF NEWMARKET, NEW HAMPSHIRE**  
**By the Newmarket Town Council**  
**Resolution #2015-2016-15**  
**Increase of Sewer Rates**

**WHEREAS,** the Newmarket Town Council has adopted a rate structure which is reviewed yearly in order to assure adequate funds to operate and maintain the systems and fund future projects, and

**WHEREAS,** the Newmarket Town Council has committed to level yearly sewer rate increases to cover the costs associated with the design, construction, and operation of the new wastewater treatment facility, and

**WHEREAS,** the Sewer Department has entered into agreement with the EPA to design, construct and operate a new wastewater treatment facility to low nitrogen limits.

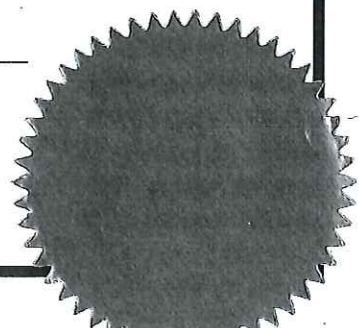
**NOW, THEREFORE, LET IT BE RESOLVED,** the Town Council does hereby approve the following sewer rates to be effective November 1, 2015:

Sewer users will be billed \$8.98 per 100 cubic feet of water consumed. The water and sewer system charge will remain the same, but will be billed monthly \$2.00 for each water and sewer per unit.

*First Reading:*                      *September 16, 2015*  
*Second Reading:*                  *October 7, 2015*  
*Approval:*                              *October 7, 2015*

Approved: \_\_\_\_\_  
Philip Nazzaro, Chairman Newmarket Town Council

A True Copy Attest: \_\_\_\_\_  
Terri Littlefield, Town Clerk



ENVIRONMENTAL SERVICES  
A DEPARTMENT OF  
PUBLICS WORKS



INCORPERATED  
DECEMBER 15, 1727  
CHARTER JANUARY 1, 1991

To: Steve Fournier, Town Administrator  
From: Sean T. Greig, Supt. Water/Sewer  
Date: September 24, 2015  
Re: Sewer Rate Increase for the improvements to the Wastewater Treatment Facility

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Previously, I presented to the town's people and Town Council that the design, construction, operation, and maintenance of the new Wastewater Treatment Facility would cause the sewer rates to more than double. The Town Council was presented the option of having several yearly level sewer rate increases, or a one-time large sewer rate increase. The Town Council chose to go with the level yearly sewer rate increases. Below is a table of the scheduled sewer rate increases.

Fiscal Year	Rate
2013-2014	\$7.46
2014-2015	\$8.22
2015-2016	\$8.98
2016-2017	\$9.74
2017-2018	\$10.50
2018-2019	\$11.26
2019-2020	\$12.02
2020-2021	\$12.72
2021-2022	\$13.42
2022-2023	\$13.57
2023-2024	\$13.72



CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



**TOWN OF NEWMARKET, NEW HAMPSHIRE**  
**By the Newmarket Town Council**  
**Resolution #2015/2016-16**

**Approval of 2015 MS-535 – Financial Report**

**WHEREAS**, the Town of Newmarket must file a financial report to the New Hampshire Department of Revenue Administration (DRA) on DRA Form MS-535; and

**WHEREAS**, the completed MS-5 form is reviewed and approved by the Town Council.

**NOW, THEREFORE BE IT RESOLVED** that the Newmarket Town Council does hereby approve for signature the MS-535 form as presented.

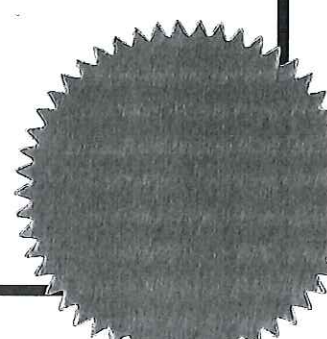
*First Reading: September 16, 2015*

*Second Reading: October 7, 2015*

*Approval: October 7, 2015*

Approved: \_\_\_\_\_  
Philip Nazzaro, Chairman Newmarket Town Council

A True Copy Attest: \_\_\_\_\_  
Terri Littlefield, Town Clerk





## FINANCIAL REPORT OF THE TOWN, CITY, OR VILLAGE DISTRICT BUDGET

Form Due Dates: **April 1, 2015**, if operating on a Calendar Year, reporting from 1/1/14 to 12/31/14,  
OR  
**September 1, 2015**, if operating on a Fiscal Year, reporting from 7/1/13 to 6/30/14.

### Instructions

Cover Page

Account Codes Expenditures Other Authorizations, Actual Expenditures Other Authorization Revenues  
Revenues Actual Revenues

Balance Sheet End of Year

Reconciliation Sheets

Amortization of Long Term Debt

**For Assistance Please Contact:**

**DRA Municipal and Property Division**

Phone: (603) 230-5090

Fax: (603) 230-5947

<http://www.revenue.nh.gov/mun-prop/>

#### ENTITY'S INFORMATION ?

Entity Type:  Municipality  Village

Municipality:

County:

#### PREPARER'S INFORMATION ?

First Name

Last Name

Preparer's Entity

Street No.

Street Name

Phone Number

Email (optional)





**EXPENDITURES**

**GENERAL GOVERNMENT** ?

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
4130 - 4139	Executive <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Election, Reg. & Vital Statistics <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Financial Administration <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Property Assessment <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Legal Expense <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Personnel Administration <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Planning & Zoning <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
4130 - 4139	General Government Buildings <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Cemeteries <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Insurance <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
4130 - 4139	Advertising & Regional Association <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
4130 - 4139	Other General Government Expense <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">?</span>	195194	365625	199262
		Explanation for Authorizations: Transfers/Reclassifications		
<b>General Government Subtotal</b>		0	0	0





**PUBLIC SAFETY** ?

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Police <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
	Ambulance <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Fire <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
<input type="text"/>	Building Inspection <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
<input type="text"/>	Emergency Management <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
<input type="text"/>	Other (Including Communications) <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Public Safety Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**AIRPORT/AVIATION CENTER** ?

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Airport Operations <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Airport/Aviation Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**HIGHWAYS AND STREETS** ?

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Administration <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
	Highway & Streets <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
	Bridges <span style="border: 1px solid gray; border-radius: 50%; padding: 2px;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>





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<input type="checkbox"/>	Street Lighting <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
<input type="checkbox"/>	Other <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
<b>Highways and Streets Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**SANITATION <sup>?</sup>**

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Administration <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Solid Waste Collection <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Solid Waste Disposal <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	Solid Waste Facility Clean-up <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	Sewage Collection, Disposal, and Other <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Sanitation Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**WATER DISTRIBUTION AND TREATMENT <sup>?</sup>**

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Administration <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Water Services <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Water Treatment <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Water Conservation & Other <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Water Distribution and Treatment Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**ELECTRIC <sup>?</sup>**

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Administration & Generation <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Purchase Costs <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>



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Electric Equipment Maintenance <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/> Other Electric Costs <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Electric Subtotal</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>HEALTH</b> <sup>?</sup>				
Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Administration <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Pest Control <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Health Agencies & Hospital & Other <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Health Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>WELFARE</b> <sup>?</sup>				
Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Administration & Direct Assistance <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Explanation for Authorizations:		<input type="text"/>	
	Intergovernmental Welfare Payments <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Vendor Payments & Other <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Welfare Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>CULTURE AND RECREATION</b> <sup>?</sup>				
Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Parks & Recreation <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Library <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Patriotic Purposes <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	Other Culture & Recreation <sup>?</sup>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Culture and Recreation Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>





**CONSERVATION AND DEVELOPMENT** ?

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Admin. & Purchase of Natural Resources ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
	Other Conservation ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Redevelopment and Housing ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	Economic Development ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
<b>Conservation &amp; Development Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**DEBT SERVICE** ?

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Principal - Long Term Bonds & Notes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
	Interest - Long Term Bonds & Notes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		
	Interest on Tax Anticipation Notes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	Other Debt Service ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Debt Service Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**CAPITAL OUTLAY** ?

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
	Land ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Machinery, Vehicles, & Equipment ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Buildings ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Explanation for Authorizations: <input type="text"/>		



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<input type="text"/>	Improvements Other Than Buildings <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Explanation for Authorizations:		<input type="text"/>		
<b>Capital Outlay Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**OPERATING TRANSFERS OUT ?**

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
<input type="text"/>	To Special Revenue Fund <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	To Capital Projects Fund <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	To Enterprise Fund <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Sewer	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Water	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Electric	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Airport	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Other	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	To Capital Reserve Fund <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	To Expendable Trust Fund - Not #4917 <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	Health Maintenance Trust Funds <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	To Nonexpendable Trust Funds <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	To Fiduciary Funds <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Operating Transfers Out Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**PAYMENTS TO OTHER GOVERNMENTS ?**

Account #	Purpose of Appropriations (RSA 32:3, V)	Voted Appropriations	Other Authorizations	Actual Expenditures
<input type="text"/>	Taxes Assessed for County <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	Taxes Assessed For Village District <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	Taxes Assessed for Local Education <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	Taxes Assessed for State Education <span style="float: right;">?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>





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<input type="checkbox"/>	Payments to Other Governments <span>?</span>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Payments to Other Governments Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>
Less Proprietary Funds, Special Revenue Funds, or Capital Projects Funds		<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>TOTAL GENERAL FUND EXPENDITURES</b>		<b>Voted Appropriations</b>	<b>Other Authorizations</b>	<b>Actual Expenditures</b>
<b>TOTAL GENERAL FUND EXPENDITURES</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>



**REVENUES**

**TAXES** ?

Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	Property Taxes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Land Use Change Taxes - General ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Land Use Change Taxes - Conservation ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Resident Taxes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Yield Taxes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Payment in Lieu of Taxes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Excavation Tax (\$0.02 cents per cubic yard) ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Other Taxes ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Interest & Penalties on Delinquent Tax ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Inventory Penalties	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Taxes Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**LICENSES, PERMITS, AND FEES** ?

Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	Business Licenses & Permits ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Motor Vehicle Permit Fees ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Building Permits ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Other Licenses, Permits, & Fees ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Licenses, Permits, and Fees Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

**FROM FEDERAL GOVERNMENT** ?

Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	From Federal Government ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>From Federal Government Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>





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<b>FROM STATE</b> ?				
Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	Shared Revenues ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Meals & Rooms Tax Distribution ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Highway Block Grant ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Water Pollution Grant ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Housing & Community Development ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	State & Federal Forest Land Reimbursement ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Flood Control Reimbursement ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Other (Including Railroad Tax) ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	From Other Governments ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>From State Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>CHARGES FOR SERVICES</b> ?				
Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	Income from Departments ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Other Charges ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Charges for Services Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>MISCELLANEOUS REVENUES</b> ?				
Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	Sale of Municipal Property ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Interest on Investments ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Other ?	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Miscellaneous Revenues Subtotal</b>		<input type="text"/>	<input type="text"/>	<input type="text"/>





**INTERFUND OPERATING TRANSFERS IN** ?

Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	From Special Revenue Funds <span style="float: right;">?</span>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	From Capital Projects Funds <span style="float: right;">?</span>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
<input style="width: 50px;" type="text"/>	From Enterprise Funds <span style="float: right;">?</span>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	Sewer - (Offset)	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	Water - (Offset)	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	Electric - (Offset)	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	Airport - (Offset)	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	Other - (Offset)	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	From Capital Reserve Funds <span style="float: right;">?</span>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	Explanation of Unanticipated Revenues:	<input style="width: 100%;" type="text"/>		
	From Trust & Fiduciary Funds <span style="float: right;">?</span>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
	Transfers from Conservation Fund <span style="float: right;">?</span>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
<b>Interfund Operating Transfers Subtotal</b>		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>

**OTHER FINANCING SOURCES** ?

Account #	Source of Revenues	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
	Proceeds from Long Term Bonds & Notes <span style="float: right;">?</span>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
<small>NOTE: NH law requires all municipalities to gross appropriate. Full disclosure of those appropriations and offsetting revenues are required on this report. Those revenues accounted for in proprietary or other funds are subtracted from this report for the purposes of general fund balance sheet disclosure. See the municipality's audited financials for more information on proprietary funds, special revenue funds, or capital project funds. Also, see the supplemental schedule.</small>				
<b>Other Financing Sources Subtotal</b>		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>

Less Propriety Funds, Spec. Rev. Funds, or Capital Project Funds	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Explanation of Unanticipated Revenues:	<input style="width: 100%;" type="text"/>			

	Estimated Revenues to Set Tax Rate	Unanticipated Revenues	Actual Revenues
<b>TOTAL GENERAL FUND REVENUE</b>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>





**Taxes/Liens Receivable Worksheet**

Line Item	Year of this Report	For Prior Levy	TOTAL
Uncollected at End of Year	<input type="text"/>	<input type="text"/>	<input type="text"/>
"Overlay" carried forward as "Allowance for Abatements"	<input type="text"/>	<input type="text"/>	<input type="text"/>
Receivable at End of year (to Balance Sheet accounts 1080, 1100)	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Reconciliation of Regional School District Liability**

Line Item	Amount
Regional School District Liability at Beginning of Year (To Balance Sheet Account 2075, Beginning of Year)	<input type="text"/>
<b>ADD:</b> Regional School District Assessment for Current Year	<input type="text"/>
Total Liability Within Current Year (Sum of Lines 1 and 2)	<input type="text"/>
<b>SUBTRACT:</b> Payments made to Regional School District	<input type="text"/>
Due to School District End of Year (To Balance Sheet Account 2075, End of Year)	<input type="text"/>

**Reconciliation of Tax Anticipation Notes**

Line Item	Amount
Short-Term (TANS) Debt at Beginning of Year (To Balance Sheet Account 2230, Beginning of Year)	<input type="text"/>
New Issues During Current Year	<input type="text"/>
Issues Retired During Current Year	<input type="text"/>
Short-Term (TANS) Debt Outstanding at End of Year (To Balance Sheet Account 2230, End of Year)	<input type="text"/>



**BALANCE SHEET**

Account	Current Assets ?	Beginning of Year	End of Year
	Cash and Equivalents ?	<input type="text"/>	<input type="text"/>
	Investments ?	<input type="text"/>	<input type="text"/>
	Tax Receivable ?	<input type="text"/>	<input type="text"/>
	Tax Liens Receivable ?	<input type="text"/>	<input type="text"/>
	Accounts Receivable ?	<input type="text"/>	<input type="text"/>
	Due from Other Governments ?	<input type="text"/>	<input type="text"/>
	Due from Other Funds ?	<input type="text"/>	<input type="text"/>
	Other Current Assets ?	<input type="text"/>	<input type="text"/>
	Tax Deeded Property (Subject to Resale) ?	<input type="text"/>	<input type="text"/>
	<b>TOTAL ASSETS</b>	<input type="text"/>	<input type="text"/>

Account	Current Liabilities ?	Beginning of Year	End of Year
	Warrants and Accounts Payable ?	<input type="text"/>	<input type="text"/>
	Compensated Absences Payable ?	<input type="text"/>	<input type="text"/>
	Contracts Payable ?	<input type="text"/>	<input type="text"/>
	Due to Other Governments ?	<input type="text"/>	<input type="text"/>
	Due to School Districts ?	<input type="text"/>	<input type="text"/>
	Due to Other Funds ?	<input type="text"/>	<input type="text"/>
	Deferred Revenue ?	<input type="text"/>	<input type="text"/>
	Notes Payable - Current ?	<input type="text"/>	<input type="text"/>
	Other Payable ?	<input type="text"/>	<input type="text"/>
	<b>TOTAL LIABILITIES</b>	<input type="text"/>	<input type="text"/>





Account	Fund Equity ?	Beginning of Year	End of Year
	Non-spendable Fund Balance ?	<input type="text"/>	<input type="text"/>
	Restricted Fund Balance ?	<input type="text"/>	<input type="text"/>
	Committed Fund Balance ?	<input type="text"/>	<input type="text"/>
	Assigned Fund Balance ?	<input type="text"/>	<input type="text"/>
	Unassigned Fund Balance ?	<input type="text"/>	<input type="text"/>
<b>TOTAL FUND EQUITY</b>		<input type="text"/>	<input type="text"/>

<b>TOTAL LIABILITIES and FUND EQUITY</b>	<input type="text"/>	<input type="text"/>
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NOTE: NH law requires all municipalities to gross appropriate, but this balance sheet only reflects the general fund. See the municipality's audited financials for more information on proprietary funds, special revenue funds, or capital project funds.

### General Fund Balance Sheet Reconciliation

Line Item	Amount
Total Revenues	<input type="text"/>
Total Expenditures	<input type="text"/>
<b>Change (Increase or Decrease)</b>	<input type="text"/>
Ending Fund Equity from Balance Sheet	<input type="text"/>
Less Beginning Fund Equity from Balance Sheet	<input type="text"/>
<b>Change (Increase or Decrease)</b>	<input type="text"/>



**AMORTIZATION OF LONG-TERM DEBT (including Proprietary and Capital Project Funds)**

Description	Original Obligation	Purpose	Annual Installment	Interest Rate (%) or Range (% - %)	Year of Final Payment (YYYY)	Bonds o/s at Beginning of Year	Bonds Issued this Year	Bonds Retired this Year	Bonds o/s at End of year
									-
									-
									-
									-
									-
<b>Total</b>									<b>Add Line</b>





**New Hampshire**  
 Department of  
 Revenue Administration



**PREPARER'S CERTIFICATION**

Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

Preparer's First Name

Preparer's Last Name

Preparer's Signature and Title

Date

Audited     Unaudited

**Check to Certify Electronic Signature:** You are required to check this box and provide your name above. By checking this box, you hereby declare and certify that the electronic signature above was actually signed by the Preparer and that the electronic signature is valid.

Submit

Please save and e-mail the completed PDF form to your Municipal Services Advisor:

Print

A hard-copy of this signature page must be signed and submitted to the NHDRA at the following address:

NH DEPARTMENT OF REVENUE ADMINISTRATION  
 MUNICIPAL AND PROPERTY DIVISION  
 P.O. BOX 487, CONCORD, NH 03302-0487

**Governing Body Certification**

This is to certify that the information contained in this form was taken from official records and is complete to the best of our knowledge and belief. Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

\_\_\_\_\_  
 Governing Body Member's Signature and Title

\_\_\_\_\_  
 Governing Body Member's Signature and Title

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 Governing Body Member's Signature and Title

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 Governing Body Member's Signature and Title





**INSTRUCTIONS For the MS-535 Financial Report of the Town, City, or Village District Budget**

The MS-535 is to be used by every NH town, city, or village district to report the year end financial status of the budget. The report is to be completed at the end of the reporting year and submitted to the NH Department of Revenue Administration (DRA) pursuant to RSA 21-J:34, V.

**Cover Sheet**

Prior to entering reporting data, please fill out all fields on the cover page.

NOTE: NH law requires all municipalities to gross appropriate. Full disclosure of those appropriations and offsetting revenues are required on this report. Those amounts accounted for in proprietary or other funds are later removed from this report for purposes of general fund balance sheet disclosure. See the municipality's audited financials for more informations on proprietary funds, special revenue funds, or capital project funds.

The governing body and preparer must sign in ink, date, and mail the report to the DRA at the address on the cover by April 1st after a calendar reporting year and by September 1st for optional reporting year.

**Budget Expenditures**

Voted Appropriations	Enter gross appropriations as voted at the prior year's annual and any special meetings and as approved by DRA on the MS-2. For accounts 4931, 4932, 4933, and 4934 the voted appropriations should match the amounts shown on the tax rate calculation paperwork. In the future, DRA will pre-populate this column.
Other Authorizations	Enter expenditure authorizations in addition to amounts in column 3 and detail in the box at the bottom of the page. Examples: Emergency expenditures under RSA 32:11; grant expenditures under RSA 31:95-b; additional expenditures from capital reserve or trust funds by agents.
Actual Expenditures	Enter actual expenditures (include amounts in column 4). (Proprietary funds, special revenue, and capital project funds are to be netted out for this report, generally in acct. #4914 or #4912). Expenditures for "Payments to Other Governments" on page 4 are set in tax rates. For accounts 4931, 4932, 4933, and 4934 the actual expenditures should match the amounts shown on the tax rate calculation paperwork.

**Revenues**

Estimated Revenues to Set Tax Rate	Enter estimated revenues from reporting year MS-4 used to set the tax rate.
Actual Revenues	Enter revenues attributable to the reporting year. <b>Proprietary funds, special revenue, and capital project funds are to be netted out for this report at the bottom of the column.</b> In the first row, acct. #3110, add property tax amount from tax collector's warrant, plus any excess overlay. Enter general fund revenue in the last row.

**General Fund Balance Sheet**

Beginning of Year Column	Enter Beginning of the Year amounts using prior year's End of Year amounts or as adjusted by your auditors.
End of Year Column	Enter the End of Year amounts from your records or as adjusted by your auditors.  See Reconciliation Worksheets to help calculate amounts.

To be GASB 54 compliant, the fund balance classifications have changed. See the next sheet for further explanation.

**Reconciliation Worksheet**

General Fund Section	This section illustrates how revenues and expenditures flow through to Fund Balance
School District Section	Enter amounts to determine end of year school district liability, or call your SAU for year end amounts.
Tax Anticipation Notes Section	Enter amounts to determine end of year TAN liability amount.





**Fund Balance Explanation: Changes from Previous Year's as Necessitated by GASB 54**

As Previously Classified in Prior Years

a. Assigned (Formerly Reserve for encumbrances)	2440
b. Committed (Formerly Reserve for Continuing Appropriations)	2450
c. Restricted (Formerly Reserve for Appropriations Voted for CRF/ETF)	2460
d. Committed (Formerly Reserve for Appropriations Voted)	2460
e. Assigned (Formerly Reserve for Special Purposes)	2490
f. Unassigned (Formerly Unreserved Fund Balance)	2530

As Required under GASB 54

a. Nonspendable Fund Balance	2440	= Non-cash items such as inventories or prepaid items.
b. Restricted Fund Balance	2450	= Funds legally restricted, such as a grant or library funds.
c. Committed Fund Balance	2460	= Only used for a specific voted purpose, like a special WA.
d. Assigned Fund Balance	2490	= Intended for specific purpose such as an encumbrance.
e. Unassigned Fund balance	2530	= Spendable fund balance (formerly: unreserved or surplus).

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



**TOWN OF NEWMARKET, NEW HAMPSHIRE  
BY THE NEWMARKET TOWN COUNCIL  
RESOLUTION #2015/2016 - 17**

**AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO A 5 – YEAR  
AGREEMENT WITH MUNICIPAL RESOURCES INC. FOR ASSESSING SERVICES.**

**WHEREAS** The Town of Newmarket has engaged Municipal Resources Inc. for Assessing Services since 2012, and

**WHEREAS** Municipal Resources Inc. will provide general assessing services to the Town, in addition conduct the quarterly reviews of properties to prepare the community for the 2019 statistical update, and

**WHEREAS** Municipal Resources Inc. proposes a flat assessing fee of the following:

FY2016 .....	\$59,000
FY2017 .....	60,475
FY2018 .....	61,987
FY2019 .....	63,537
FY2020 .....	65,125

Defense of values to the BTLA will be \$125

**NOW THEREFORE LET IT BE RESOLVED BY THE NEWMARKET TOWN COUNCIL,**

That the Town Council authorizes the Town Administrator to enter into an agreement with Municipal Resources Inc. for assessing services for five years.



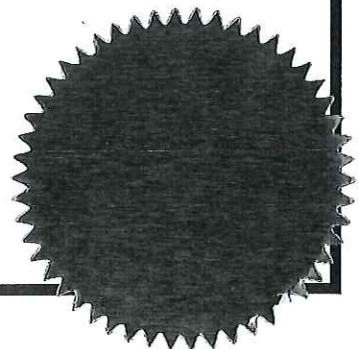
*First Reading:*            *September 16, 2015*

*Second Reading:*        *October 7, 2015*

*Approval:*                *October 7, 2015*

Approved: \_\_\_\_\_  
Philip Nazzaro, Chairman Newmarket Town Council

A True Copy Attest: \_\_\_\_\_  
Terri Littlefield, Town Clerk





120 Daniel Webster Highway  
Meredith, NH 03253

tel: 603.279.0352 • fax: 603.279.2548  
toll free: 866.501.0352

**Municipal Resources**  
www.municipalresources.com

## **PROFESSIONAL SERVICES AGREEMENT**

### **I. PARTIES TO THE AGREEMENT**

This Agreement, dated \_\_\_\_\_, 2015, is intended to provide a professional consulting relationship for services to the **TOWN OF NEWMARKET, NEW HAMPSHIRE (Client)** to be provided by **MUNICIPAL RESOURCES, INC. (MRI)**, and is lawfully entered into between the Client, by its Town Administrator, Steve Fournier, and MRI, by its President, Donald R. Jutton. The Client's contact person responsible for administering this agreement is the Town Administrator, Steve Fournier.

### **II. SCOPE OF WORK**

To provide on-going oversight, coordination, and management for the Tax Assessing operations to assist the Town Council in fulfillment of their duties and responsibilities related to the assessment and taxation of real property throughout the Town of Newmarket.

The services to be provided include the following:

Completion of the 2019 statistical update as required to satisfy the requirements of the NH DRA.

Adequately attend to, manage, and maintain the operational elements of the Assessing Office to include: exemptions, credits, current use, land use change tax (LUCT), timber and gravel yield taxes, and all other statutory assessing obligations.

Conduct careful measuring, listing, and valuation of new or newly modified properties as identified by the issuance of permits or any other applicable source.

Perform field inspections on all properties that have transferred during each year of the contract period, and investigate and verify the circumstances surrounding all sales as required by the DRA.



Perform field inspections on 25% of the real estate parcels in the community in the first through fourth and sixth year of this agreement (2015, 2016, 2017, 2018 and 2020) so that all properties have been inspected and field verified at least once within a five year cycle.

Conduct field inspections and other studies necessary to responsibly review and make recommendations to the Town Administrator regarding abatement requests filed in each year of this agreement.

Meet with taxpayers wishing to discuss their valuations, answer questions, and explain the practices and procedures employed in real property assessment as reasonably required.

Meet with the Town Administrator, Municipal Administrators, Department Heads, and/or Town Council upon request.

Represent the Town of Newmarket and its best interest in all abatements or appeals.

Meet and work with State Monitors as necessary to ensure the Town is meeting all certification requirements of the DRA and to maintain positive and responsive working relationships.

Perform annual assessment to sales ratio studies for the purpose of informing the Town Administrator of the need for revaluation, partial revaluation, or statistical update to be or remain compliant with RSA 75:8 – Revised Inventory.

Work with, support, and see to the maintenance of the Vision CAMA System currently licensed by the Town.

While the Town may terminate this agreement without penalty at any point if the Town and the Town Council decide to reinstitute in-house capacity, MRI's workload is not evenly distributed throughout the term of this agreement and the actual cost of services provided are not always covered in each monthly payment, consequently, a closeout financial adjustment may be required to bring MRI charges current with actual services provided depending upon the date of termination.

During the term of this Agreement, the Town staff will provide photocopies of building permits and any other applicable information for each property to be reviewed, and will provide other incidental clerical/administrative assistance that may be required. It is also expected that any questions or issues that arise, whether originating from a Town official, employee, or taxpayer, will be brought to MRI's attention at the earliest opportunity, so that it may be dealt with expeditiously.

With regard to field inspections, MRI will make an initial visit to each property; if someone is present at the time of the visit, an interior inspection will be attempted. However, in all cases,



MRI will measure the exterior of the improvements, except where inappropriate. In those cases where the interior is not viewed on the initial visit, a list will be provided to enable the Town staff to send a letter requesting an appointment for an interior inspection. If no interior inspection is accommodated by the property owner, MRI will estimate the interior on the basis of the best information available and annotate the property card accordingly. MRI staff will be present in the town as needed to fulfill the terms and conditions of the agreement, with time varying considerably from month to month.

In 2019, the analysis associated with the statistical update must be broken out into a separate (sub)-contract per DRA rules; however, the total cost of the separate (sub)-contract will be covered in the fees and charges below. Also, if as a result of new legislation and/or new DRA or ASB rules/guidelines, fewer or more services are required, a supplemental scope of work will need to be mutually developed and agreed upon.

### **III. FEES AND CHARGES**

The annual fees indicated below will be paid in 12 equal monthly installments by the 10th of each month in advance; commencing with a first billing in June 2015 for the month of July 2015, and continuing forward with invoices on the 1<sup>st</sup> of the month thereafter. Any reimbursable charges and other extras (see Special Conditions below) will be invoiced in the month following the expense and will be paid within 30 days of invoice. Invoices not paid within 30 days will accrue interest at the rate of 1.5% per month.

- A. The sum of \$59,000 from 7/1/2015 to 6/30/2016;
- B. The sum of \$60,475 from 7/1/2016 to 6/30/2017;
- C. The sum of \$61,987 from 7/1/2017 to 6/30/2018;
- D. The sum of \$63,537 from 7/1/2018 to 6/30/2019;
- E. The sum of \$65,125 from 7/1/2019 to 6/30/2020;

Use of a consultant's personal vehicles for field work will be documented and billed at the IRS rate in effect at that time.

Preparation and presentation of the defense of values above the local level are not included in the monthly fee schedule. After securing authorization to proceed from the Town Administrator, MRI will bill for such services at \$125 per hour, except for the defense of utility values, where the cost will be \$175 per hour.

To the extent technical assistance is required from the Town's software vendors, or others knowledgeable of the assessing/tax collection systems and practices, the Town shall be responsible to pay directly all such costs. MRI shall cooperate fully in an effort to keep any required technical support costs as low as possible.



Third parties retained by MRI who or which are not MRI employees or affiliates, and as noted on any Supplement(s), will be invoiced at a cost sufficient to cover all charges and costs.

**IV. MRI PERSONNEL IN CHARGE**

Donald R. Jutton, President, will serve as principal-in-charge of this engagement. Scott Marsh will remain assessor with Paul McKenney serving as the project team leader, supported by other qualified MRI assessing staff as needed.

Gail Schillinger will serve as the Communication Liaison between the Client and MRI to expedite the flow of project information, to record and properly direct Client inquiries regarding the project, and to ensure that problems or issues that may arise during the engagement are addressed and resolved expeditiously. Please feel free to contact Ms. Schillinger regarding any matter related to this project at:

Gail H. Schillinger, Customer Liaison Representative  
Municipal Resources, Inc.  
120 Daniel Webster Highway  
Meredith, NH 03253  
(603) 279-0352, x-303  
(866) 501-0352, X-303 TOLL FREE  
[gschillinger@mrigov.com](mailto:gschillinger@mrigov.com)

Communications or correspondence related to any problems, issues, or changes required for this project shall be directed to the Client at the following address:

Steve Fournier  
Town Administrator  
Town of Newmarket  
186 Main Street  
Newmarket, NH 03857

**V. TERM**

This agreement shall remain in force and effect from July 1, 2015 through June 30, 2020, unless extended by mutual agreement.

Either party may terminate the Agreement with 30 days advance written notice to the other party subject to relevant terms and conditions contained herein.

**THIS CONTRACT IS SUBJECT TO THE PROVISIONS CONTAINED IN ADDENDUM I, ATTACHED HERETO AND INCORPORATED HEREWITH.**

ACCEPTED AND AGREED

FOR THE TOWN OF NEWMARKET  
BY ITS TOWN ADMINISTRATOR

FOR MUNICIPAL RESOURCES, INC.

\_\_\_\_\_  
Steve Fournier, Town Administrator

\_\_\_\_\_  
Donald R. Jutton, President

Date: \_\_\_\_\_

Date: \_\_\_\_\_





## ADDENDUM I

### **A. MUTUAL REPRESENTATIONS**

MRI represents to the Client it is a duly constituted corporation under the laws of the State of New Hampshire and is authorized to do business within this State as a professional services corporation.

MRI has in force and effect general commercial liability and errors and omissions insurance coverage to protect the Client from accidents which MRI or its authorized representatives may cause to persons or property or from professional errors or omissions when performing under this agreement.

MRI has no liens or encumbrances which would adversely affect the ability of MRI to perform as stipulated under this agreement, its terms and conditions.

The Client represents to MRI that sufficient funds have been appropriated so it may retain and compensate MRI for the services provided for herein.

The Client's representative is authorized to enter into this agreement on behalf of the Client.

The Client is aware of no action, contemplated action, liability or other encumbrance which would limit or otherwise preclude the Client from freely entering into this agreement and compensating MRI for the services provided.

### **B. NOTICE OF CHANGE OF PERSONNEL**

Except as otherwise provided below, the MRI consultants assigned to any scope of work or project will remain throughout the duration of that specific scope of work or project. MRI retains the right, and upon 30 days written notice, to remove from the project any of its consultants whom it believes can no longer suitably perform under its obligations to this agreement or any Supplement to it.

The Client, upon 30 days written notice, may request MRI to replace any of its consultants with another qualified representative.

### **C. ADMINISTRATION OF AGREEMENT MODIFICATIONS**

In all cases where this agreement is modified or expanded a written Supplemental Scope of Work (Supplement) must be prepared which clearly defines the services to be provided and details the billing rates or amounts to be charged by MRI and paid by the Client. Supplements must be executed by the authorized representatives of the respective parties prior to any billable work being undertaken. The Supplement(s) shall identify:



The MRI officer or principal responsible for the successful delivery of services and/or project completion and the client's contracting official(s) or officer(s);

The specific details of the work to be performed;

The MRI personnel to be assigned;

The basis upon which MRI services are being retained, including the normal hourly rate(s), cost reduction considerations or the agreed upon fee(s) for the personnel assigned and/or the services provided;

The Client's contact person responsible for administering the Supplement, activities or project and the associated reporting requirements; and any special or other conditions such as time deadlines, special reporting requirements, budget limitations, or other similar constraints.

#### **D. INDEMNIFICATION**

MRI shall protect, indemnify and hold and save harmless Client, its officers, employees, officials, and agents from any and all claims, costs, causes, actions and expenses, including, but not limited to, legal fees (attorneys' and paralegals' fees and court costs) arising out of MRI's negligence in the provision of services to Client. MRI shall similarly protect, indemnify and hold and save harmless Client, its officers, employees, officials and agents against and from any and all claims, costs, causes, actions, and expenses, including, but not limited to, legal fees, incurred by reason of MRI's breach of any of its obligations under, or MRI's default of, any provision of this Agreement.

Client shall protect, indemnify, and hold and save harmless MRI, its agents, employees, and affiliates against and from any and all claims, costs, causes, actions, and expenses, including, but not limited to, legal fees (attorneys' and paralegals' fees and court costs) arising out of Client's negligence in fulfilling its obligations under this Agreement. Client shall similarly protect, indemnify and hold and save harmless MRI, its agents, employees, and affiliates against and from any and all claims, costs, causes, actions, and expenses, including, but not limited to, legal fees, incurred by reason of Client's breach of an of its obligations under, or Client's default of, any provisions of this Agreement.

#### **E. INSURANCE**

MRI has in force and shall maintain throughout this engagement the following insurance:

##### **1. General Liability Insurance**



MRI shall maintain commercial general liability (CGL) and, if necessary, commercial umbrella insurance with a limit of not less than \$1,000,000 each occurrence covering liability arising from premises , operations, independent contractors, products-completed operations, personal injury (including employment practices liability) and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract). If such CGL insurance contains a general aggregate limit, it shall apply separately to this project.

Client shall be named as an additional insured prior to beginning work and MRI shall furnish client with a Certificate(s) of Insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth above.

All Certificates shall provide for 30 days' written notice to the Client prior to the cancellation or material change of any insurance referred to thereon.

**2. Professional Liability Insurance**

MRI shall maintain professional liability and, if necessary, commercial umbrella liability insurance with a limit of not less than \$1,000,000 each wrongful act arising out of the performance or failure to perform professional services.

**3. Business Auto and Umbrella Liability Insurance**

If applicable, MRI shall maintain business auto liability and, if necessary, commercial umbrella liability insurance with a limit of not less than \$1,000,000 each accident. Such insurance shall cover liability arising out of any auto including owned, hired, and non-owned autos.

**4. Workers Compensation Insurance**

MRI shall maintain workers compensation and employers liability insurance. The commercial umbrella and/or employers liability limits shall not be less than \$1,000,000 each accident for bodily injury by accident or \$1,000,000 each employee for bodily injury by disease.

**F. NON-SOLICITATION**

The Client agrees that, for a period of one-year following the completion of the term of this agreement, they shall not, directly or indirectly, hire, solicit, or otherwise encourage any other MRI personnel or affiliates assigned to this agreement to leave MRI's employment.

If the client should wish to hire any MRI personnel or affiliate assigned to this Agreement it agrees to compensate MRI with payment in the amount of 25% of that person's 1st year total compensation package.

Initialed for Client: \_\_\_\_\_ Initialed for MRI: \_\_\_\_\_  
Date: \_\_\_\_\_ Date: \_\_\_\_\_





CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



**TOWN OF NEWMARKET, NEW HAMPSHIRE**  
**By the Newmarket Town Council**  
**Resolution #2015-2016-18**  
**Sale of Tax Deeded Property**

**WHEREAS,** The Town of Newmarket desires to quickly return tax deeded property to the tax rolls, and

**WHEREAS,** the Town recorded a tax deed for 41 Exeter Road, and

**WHEREAS,** disposing of tax deeded property on the open market, rather than auction or sealed bid, will bring the highest possible price.

**NOW THEREFORE BE IT RESOLVED,** that the Newmarket Town Council does authorize the Town Administrator to negotiate terms and price, sign any documents, conveyances, and agreements related thereto.

First Reading:           October 7, 2015

Second Reading:

Approval:

Approved: \_\_\_\_\_  
Philip Nazzaro, Chairman Newmarket Town Council

A True Copy Attest: \_\_\_\_\_  
Terri Littlefield, Town Clerk

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution #2015/2016-19**

**A Contract for Waterline to Install a Well, a Waterline, a Blending Facility, and all the Necessary Equipment for the MacIntosh Well Project**

**WHEREAS**, The 2010 Water System Update and Capital Improvement Plan identified the MacIntosh Well project as a priority project, and

**WHEREAS**, the MacIntosh Well Project is one of the Town Council's Water Policy Goals adopted on November 2, 2011, and

**WHEREAS**, the Town needs additional water supply, and

**WHEREAS**, Waterline Industries submitted the lowest bid of \$2,121,677, and

**NOW, THEREFORE, LET IT BE RESOLVED**, the Town Council does hereby approve the Town Administrator to sign a contract with Waterline Industries for the sum of \$2,121,677 to install a well, a waterline, a blending facility, and all the necessary equipment for the MacIntosh Well project.

*First Reading: October 7, 2015*

*Second Reading:*

*Approval:*

Approved: \_\_\_\_\_  
Philip Nazzaro, Chairman Newmarket Town Council

A True Copy Attest: \_\_\_\_\_  
Terri Littlefield, Town Clerk



CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



**TOWN OF NEWMARKET, NEW HAMPSHIRE**

**By the Newmarket Town Council**

**Resolution #2015/2016-20**

**An Engineering Contract for Construction Administration and Oversight for the  
MacIntosh Well Project**

**WHEREAS**, the Water System Update and Capital Improvement Plan performed by AECOM Engineers identified the MacIntosh Well as a priority project, and

**WHEREAS**, the MacIntosh Well Project is one of the Town Council's Water Policy Goals adopted on November 2, 2011, and

**WHEREAS**, the Town of Newmarket needs additional water supply, and

**WHEREAS**, the Town of Newmarket is in violation of not having a back-up water supply, and

**WHEREAS**, the Town of Newmarket has entered into an agreement with the New Hampshire Department of Environmental Services to have a new water source, the MacIntosh Well, on line by May 31, 2015, and

**WHEREAS**, the Town selected Hazen and Sawyer by using the required New Hampshire Department of Environmental Services rules for selecting engineering services ENV-Wq 600 selection of consulting engineers.

**NOW, THEREFORE, LET IT BE RESOLVED**, the Town Council does hereby approve the Town Administrator to sign a contract with Hazen and Sawyer for the sum of \$352,000.00 for the MacIntosh Well Project Construction Administration and Oversight.

*First Reading:*                      *October 7, 2015*

*Second Reading:*

*Approval:*

Approved: \_\_\_\_\_  
Philip Nazzaro, Chairman Newmarket Town Council

A True Copy Attest: \_\_\_\_\_  
Terri Littlefield, Newmarket Town Clerk