



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

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

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

1) Pledge of Allegiance

2) Public Forum *(Public Forum is an opportunity for the public to address the Town Council. All comments should be addressed to the Chair of the Council. No person will be allowed to speak longer than 5 minutes)*

3) Public Hearing: None

4) Town Council to Consider Acceptance of Minutes

- a) January 20, 2016

5) Report of the Town Administrator

6) Committee Reports

7) Old Business

- a) Resolutions/Ordinances in the 2nd Reading
i. Resolution #2015/2016-32 Amending Transfer Station Collection Fees
b) Ordinances and Resolutions in the 3rd Reading - None
c) *Items Laid on the Table – None

8) New Business/Correspondence

- a) Town Council to Consider Nominations, Appointments and Elections
i. Macallen Dam Study Committee – Kathryn Nelson - 2-year Term – Expires March 2018
b) Ordinance and Resolutions in the 1st Reading
i. Resolution #2015/2016-33 Authorize the Town Administrator to purchase a Bucket Truck for the Highway Department, and enter into any related contracts, for a price not to exceed \$84,056.
c) Correspondence to the Town Council
d) Closing Comments by Town Councilors

9) Adjournment

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

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

10 **January 20, 2016 7:00 PM**

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

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

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19 **AGENDA**

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

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24 **PUBLIC FORUM**

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

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29 Mr. Leo Filion of Lafayette Avenue addressed the Council requesting a clarification to the minutes of the
30 last Dam Committee meeting regarding the Macallen Dam Feasibility Study, specifically the statement
31 that the Town Administrator would enter into a contract with Gomez & Sullivan to follow up on some of
32 the hydraulic calculations previously done. He said his concern was that two different 100-year flood flow
33 rates had been calculated, one based on the standard method used for the last 50 years and one based a
34 new method using a rain gauge which included global warming. He stated that the new calculation was
35 25% higher than the former and would require a 2-foot higher retaining wall, and he felt the Dam
36 Committee needed to have more discussion on the matter before a contract was signed. Councilor Pike
37 said his understanding was that it was not about the 100-year flood estimates, but that Gomez & Sullivan,
38 as they re-analyzed the data from the stability analysis and engineering alternatives, felt some of the
39 previous calculations were in question. He said the Dam Committee had already reached an agreement
40 on that issue and the State had informed them they were not required to meet a 250% number on the
41 100-year flood flow. He said what the Dam Committee was unclear about was that there might be some

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

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

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

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

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

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

TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

Acceptance of the Minutes of the Regular Meeting of January 6, 2016

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

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

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

REPORT OF THE TOWN ADMINISTRATOR

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

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

Town Moderator

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

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

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

Discussion/Questions for the Town Administrator:

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

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

COMMITTEE REPORTS

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

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

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

OLD BUSINESS

ORDINANCES AND RESOLUTIONS IN THE 2ND READING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ITEMS LAID ON THE TABLE - None

NEW BUSINESS/CORRESPONDENCE

TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS - None

ORDINANCES AND RESOLUTIONS IN THE 1ST READING

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

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

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

CORRESPONDENCE/CLOSING COMMENTS

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

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

NEXT MEETING

Town Council Regular Meeting
January 20, 2016

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

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

ADJOURNMENT

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

Respectfully submitted,

Patricia Denmark, Recording Secretary

DRAFT



TOWN OF NEWMARKET, NEW HAMPSHIRE
OFFICE of the TOWN ADMINISTRATOR

REPORT OF THE TOWN ADMINISTRATOR
February 3, 2016

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

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

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

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

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

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

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

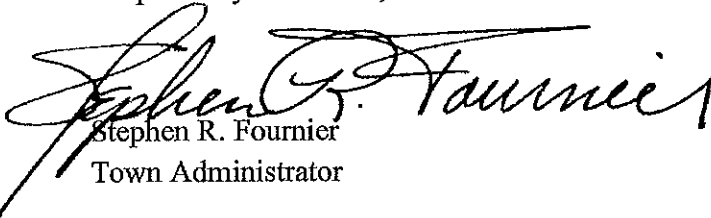
Macallen Dam: At the last meeting there was some questions on the next step for the Macallen Dam. First, the reason why the committee is recommending entering into an agreement with Gomez and Sullivan is simply, they reviewed Wright Pierce's work and believe there may be errors. Determining the 100 year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

The timeline is as follows:

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

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

Respectfully Submitted,



Stephen R. Fournier
Town Administrator

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council

Resolution 2015/2016-32
Amending Transfer Station Collection Fees

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

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

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

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

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

Approved: _____
Philip J. Nazzaro, Town Council Chairman

A True Copy Attest _____
Terri Littlefield, Town Clerk

INTEROFFICE MEMORANDUM

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

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

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

Transfer Station Fee Schedule

ITEM	CURRENT FEE	PROPOSED FEE
Appliance (each)*	\$ 5.00	10.00
Appliance with FREON (each)*	15.00	15.00
TV (each)	10.00	10.00
Mattress (each)	15.00	15.00
Couch (each)	20.00	20.00
Furniture (each)	15.00	15.00
Scrap Metal (pickup truck)*	10.00	10.00
Computer Monitor	5.00	10.00
Misc. Electronic Equipment	5.00	10.00

MISCELLANEOUS BULKY WASTE/BUILDING MATERIAL

6 ft. truck bed – level*	\$ 25.00	25.00
6 ft. truck bed – rounded*	30.00	30.00
8 ft. truck bed – level*	30.00	30.00
8 ft. truck bed – rounded*	35.00	35.00
1 ton truck – level*	40.00	40.00
1 ton truck – rounded*	45.00	45.00
Dump Trailer – level	N/A	75.00
Dump Trailer – rounded	N/A	100.00

New fees are noted in bold, italics

Wendy Chase

Macallen Dam Study Committee

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

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

put me in for the 2 year term, thanks

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

> It's totally up to you

>

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

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

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

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

> Subject: Re: dam committee

>

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

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

>

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

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

>>

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

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

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

>> To: Wchase@newmarketnh.gov

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

>> Subject: dam committee

>>

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

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

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

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

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

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

>> interview

> before then.

>> Regards, Kath

>> 603-883-3011(c)

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TOWN OF NEWMARKET, NEW HAMPSHIRE

By the Newmarket Town Council

Resolution #2014/2015-03

Formation of a Macallen Dam Study Committee

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

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

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

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

First Reading: July 16, 2014

Second Reading: August 20, 2014

Town Council Approval: August 20, 2014

Approved: _____

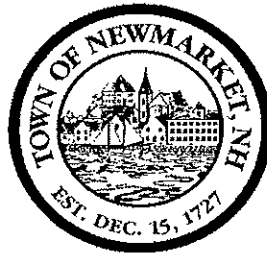
Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: _____

Terri Littlefield, Town Clerk

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

Resolution # 2015/2016-33

Resolution Relating to the Purchase of a Bucket Truck

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

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

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

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

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

First Reading: February 3, 2016

Second Reading:

Approval:

Approved: _____
Philip J. Nazzaro, Town Council Chairman

A True Copy Attest _____
Terri Littlefield, Town Clerk