



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

**WEDNESDAY, JUNE 21, 2017 at 7:00PM
NEWMARKET TOWN HALL COUNCIL CHAMBERS**

6:00pPM Non-Public Meeting Pursuant to RSA 91-A:3.II(a) – Personnel and RSA 91-A:3.II(d) – Consideration of the acquisition, sale or lease of real or personal property.

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 five (5) minutes.*)
3. **Public Hearing –**
 - a. **Ordinance #04-2016/2017** - *An Ordinance Adopting Chapter 14 Article III of the Code of The Town of Newmarket, New Hampshire: Sewer Use Ordinance.*
 - b. **Ordinance #05-2016/2017** – *An Ordinance Amending Chapter 32 Zoning, Article I. Section 32-2 Purposes and Article IV Signs of the Municipal Code of the Town of Newmarket and Zoning Ordinance, adopted 02/14/1996, as amended through March 1, 2017.*
4. **Town Council to Consider Acceptance of Minutes**
 - a. May 31, 2017 Non-Public Meeting Minutes
 - b. June 7, 2017 Regular Meeting Minutes
 - c. June 7, 2017 Non-Public Meeting Minutes
5. **Report of the Town Administrator**
6. **Committee Reports**
7. **Old Business**
 - a. **Resolutions/Ordinances in the 2nd Reading**
 - i. **Resolution #2016/2017-33** – *Relating to Paving Improvements Bid*
 - ii. **Resolution #2016/2017-34** – *Relating to Paving Improvements to Bay Road/Lamprey Street Parking Lot.*
 - iii. **Resolution #20162017-35** - *Relating to the Replacement of the Air Conditioning Unit at the Police Station.*
 - iv. **Ordinance #04-2016/2017** - *An Ordinance Adopting Chapter 14 Article III of the Code of The Town of Newmarket, New Hampshire: Sewer Use Ordinance.*

- v. **Ordinance #05-2016/2017** – *An Ordinance Amending Chapter 32 Zoning, Article I. Section 32-2 Purposes and Article IV Signs of the Municipal Code of the Town of Newmarket and Zoning Ordinance, adopted 02/14/1996, as amended through March 1, 2017.*

b. Resolutions/Ordinances in the 3rd Reading – None

c. * Items Laid on the Table –

- i. **Resolution #2015/2016-52** – *Resolution Authorizing the Designation of a portion of Rt. 152 as an Economic Recovery Zone* (This Resolution is tabled from the June 15, 2016 Council Meeting pending Planning Board action).

8. New Business/Correspondence

a. Town Council to Consider Nominations, Appointments and Elections - None

b. Resolutions/Ordinances in the 1st Reading

- i. **Resolution #2016/2017-36** – *Resolution Authorizing the Town Administrator to Enter into an Agreement with GZA GeoEnvironmental, Inc. to Conduct a Stability Analysis and Design Conceptual Plans for Abutment Walls for the Macallen Dam.*
- ii. **Resolution #2016/2017-37** – *Resolution Authorizing the Town Administrator to Enter into a three-year agreement with First Light for hosted PBX Telephone System Services.*

c. Correspondence to the Town Council

d. Closing Comments by Town Councilors

e. Next Council Meeting – July 19, 2017

9. Adjournment

Town of Newmarket, New Hampshire

By the Newmarket Town Council

ORDINANCE NO. 4-2016/2017

**AN ORDINANCE ADOPTING CHAPTER 14 ARTICLE III OF THE CODE OF
THE TOWN OF NEWMARKET, NEW HAMPSHIRE: SEWER USE ORDINANCE**

THE TOWN OF NEWMARKET ORDAINS:

1. Purpose:

The purpose of this ordinance is that pursuant to enabling authority in New Hampshire Revised Statutes Annotated 149-I:6, or revisions thereto, the following is an Ordinance regulating the use of public and private sewers, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s), and providing penalties for violations thereof, in the Town of Newmarket, County of Rockingham, State of New Hampshire.

2. Amendment:

Chapter 14 is hereby amended by adding the following Article III:

[See Attached Document]

3. Repeal

This ordinance shall repeal any previously adopted ordinances, rules, or regulations

4. Takes Effect

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18

First Reading: June 7, 2017

Second Reading: June 21, 2017

Public Hearing: June 21, 2017

Council Approval:

Approved: _____
Dale Pike, Chair Newmarket Town Council

A True Copy Attest: _____
Terri Littlefield, Newmarket Town Clerk



TOWN HALL
186 MAIN STREET
NEWMARKET, NH 03857

TEL: (603) 659-3617
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FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE


STAFF REPORT

DATE: June 2, 2017

TITLE: Sewer Use Ordinance Update

PREPARED BY: Sean T. Greig

TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:

I recommend passage of this ordinance 

BACKGROUND: The Newmarket Sewer Use Ordinance was adopted in 1977. The purpose of the ordinance is to provide uniform standards for all users, prevent pollutants from interfering with the operation of the wastewater treatment facility (WWTF), passing through the WWTF into the receiving waters, and to protect the health and safety of the Town's personnel and the public. The ordinance is a set of rules and guidelines that allows the Town to be in compliance with its National Pollutant Discharge Elimination System (NPDES) permit. The Department worked with Underwood Engineers and the New Hampshire Department of Environmental Services to update the Newmarket Sewer Use Ordinance.

DISCUSSION: It is important that the Town has an up to date Sewer Use Ordinance, in order to have a uniform set of standards for residential, businesses, and contractors that use or want to add on to the Newmarket sewer system. The Sewer Use Ordinance is important for the Town to meet its NPDES permit requirements. The Environmental Services Department in the future will review and make changes to the ordinance more frequently.

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: I recommend the Town Council adopt the Sewer Use Ordinance.

ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.

STAFF REPORT

Newmarket, New Hampshire Sewer Use Ordinance Summary Handout
Prepared May 25, 2017

Purpose

- To prevent pollutants from interfering with the operation of the Publicly Owned Treatment Works (POTW), passing through the POTW into the receiving waters and to protect both the Town's personnel and the public.
- To comply with the Town's National Pollutant Discharge Elimination System (NPDES) permit.
- Authorizes the Town to issue wastewater discharge permits, monitor for compliance and enforce the rules.

Administration

- Designates the Town's Superintendent or their designee to administer, implement and enforce the provisions of the Ordinance.
- Establishes a schedule of charges to defray the cost of capital and maintenance with revisions as necessary.

Definitions

- Over 81 definitions provided specific to sewer use ordinances

General Sewer Use Requirements

- Requires the use of sewers and defines the requirements for installation and use.
- Establishes two classes of sewer permits; residential and commercial permits for domestic wastewater only and industrial permits for industrial wastewater.
- Establishes general and specific prohibitions of pollutants, substances or wastewater that cannot be discharged to the public sewer.
- Institutes Federal Categorical Pretreatment Standards for industrial users with the EPA as the Control Authority, because the Town is not required to have a local pretreatment program. Also allows the Town to institute more stringent standards.
- Establishes criteria for private sewers that connect to the public sewers, including maintenance and control of excessive infiltration and inflow by the private sewer system owner.

Pretreatment of Wastewater

- Establishes review and approval of pretreatment facilities and additional measures as necessary, such as an accidental discharge control plan.

Industrial Discharge Permitting

- Establishes an industrial user permit application and criteria for significant indirect dischargers.
- Describes the process the Town and industrial user will follow to establish or modify permit criteria and content.

Powers and Authority

- Provides Town with the authority to investigate for non-compliance, allows for right of entry to inspect and sample.

Confidential Information and Public Participation

- Allows for confidentiality of information, should the industrial user demonstrate protection is necessary under trade secrets as defined under applicable State and Federal law.

Administrative Enforcement Remedies

- Sets criteria for the notice of violations to the industrial user permit, compliance schedule, cease and desist orders, consent orders, termination of permit and termination of discharge.
- Allows for the requirement of a pollution prevention plan should violations occur.

Judicial Enforcement Remedies

- Establishes injunctive relief, civil penalties and criminal prosecution remedies.

Supplemental Enforcement Action

- Establishes performance bonds, liability insurance, cessation of water supply and other enforcement actions the Town can implement for compliance.

Affirmative Defenses to Discharge Violations

- Defines upset conditions as a defense for discharge violations and how this can be demonstrated and documented.

Septage Disposal Requirements

- Establishes septage disposal regulations, permits and charges.

Abatements

- Allows for written request for abatements with specific conditions.

Validity

- Establishes the validity of the ordinance and allows for continuance of the validity should one section or part become invalid.

Interpretations of Requirements

- Establishes the Town Superintendent and Town Council as the entity that will interpret and administer the ordinance, with conditions for appeal of the interpretation.

User Fees

- Establishes the schedule of charges as approved by Town Council resolution after public notice and discussion at the Town Council Workshop.

Town of Newmarket, New Hampshire



ORDINANCE GOVERNING THE DISCHARGE OF WATERS AND WASTEWATER INTO THE PUBLIC SEWER SYSTEM

Adopted

_____, **2017**

Town of Newmarket Sewer Use Ordinance

ORDINANCE NO. XX

Pursuant to enabling authority in New Hampshire Revised Statutes Annotated 149-I:6, or revisions thereto, the following is an Ordinance regulating the use of public and private sewers, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s), and providing penalties for violations thereof, in the Town of Newmarket, County of Rockingham, State of New Hampshire.

Be it ordained and enacted by the Town Council of the Town of Newmarket and adopted _____, 2017, as follows:

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Appendices

Appendix A – Sewer User Fees

Appendix B – Residential/Commercial Sewer Connection Applications

Appendix C – Industrial Sewer Connection Application

Appendix D – POTW Screening Levels

SECTION 1 - GENERAL PROVISIONS

1.1 Purpose and Policy

This Ordinance sets forth uniform requirements for users of the Publicly Owned Treatment Works (POTW) of the Town of Newmarket and enables the Town of Newmarket to comply with all applicable State and federal laws, specifically the Clean Water Act (33 United States Code § 1251 *et seq.*) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). Recognizing that significant opportunities exist to reduce or prevent pollution at its source through cost effective practices, and that such practices can offer savings through reduced purchases of materials and resources, a decreased need for pollution control technologies, and lower liability costs, as well as assisting to protect the environment, the Town of Newmarket establishes the following objectives of this Ordinance:

- A. To prevent the introduction of pollutants into the POTW that will interfere with the POTW's operation;
- B. To prevent the introduction of pollutants into the POTW that will pass through the POTW, without adequate treatment, into receiving waters, or otherwise be incompatible with the POTW;
- C. To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To promote the reuse of sludge from the POTW; and
- E. To enable the Town of Newmarket to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or State law or regulation to which the POTW is subject.

This Ordinance shall apply to all users of the POTW. The Ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires user reporting.

1.2 Administration

Except as otherwise provided herein, the Superintendent or his designee shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to, or duties imposed upon, the Superintendent may be delegated by the Superintendent to any other Town of Newmarket personnel (designee).

- A. To defray the costs of operating and maintaining the sewer system, payment of any principal or interest on bonds, or other indebtedness, a schedule of charges shall be set established by the Town of Newmarket for all classes of service and defined in the Sewer User Charge system. Changes to the schedule of charges shall be approved by Town Council resolution after public notice and discussion at Town Council meeting.

- B. The Town shall, as necessary, make such changes or revisions in assessments, charges, and/or fees as may be required to raise necessary revenue to pay for all operation and maintenance charges, any principal and interest on bonds, or other indebtedness.
- C. To defray the cost of major repairs to the sewage collection, transmission or treatment facilities, the Town may create a sinking fund account for the purpose of such major repairs or repaying a debt incurred for the purpose of said major repairs.
- D. All sewer connection charges and all collected ad valorem tax assessments designated for the sewerage sinking fund account shall be deposited in the sinking fund account.
- E. The Town Council shall authorize withdrawals from the sinking fund account for repair or replacement work as shall be judged to be appropriate by the Superintendent.
- F. Any person found to be violating any provision of this Ordinance shall be served by the Town with written notice stating the nature of the violation and providing a 30-day period for the satisfactory correction thereof. The offender shall permanently cease all violations within the period of time as stated in said notice.
- G. Any person who shall continue any violation beyond the period of time provided in the notice shall be subject to fines and prosecution.
- H. Any person violating any of the provisions of this Ordinance shall be liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.
- I. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- J. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

1.3 Abbreviations

The following abbreviations, when used in this Ordinance, shall have the following designated meanings:

· BOD	- Biochemical Oxygen Demand (Five Day)
· CFR	- Code of Federal Regulations
· COD	- Chemical Oxygen Demand
· EPA	- United States Environmental Protection Agency
· gpd	- Gallons per day
· IDP	- Industrial Discharge Permit
· mg/L	- Milligrams per Liter
· DES	- New Hampshire Department of Environmental Services
· NPDES	- National Pollutant Discharge Elimination System
· POTW	- Publicly Owned Treatment Works
· RCRA	- Resource Conservation and Recovery Act

- RSA - New Hampshire Revised Statute Annotated
- SIC - Standard Industrial Classification
- TDS - Total Dissolved Solids
- TSS - Total Suspended Solids
- USC - United States Code

1.4 Definitions

A. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.

1. Act or the Act. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 *et seq.*

2. Approval Authority. The Regional Administrator of the EPA or his duly appointed agent.

3. Authorized Representative of the User.

a. If the user is a corporation:

i. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

ii. The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. If the user is a partnership or sole proprietorship: a general partner or the proprietor, respectively.

c. If the user is a federal, State, or local governmental facility: a director or the highest official appointed, elected, or designated to oversee the operation and performance of the activities of the government facility.

d. The individuals described in paragraphs (a) through (c), above, may designate another authorized representative if: (a) the authorization is in writing; (b) the authorization specifies the individual or position responsible for the overall

operation of the facility from which the discharge originates or the person having overall responsibility for environmental matters for the company; (c) and the written authorization is submitted to the Town of Newmarket.

4. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/L).
5. Building Drain. That part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
6. Building Sewer. The extension from the building drain to the public sewer or other place of disposal, also called house connection.
7. Bypass. The intentional diversion of waste streams from any portion of a wastewater treatment facility.
8. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limitations promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) that applies to a specific category of users and that appears in 40 CFR Chapter I, Subchapter N, Parts 405-471.
9. Town. The Town of Newmarket, New Hampshire
10. Combined Sewer. A sewer intended to receive both wastewater and storm or surface water.
11. Commercial Use. Premises used for financial gain, such as business or industrial use, but excluding residential uses and related accessory uses.
12. Commissioner. The Commissioner of the New Hampshire Department of Environmental Services or the Commissioner's duly appointed agent.
13. Compatible Pollutant. Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria.
14. Control Authority. The term Control Authority as used in this Ordinance, refers to the Regional Administrator of the EPA.
15. Dental Practice. A business established for the purpose of practicing dentistry, as defined by RSA 317-A:20.
16. DES or NHDES. The New Hampshire Department of Environmental Services.
17. Domestic Wastewater or Sewage. Normal water-carried household and toilet wastes or

waste from sanitary conveniences of residences, commercial buildings, and industrial plants that contains no industrial waste, excluding ground, surface, or storm water. (See also: Industrial Wastes.)

18. Easement. An acquired legal right for the specific use of land owned by others.
19. Environmental Protection Agency or EPA. The United States Environmental Protection Agency or, where appropriate, the EPA Regional Water Management Division Director, or other duly authorized official of said agency.
20. Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
21. Floatable Oil. Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.
22. Force Main. A line without access from individual properties, providing a connection from a pump station to a pump station, trunk, or sanitary sewer main.
23. Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
24. Grab Sample. A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
25. Grease. The material removed from a grease interceptor (trap) serving a restaurant or other facility requiring such grease interceptors. Grease shall also mean volatile and non-volatile residual fats, fatty acids, soaps, waxes and other similar materials.
26. Hauler. Those persons, firms, or corporations, who pump, haul, transport, or dispose of septage and who are licensed by the New Hampshire Department of Environmental Services pursuant to RSA 485-A:4,XVI-a and rules adopted to implement said section.
27. Human Excrement and other Putrescible Material. The liquid or solid matter discharged from the intestinal canal of a human, or other liquid or solid waste materials that are likely to undergo bacterial decomposition; These terms shall not include refuse as defined in RSA 145-M.
28. Incompatible Pollutant. Any pollutant that is not a compatible pollutant.
29. Industrial Discharge Permit or IDP. The written permit between the Town of Newmarket and an industrial user that outlines the conditions under which discharge by the industrial user to the POTW will be accepted.

30. Industrial User. A person who discharges industrial wastes to the POTW of the Town of Newmarket.
31. Industrial Wastes or Non-Domestic Wastewater. The wastewater and waterborne wastes from any liquid, gaseous, or solid waste substance resulting from any process of industry, manufacturing trade, or business or from development of any natural resources as distinct from domestic wastewater, sewage or unpolluted water.
32. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
33. Instantaneous Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
34. Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and therefore is a cause of a violation of the Town of Newmarket's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as RCRA; any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; the Marine Protection, Research, and Sanctuaries Act; 40 CFR Part 503 Standards for Sewage Sludge Use and Disposal and RSA 485-A:4, XVI-a.
35. Local Limits. Numerical limitations on the discharge of pollutants established by the Town of Newmarket, as distinct from State or federal limitations for non-domestic wastewater discharged to the POTW.
36. May. Means permissive (see "Shall").
37. Medical/Infectious Waste. Medical/infectious waste" as defined by RSA 125-N:2, VIII.
38. National Pollutant Discharge Elimination System Permit or NPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
39. Natural Outlet. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body or surface water or groundwater.
40. Normal Domestic Wastewater. Wastewater generated by residential users containing not more than 253 mg/L BOD and not more than 271 mg/L suspended solids.

41. New Source.

- a. Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced subsequent to the publication of proposed pretreatment standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - i. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - ii. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - iii. The production or wastewater-generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, will be considered.
- b. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - i. Begun, or caused to begin, as part of a continuous on-site construction program
 - A. any placement, assembly, or installation of facilities or equipment; or
 - B. significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities that is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - ii. Entered into a binding contractual obligation for the purchase of facilities or equipment that are intended to be used in its operation within a reasonable time. Options to purchase or contracts that can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- c. Construction on a site at which an existing source is located results in a

modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (a)(ii) or (a)(iii) above, but otherwise alters, replaces, or adds to existing process or production equipment.

42. Non-Contact Cooling Water. Water used for cooling that does not directly contact any raw material, intermediate product, waste product, or finished product.
43. Pass Through. A discharge that exits the POTW into waters of the United States in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Town of Newmarket's NPDES permit, including an increase in the magnitude or duration of a violation.
44. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, State, and local governmental entities.
45. pH. A logarithmic measure devised to express the hydrogen ion concentration of a solution, expressed in Standard Units. Solutions with pH values greater than 7 are basic (or alkaline); solutions with pH values less than 7 are acidic.
46. Pharmaceutical waste. A prescription drug, as defined by RSA 318:1, XVII, or a nonprescription or proprietary medicine, as defined by RSA 318:1, XVIII, that is no longer suitable for its intended purpose or is otherwise being discarded.
47. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and substances with characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
48. Pollution Prevention. The use of materials, processes, or practices that reduce or eliminate the creation of pollutants or wastes at the source, or minimize their release to the environment prior to recycling, treatment or disposal. It includes practices that reduce the use of hazardous materials, energy, water or other resources. It also includes practices that protect natural resources and human health through conservation, more efficient use, or effective release minimization.
49. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

50. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.
51. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards 40 CFR 403, and local limits.
52. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances as identified in Section 2.3 of this Ordinance.
53. Properly Shredded Garbage. Wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be transported freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.
54. Public Sewer. A pipe or conduit that carries wastewater, storm water, groundwater, subsurface water, or unpolluted water from any source, which is controlled by a governmental agency or public utility.
55. Publicly Owned Treatment Works or POTW. A "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) that is owned by the Town of Newmarket. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances if said structures convey wastewater to a POTW wastewater treatment facility. The term also means the municipality that has jurisdiction over discharges to and from such a treatment plant, and any sewer that conveys wastewater to the POTW from persons outside the Town of Newmarket who are, by contract or agreement with the Town of Newmarket, users of the Town of Newmarket's POTW.
56. Radiological Waste. Radioactive waste as regulated by RSA 125-F.
57. Recreational Vehicle or "RV". A mobile vehicle or trailer used for temporary living e.g. a camper or wholly self-contained transport and living unit.
58. Sanitary Sewer. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial facilities, and institutions, together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
59. Screening Level. That concentration of a pollutant that under baseline conditions would cause a threat to personnel exposed to the pollutant, or would adversely impact structures of the POTW. To be administered as local limits applicable to a particular discharge, the screening levels must be adjusted to account for conditions at the point of discharge that differ from baseline conditions.
60. Semi-Public Use. Premises of private, non-profit organizations such as schools, hospitals, and religious institutions.
61. Septage or Septic Tank Waste. Any liquid, solid, or sludge pumped from chemical

toilets, vaults, septic tanks, or cesspools or other holding tanks, that have received only domestic wastewater.

62. Septage Tank Truck. Any watertight vehicle that is used for the collection and hauling of septage as described above and that complies with the rules of the New Hampshire Department of Environmental Services.

63. Sewage. Human excrement and gray water, including but not limited to household showers, dishwashing operations, etc.

64. Sewer. A pipe or conduit that carries wastewater, storm water, groundwater, subsurface water, or unpolluted water from any source.

65. Shall. Means mandatory (see "May").

66. Significant Indirect Discharger. An indirect discharger that meets one or more of the following state criteria:

- a. Is subject to national categorical pretreatment standards under 40 CFR 403.6 as amended;
- b. Discharges an average of 10,000 gallons per day or more of process wastewater;
- c. Discharges a process wastewater which contributes 5 percent or more of the hydraulic or organic loading to the wastewater treatment plant;
- d. Discharges medical/infectious waste, pharmaceutical waste, or radiological waste; or
- e. Is designated as such by the municipality as having a reasonable potential for adversely affecting the POTW's operation or performance or for violating any pretreatment standard or requirement.

67. Significant Industrial User. An indirect discharger that meets one or more of the following federal criteria:

- a. A user subject to categorical pretreatment standards under 40 CFR 403.6; or
- b. A user that:
 - i. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW, excluding sanitary, non-contact cooling, and boiler blowdown wastewater;
 - ii. Contributes a process waste stream that comprises five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

- iii. Is designated as such by the Town of Newmarket on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- c. Upon determining that a user meeting the criteria in Subsection b.i. or b.ii. has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Town of Newmarket may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a Significant Industrial User.

68. Significant Noncompliance or SNC. An industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

- a. Chronic violations. A pattern of violating the same pretreatment standard daily maximum or average limit (any magnitude of exceedance) sixty-six percent (66%) or more of the time in a 6-month period;
- b. Technical Review Criteria (TRC violations). Thirty-three percent (33%) or more of the measurements exceed the same pretreatment standard daily maximum limit or average limit by more than the TRC factor in a six-month period. The TRC factor is 1.4 for biochemical oxygen demand (BOD), total suspended solids (TSS), oil & grease and 1.2 for all other pollutants;
- c. Any other discharge violation that the Superintendent believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- d. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Superintendent's exercise of its emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- f. Failure to provide within thirty (30) days after the due date, any required reports, including, Industrial Discharge Permit applications, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- g. Failure to accurately report noncompliance; or
- h. Any other violation(s) that the Superintendent determines will adversely affect the operation or implementation of the local pretreatment program.

69. Slug Load or Slug. Means:

- a. Any discharge of water, wastewater, sewage, or industrial sewage which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation;
- b. Any discharge at a flow rate or concentration that could cause a violation of the prohibited discharge standards in Section 2.3 of this Ordinance; or
- c. Any discharge that may adversely affect the collection system and/or performance of the POTW.

70. Source Reduction. Any practice that:

- a. Reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment, or disposal; and
- b. Reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants.
- c. The term includes equipment or technology modifications; process or procedure modifications; reformulation or redesign of products; substitution of raw materials; and improvements in housekeeping, maintenance, training, or inventory control. The term "source reduction" does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a hazardous substance, pollutant, or contaminant through a process or activity that itself is not integral to and necessary for the production of a product or the providing of a service.

71. Standard Industrial Classification (SIC) Code. A classification pursuant to the *Standard Industrial Classification Manual* issued by the United States Office of Management and Budget.

72. State. The State of New Hampshire.

73. Storm Drain or Storm Sewer. A drain or sewer for conveying storm water, groundwater, subsurface water, or unpolluted water from any source.

74. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including but not limited to rainfall and snowmelt.

75. Superintendent. The person designated by the Town of Newmarket to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Ordinance, or a duly authorized representative.

76. Suspended Solids or TSS. The total suspended matter that floats on the surface of, or is

suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

77. Treatment Plant, Treatment Works, or Treatment Facility. Any device or system used in the storage, treatment, equalization, recycling or reclamation of wastewater and/or wastewater sludge as defined herein.
78. Unpolluted Water. Water of quality equal to or better than the State Water Quality Standards (Part Env-Wq 1703) or water that would not cause a violation of receiving water quality standards and would not be benefitted by discharge to the POTW.
79. User or Industrial User. A source of pollutants introduced into the POTW from any non-domestic source regulated under Section 307 (b), (c), or (d) of the Act.
80. Wastewater. Liquid and water-carried industrial wastes and/or sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
81. Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.

SECTION 2 - GENERAL SEWER USE REQUIREMENTS

2.1 Use of Public Sewers

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Newmarket or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Town of Newmarket, or in any area under the jurisdiction of said Town of Newmarket, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance and with State and federal laws and regulations.
- C. Sewers for Intended Uses Only. No person shall discharge into any public sewer of the Town of Newmarket, or into any fixture that thereafter discharges into any public sewer, any waste or substance other than for which the particular sewer is intended, designed or provided.
- D. Applicable Permits Required. No person shall discharge into any public sewer of the Town of Newmarket, or into any fixture that thereafter discharges into any public sewer, any waste or substance until all applicable federal, state and local permits have been obtained.
- E. Use of Sanitary Sewers. Except as specifically provided with reference to a particular sewer, sanitary sewers shall be used only for the conveyance and disposal of domestic wastewater, and for industrial wastes that are not objectionable as hereinafter provided. No sanitary sewer shall be used to receive and convey or dispose of any storm or surface water, subsoil drainage, or unpolluted water.
- F. Use of Storm Sewers. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers, or a natural outlet approved by the Director of Public Works. An NPDES permit is required prior to discharging industrial cooling water, process waters, or storm water runoff generated in areas of industrial activity (as defined in 40 CFR Part 122) to a storm sewer or natural outlet.
- G. Use Designation. If the intended or designated use of any particular sewer or drain and allowable discharge thereto is unclear, the Superintendent will consider the pertinent facts and make a determination as to the sewer or drain's designated use. Said determination will be final and binding.
- H. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater in any area where a public sewer is available, as described in paragraph (I) below.
- I. The owner(s) of all houses, buildings, or properties used for human occupancy,

employment, recreation, or other purposes, situated within the Town of Newmarket and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town of Newmarket, is hereby required at the owner(s)' expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within forty five (45) days subsequent to the date of official notice to do so, provided that said gravity public sewer is within one hundred (100) feet of the property line of said premises. This requirement for connection may be waived when permitted by the Superintendent if the household is already connected to a properly functioning, State-approved septic system approved after 1985.

- J. Where a public sanitary sewer is not available under the provisions of paragraph (I) above, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of RSA 485-A:29-44 and all rules promulgated thereto. The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times and at no expense to the Town of Newmarket. At no time shall any quantity of industrial waste be discharged into a private, domestic wastewater disposal facility.
- K. Holding tank contents and the sludge from private disposal systems shall be removed only by licensed operators. If disposal is made within the Town, then holding tank contents and septic tank sludge shall be disposed of at the wastewater treatment facilities or at the site(s) designated by the Town Council. (See Section 4.9)
- L. At such time as a public sewer becomes available to a property serviced by a private wastewater disposal system, the owner shall connect to the public sewer, as provided in paragraph (I) above. Any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with clean mineral soils, and their use shall be discontinued.
- M. No statement contained in the preceding paragraphs of this Section shall be construed to interfere with any additional requirements that may be imposed by the Superintendent.
- N. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment that is part of the POTW. Violators shall be required to make financial restitution to repair any damage and shall be subject to fines. Any actor who violates this Paragraph maliciously or willfully shall be guilty of a misdemeanor if a natural person and a felony if an unnatural person.

2.2 Building Sewers and Connections

- A. No person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining written permission from the Superintendent or authorized designee of the Superintendent. Any person proposing a new discharge into the system or any change in the volume or character of pollutants that are being discharged into the system shall obtain prior approval of the Superintendent.

- B. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service producing only domestic wastewater, and (b) for service to establishments producing industrial wastes. For residential and commercial services, the owner(s) or his agent shall make application to the Town of Newmarket at least thirty (30) days prior to said service connection (Appendix B). For an establishment discharging industrial wastes, the owner(s) or his agent shall make application to the Town of Newmarket at least sixty (60) days prior to said service connection (Appendix C). The permit application shall be supplemented by any plans, specifications, or other information (including pollution prevention studies) considered pertinent in the judgment of the Superintendent. A permit and inspection fee in accordance with the provisions of this ordinance (Appendix A) shall be paid to the Town of Newmarket at the time any application for permit is filed.
- C. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Town of Newmarket from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. A separate and independent building sewer shall be provided for every building, except where approved by special exception by the Superintendent, but the Town of Newmarket does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.
- E. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent to meet all requirements of this Ordinance.
- F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town of Newmarket and DES Env-Wq 700. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Environment Federation (WEF) Manual of Practice No. FD-5 shall apply. In the event that discrepancies arise between Town and State requirements, the Town requirements which are uniformly equal to or more stringent than the State requirements shall take precedence.
- G. During construction of a new sanitary sewer, the Town of Newmarket may construct the service connections for existing buildings to the curb or the property line or the edge of a right-of-way. Construction of the building sewer, including connection to the structures served, shall be the responsibility of the owner of the improved property to be connected, and such owner shall indemnify and save harmless the Town of Newmarket, its officers, and agents from all loss or damage that may result, directly or indirectly, due to the construction of a building sewer on his premises or its connection to the service connection. The owner shall thereafter be obligated to pay all costs and expenses of operation, repair and maintenance, and of reconstruction, if needed of the building sewer and service connection.

- H. Whenever possible, sewer mains will be constructed at an elevation to accommodate existing building drains. However, in all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage conveyed by such building drain shall be lifted by an approved means and discharged to the building sewer at the owner's expense.
- I. No person(s) shall make connection of roof downspouts, interior or exterior foundation drains, area-way drains, or other sources of surface run-off or groundwater to a building sewer or building drain that in turn is connected directly or indirectly to a public sanitary sewer.
- J. No person shall obstruct the free flow of air through any drain or soil pipe.
- K. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town of Newmarket, or the procedures set forth in appropriate specifications of the ASTM and the WEF Manual of Practice No. FD-5. All such connections shall be made gas-tight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
- L. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. Such notice shall be provided not less than 48 hours in advance of the time any connection is to be made to any public sewer. The connection and testing shall be made under the supervision of the Superintendent or his representative. This requirement shall also apply to repairs or alterations to building connections, drains or pipes thereto.
- M. Suitable provisions shall be made at the point of connection for testing, which responsibility shall rest with the holder of the sewer connection permit.
- N. No building sewer shall be covered until it has been inspected and approved by the Superintendent. If any part of building sewer is covered before being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to the public sewer.
- O. The Superintendent shall maintain a record of all connections made to public sewers and drains under this Ordinance and all repairs and alterations made to building connections or drains connected to or discharging into public sewers and drains of the Town of Newmarket or intended to so discharge. All persons concerned shall assist the Superintendent in securing the data needed for such records.
- P. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town of Newmarket at the expense of the owner. The requirements imposed under this Paragraph shall not preclude the Town from requiring additional safeguards as the circumstances necessitate.

- Q. Any person proposing to construct or modify any of the following or any combination of the following shall submit an application for a sewer connection permit to the DES in accordance with DES Env-Wq 700:
- (1) Any extension of a collector or interceptor, whether public or private, regardless of flow;
 - (2) Any wastewater connection or other discharge in excess of 5,000 gpd;
 - (3) Any wastewater connection or other discharge to a WWTP operating in excess of 80 percent design flow capacity or design loading capacity based on actual average flow or loadings for 3 consecutive months;
 - (4) Any industrial wastewater connection or change in existing discharge of industrial wastewater, regardless of quality or quantity;
 - (5) Any sewage pumping station greater than 50 gpm or serving more than one building; or
 - (6) Any proposed sewer that serves more than one building or that requires a manhole at the connection.

2.3 Prohibited Discharge Standards

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be accidentally discharged to the POTW.

- A. General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater that causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other federal, State, or local pretreatment standards or requirements.
- B. Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, gas, solid, or any substance that may generate or form any flammable, combustible or explosive substance, fluid, gas, vapor or liquid when combined with air, water or other substances present in sewers, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 2. Wastewater having a pH less than 6.5 or greater than 8.5, as measured at the point of connection to the sanitary sewer or other available monitoring location, or otherwise causing corrosive structural damage or hazard to the POTW equipment, or personnel, or with alkalinity in such quantities that the pH of the influent to the POTW is caused to exceed 8.0;
 3. Solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch, manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders. Also including water or wastes containing fats, wax,

grease, or oils, whether emulsified or not, or containing substances that may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0-65 degrees C), in amounts that will cause obstruction of the flow in the POTW resulting in interference;

4. Pollutants, including oxygen-demanding pollutants (BOD, COD, etc.), or chlorine demand requirements released in a discharge at a flow rate and/or pollutant concentration that, either singly or by interaction with other pollutants, will cause interference with the POTW, constitute a hazard to humans or animals, create a public nuisance, exceed any national categorical pretreatment standard or cause pass through;
5. Wastewater having a temperature greater than 150°F (65°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater that causes the temperature at the introduction into the POTW treatment plant to exceed 104°F (40°C);
6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;
7. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
8. Trucked or hauled pollutants, except at discharge points designated by the Superintendent in accordance with Section 4.9 of this Ordinance;
9. Any medical/infectious wastes, pharmaceutical waste, or radiological waste except as specifically authorized in a discharge permit;
10. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent or sludge to fail a toxicity test;
11. Household hazardous wastes including but not limited to paints, stains, thinners, pesticides, herbicides, anti-freeze, transmission and brake fluids, motor oil and battery acid.
12. Any hazardous waste listed or designated by DES under Env-Hw 400.
13. Wastewater that imparts color that may not be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently may impart color to the treatment facility's effluent, thereby violating the Town of Newmarket's NPDES permit;
14. Noxious or malodorous liquids, gases, solids, or other wastewater that, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to health and safety, or to prevent entry into the sewers for maintenance or repair;

15. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or federal regulations;
16. Storm water, surface water, foundation drains, basement sump pump discharges, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, or otherwise unpolluted wastewater;
17. Sludges, screenings, or other residues from the pretreatment of industrial wastes unless specifically authorized by the Superintendent in a wastewater discharge permit;
18. Detergents, surface-active agents, or other substances that may cause excessive foaming in the POTW;
19. Wastewater causing a reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 10 percent (10%) of the Lower Explosive Limit of the meter;
20. Garbage that has not been properly shredded (garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens);
21. Any quantities of flow, concentrations, or both that constitute a "slug" as defined in Section 1.4 of this Ordinance;
22. Waters or wastes that, by interaction with other water or wastes in the POTW, release dangerous or noxious gases, form suspended solids that affect the operation of the collection system, or create a condition deleterious to structures and treatment processes; or
23. Any materials that exert or cause unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime, slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
24. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such a degree that any such material received in the composite waste water treatment works exceeds the limits established by the appropriate regulatory authority.

2.4 Federal Categorical Pretreatment Standards

The categorical pretreatment standards are found at 40 CFR Chapter I, Subchapter N, Parts 405-471.

EPA shall be the Control Authority for industrial users subject to categorical pretreatment standards. As the Control Authority, industrial users are responsible to the EPA for compliance with categorical pretreatment standards and the requirements of 40 CFR Part 403. Categorical industrial users shall provide the Town of Newmarket with copies of any reports to, or correspondence with, the EPA relative to compliance with the categorical pretreatment standards.

The industrial user is responsible for determining the applicability of categorical pretreatment standards. The user may request that the EPA provide written certification on whether the user is subject to the requirements of a particular category.

2.5 Local Discharge Restrictions

All persons discharging industrial process wastes into public or private sewers connected to the Town of Newmarket's POTW shall comply with applicable federal and State requirements and standards for pretreatment of wastes as they may be amended from time to time in addition to the requirements of this Ordinance.

The Town reserves the right to establish local numerical discharge limitations on a case-by-case basis using a methodology determined by the Town and, all State pretreatment standards and federal categorical pretreatment standards shall apply. In the event of a conflict between a State, federal, or Town pretreatment standard, the more stringent standard shall apply.

If any waters or wastes are discharged or are proposed to be discharged to the POTW that exceed the standards or restrictions established in Sections 2.3, 2.4, and 2.5 of this Ordinance, which in the judgment of the Superintendent may have a deleterious effect upon the POTW, processes, equipment, or receiving waters, or that otherwise create a hazard to worker or public safety or health, or constitute a public nuisance, the Superintendent may:

- Reject or prevent any discharge to the POTW after notice has been served to the discharger and the discharger has had reasonable opportunity to respond;
- Require pretreatment prior to discharge to the POTW (Section 3.0);
- Require control (e.g., equalization) over the quantities and rates of discharge; and/or
- Require payment to cover additional cost of handling and treating the wastes.

If the Superintendent allows the pretreatment or equalization of waste flows, the design and installation of the systems and equipment shall be subject to the review and approval of the Superintendent and NHDES. (see Section 3).

- A. Screening Levels. Pollutants shall not be discharged to the POTW exceeding concentrations listed in Appendix D (*Source: EPA's Pretreatment manual*) without approval of the Superintendent. Screening levels are numerical values above which actions are initiated to evaluate, prevent or reduce adverse impacts due to flammability, chemical reactivity, organic/solids loadings, or worker health and safety.

If any of the screening levels are exceeded, repeat analysis must be performed to verify compliance or noncompliance with that screening level. If noncompliance is confirmed, then the industrial user may be required, at the discretion of the Superintendent, to conduct an appropriate engineering evaluation to determine the potential impact of the discharge of this pollutant to the Town of Newmarket's POTW or alternatively, to develop a pollution prevention plan specifically addressing the pollutant that exceeds the screening level. This study or plan must be conducted under the supervision and approval of the Town of Newmarket. Should the evaluation indicate the impact to be unsatisfactory, the industrial user shall reduce the pollutant concentration to a satisfactory level. If the evaluation supports development of an alternate site-specific limitation, then the screening level shall be adjusted and administered as a limit for the specific discharge.

- B. Special Agreements. No statement contained in this Section except for paragraphs 2.3(A), and 2.4 shall be construed as preventing any special agreement or arrangement between the Town of Newmarket and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Town of Newmarket for treatment provided that (1) said agreements do not contravene any requirements of existing federal or State laws, and/or regulations promulgated thereunder, (2) are compatible with any user charge system in effect, and (3) do not waive applicable federal categorical pretreatment standards. Special agreement requests shall require submittal of a pollution prevention plan that specifically addresses the discharge for which a special agreement is requested. For pollutants with numerical local limits, the Town of Newmarket has allocated a percentage of its allowable industrial loadings for such special agreements. Requests for special agreements that exceed this allocation will not be approved.

2.6 Town of Newmarket's Right of Revision

The discharge standards and requirements set forth in Sections 2.3, 2.4, and 2.5 are established for the purpose of preventing discharges to the POTW that would harm the sewers, wastewater treatment process, or equipment; would have an adverse effect on the receiving stream; or would otherwise endanger lives, limb, health, safety, public property, or constitute a nuisance.

To meet these objectives, the Superintendent may, from time to time, review and set more stringent standards or requirements than those established in Sections 2.3, 2.4, and 2.5 if, in the Superintendent's opinion, more stringent standards or requirements are necessary. In forming this opinion, the Superintendent may give consideration to such factors as the quantity of waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment facility, degree of treatability at the wastewater treatment facility, pollution prevention activities, and any other pertinent factor(s). The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer shall not be exceeded without the approval of the Superintendent.

The Superintendent shall allow affected industrial users reasonable time to comply with any changes to the local limits. The conditions and schedule for compliance shall accompany the written notification of amended local limits.

2.7 Dilution

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Superintendent may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements. The Superintendent may impose mass limitations on users in other cases when the imposition of mass limitations is appropriate.

2.8 Mass-Based Limitations

Users implementing process changes may request that compliance be determined based on mass limitations in lieu of concentration limitations. Such mass-based limitations will be calculated from the permitted concentration-based limitations and flows, and shall be equivalent to or less than the mass discharge in effect at the time of the request. The intent of a mass-based limit is to encourage and allow pollution prevention and/or water conservation measures that might cause a facility to increase pollutant concentrations in its discharge even though the total mass of the pollutant discharged does not increase, and may in fact decrease. Decisions on granting requests for mass-based compliance limitations will be based on user-specific information and current operating conditions of the POTW, and will be authorized at the discretion of the Superintendent. Implementation of mass-based limitations may not contravene any requirements of federal or State laws and/or regulations implemented thereunder, and may not waive applicable categorical pretreatment standards.

2.9 Private Sewer Systems

Private sewer systems that discharge to the Newmarket POTW are responsible for all collection system mapping and must perform all collection system operation and maintenance activities that are required by the Town of Newmarket's NPDES permit. Operation and maintenance activities and documentation of said activities shall be performed at the Owner's expense and documentation/records of this work shall be provided to the Superintendent within thirty (30) days of performing the work or from the request of the Superintendent that the work be performed.

The Town reserves the right to require that private systems eliminate extraneous infiltration and inflow greater than 1,500 gallons per day per inch diameter mile or the current Town standard from the private system, and the Owner shall bear the cost for performing all remedial work, study and documentation as approved by the Superintendent.

SECTION 3 - PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all limits, prohibitions, and requirements set out in Sections 2.3, 2.4, and 2.5 of this Ordinance within the time limitations specified by EPA, the State, or the Superintendent, whichever is more stringent. All facilities required to achieve and maintain compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Superintendent for review and shall be acceptable to the Superintendent and the DES before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Town of Newmarket under the provisions of this Ordinance.

3.2 Additional Pretreatment Measures

- A. Whenever deemed necessary to protect the POTW and determine the user's compliance with the requirements of this Ordinance, the Superintendent may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, or any other condition(s) as deemed necessary in the discretion of the Superintendent to protect the POTW and determine the user's compliance with the requirements of this Ordinance.
- B. The Superintendent may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An Industrial Discharge Permit may be issued solely for flow equalization.
- C. Grease, oil, and sand interceptors shall be provided at the owner's expense when, in the discretion of the Superintendent, these devices are necessary for the preliminary treatment of wastewater containing excessive amounts of grease and oil, or sand, except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Superintendent and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, in accordance with state and local codes, by the user at his expense. The owner shall be responsible for the proper removal and disposal by appropriate means of the captured materials and shall maintain records of the dates and means of disposal, which shall be submitted to the Superintendent on a yearly basis and subject to review. Any removal and hauling of the collected materials shall be performed by currently licensed waste disposal firms.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter and alarm.
- E. Where pretreatment or flow equalizing facilities are provided or required for any waters or

wastes, these devices shall be maintained continuously to ensure satisfactory and effective operation by the owner at his expense.

- F. A dental practice which applies, alters, maintains or removes mercury-containing dental amalgam shall install, operate and maintain an amalgam separator(s) in accordance with DES Env-Wq 306.

3.3 Accidental Discharge/Slug Control Plans

At least once every two (2) years, the Superintendent shall evaluate whether each significant indirect discharger needs an accidental discharge/slug control plan. The Superintendent may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Superintendent may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Superintendent of any accidental or slug discharge, as required by Section 6.3 of this Ordinance; and
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including but not limited to solvents), and/or measures and equipment for emergency response.

SECTION 4 - INDUSTRIAL DISCHARGE PERMIT APPLICATION

4.1 Wastewater Characterization

When requested by the Superintendent, a user must submit information on the nature and characteristics of its wastewater within sixty (60) days of the request. The Superintendent is authorized to prepare a form for this purpose and may periodically require users to update this information.

4.2 Industrial Discharge Permit Requirement

- A. No significant indirect discharger shall discharge wastewater into the POTW without first obtaining an Industrial Discharge Permit from the Superintendent, except that a significant indirect discharger that has filed a timely and complete application pursuant to Section 4.4 of this Ordinance may continue to discharge for the time period specified therein.
- B. The Superintendent may require other users to obtain Industrial Discharge Permits, or submit an application for an Industrial Discharge Permit, as necessary to execute the purposes of this Ordinance.
- C. Any violation of the terms and conditions of an Industrial Discharge Permit shall be deemed a violation of this Ordinance and shall subject the industrial discharge permittee to the enforcement actions set out in Sections 9 through 12 of this Ordinance. Obtaining an Industrial Discharge Permit does not relieve a permittee of its obligation to comply with all federal, State, or local pretreatment standards and requirements or with any other requirements of federal, State, and local law.

4.3 DES Industrial Wastewater Indirect Discharge Request (IDR) Requirement

All Significant Indirect Dischargers must receive DES approval for any new industrial discharge, or any alteration in either flow or waste characteristics, in accordance with the Town of Newmarket's NPDES permit. Upon receipt of a complete Industrial Discharge Permit application by the Town of Newmarket in accordance with Section 4.7 of this Ordinance, an Industrial Wastewater Indirect Discharge Request will be submitted by the Town of Newmarket to DES on behalf of the user. All applicable DES review fees shall be provided by the user.

4.4 Industrial Discharge Permitting: Existing Connections

Any user required to obtain an Industrial Discharge Permit who was discharging wastewater into the POTW prior to the effective date of this Ordinance, and is not currently covered by a valid Industrial Discharge Permit, and who wishes to continue such discharges in the future, shall, within sixty (60) days after said date, apply to the Superintendent for an Industrial Discharge Permit in accordance with Section 4.7 of this Ordinance, and shall not cause or allow discharges to the POTW to continue after one hundred twenty (120) days of the effective date of this Ordinance except in accordance with an Industrial Discharge Permit issued by the Superintendent.

4.5 Industrial Discharge Permitting: New Connections

Any user required to obtain an Industrial Discharge Permit who proposes to begin or recommence discharging into the POTW shall obtain an Industrial Discharge Permit prior to the beginning or recommencing of such discharge. An application for this Industrial Discharge Permit, in accordance with Section 4.7 of this Ordinance, shall be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

4.6 Industrial Discharge Permitting: Categorical Standards

Within 120 days subsequent to the effective date of a categorical pretreatment standard, an industrial user subject to such standards shall submit an application for an Industrial Discharge Permit amendment. The application shall contain the information noted under Section 4.7.

4.7 Industrial Discharge Permit Application Contents

All users required to obtain an Industrial Discharge Permit, and other users subject to these rules, as required by the Superintendent, shall submit a permit application. The Superintendent shall require all users to submit as part of an application the following information where applicable, as a minimum:

- A. The name, street address, and mailing address of the indirect discharger;
- B. The name, position, and daytime telephone number of a responsible individual at the indirect discharger, such as a plant manager, plant engineer, president, or vice president of the company, who has certified the permit application in accordance with Env-Wq 305.13(b);
- C. The "SIC" code and the North American Industry Classification System ("NAICS") code of the indirect discharger, if available;
- D. Whether the indirect discharger is subject to national categorical standards, and if so, which standards;
- E. The estimated average, minimum, maximum and total daily flow for domestic discharges and each process discharge and the time and duration of those discharges;
- F. A schematic of the proposed treatment process;
- G. If applicable, plans, specifications, and operation and maintenance procedures for new or modified treatment facilities at the indirect discharger, stamped by a chemical, civil, sanitary, or environmental engineer registered in New Hampshire;
- H. A schematic diagram showing the production process, including the origin of each waste stream;
- I. A list of pollutants expected to be present in the discharge and the anticipated quantity

of each, based on:

- (1) Analyses of the waste stream(s) to be discharged, in which case test results shall be submitted with the discharge permit request; or
 - (2) Knowledge of the process which produces the wastewater;
- J. Information on the toxicity and treatability of the pollutants proposed to be discharged, as available from manufacturer's testing, safety, and data publications;
- K. A map showing the location within the municipality of the indirect discharger with respect to the POTW;
- L. A listing of all chemicals used at the indirect discharger that will be or could be discharged, such as production chemicals, degreasers, and cleaning solvents;
- M. A description and location diagram of all sampling locations at the indirect discharger;
- N. A brief narrative describing those measures taken or planned to reduce water usage and implement pollution prevention techniques, if any, such as:
- (1) Flow restrictors;
 - (2) Countercurrent rinses;
 - (3) Recycling of non-contact cooling water;
 - (4) Chemical substitutions; and
 - (5) Pollutant source reduction; and
- O. A list of all environmental permits held by or for the indirect discharger.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

4.8 Signatories and Certification

All Industrial Discharge Permit applications and user reports shall be signed by an authorized representative of the user and shall contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information

submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

4.9 Hauled Wastewater Permits

- A. Septic tank waste may be introduced into the POTW only at locations designated by the Superintendent, and at such times as are established by the Superintendent. Transport and discharge of such waste shall comply with Section 13.0 of this Ordinance.
- B. The Superintendent shall require generators of hauled industrial waste to obtain Industrial Discharge Permits. The Superintendent may require haulers of industrial waste to obtain Industrial Discharge Permits. The Superintendent may also prohibit the disposal of hauled industrial waste. All other requirements of this Ordinance apply to the discharge of hauled industrial waste.
- C. Industrial waste haulers may discharge loads only at locations designated by the Superintendent. No load may be discharged without prior consent of the Superintendent. The Superintendent may collect samples of each hauled load to ensure compliance with applicable standards. The Superintendent may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- D. Industrial waste haulers shall provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and a certification that the wastes are not hazardous wastes.

SECTION 5 - INDUSTRIAL DISCHARGE PERMIT ISSUANCE PROCESS

5.1 Industrial Discharge Permit Decisions

The Superintendent will evaluate the data provided by the industrial user and may require additional information. Upon approval of the application by the Superintendent, if required, an Industrial Wastewater Indirect Discharge Request will be submitted by the Town to DES on behalf of the user. All applicable DES review fees shall be provided by the user. Within thirty (30) days of receipt of a complete Industrial Discharge Permit application, or ninety (90) days in the case of an application for a new or modified discharge requiring review and approval by DES, the Superintendent will determine whether or not to issue an Industrial Discharge Permit. The Superintendent may deny any application for an Industrial Discharge Permit with just cause. An Industrial Discharge Permit approval shall be based on and apply only to the subject application and all associated plans and supporting information as submitted.

5.2 Industrial Discharge Permit Duration

An Industrial Discharge Permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit, except that the Industrial Discharge Permit may be issued for three (3) years from the effective date of the permit in the case of a significant indirect discharger. An Industrial Discharge Permit may be issued for a period less than these intervals at the discretion of the Superintendent. Each Industrial Discharge Permit will indicate a specific date upon which it will expire. An Industrial Discharge Permit is void if the discharge approved does not begin within one year from date of approval.

Industrial Discharge Permits shall be terminated upon cessation of operations or transfer of business ownership, unless notification of such transfer is provided in accordance with Section 5.6 of this Ordinance. All Industrial Discharge Permits issued to a particular user are void upon the issuance of a new Industrial Discharge Permit to that user.

5.3 Industrial Discharge Permit Contents

An Industrial Discharge Permit shall include such conditions as are deemed reasonably necessary by the Superintendent to prevent pass through or interference, protect the quality of the water body receiving the treatment facility's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Industrial Discharge Permits for significant industrial dischargers shall contain:

1. The indirect discharger's name, street address, mailing address, and daytime telephone number;
2. Dates of issuance and expiration;
3. The general and specific prohibitions from this Ordinance which apply to the discharge;

4. A list of pollutants, allowable parameters, and discharge limits;
5. Identification of applicable EPA categorical standards;
6. A list of the pollutant(s) to be monitored and the monitoring requirements applicable thereto;
7. Sampling frequency, techniques, and locations;
8. Reporting requirements;
9. Inspection requirements;
10. Notification requirements, including for:
 - a. Slug loading;
 - b. Spills, bypasses, and upsets;
 - c. Changes in volume or characteristics of the discharge for which a permit revision is not required; and
 - d. Permit violations.
11. Record keeping requirements;
12. Applicable definitions and special conditions from this Ordinance;
13. Applicable civil and criminal penalties for violations;
14. Notification requirements prior to any new or modified discharge;
15. A requirement to submit a complete new application at a specified frequency, which shall be not less than once every five years; and a statement that indicates the Industrial Discharge Permit's duration, which in no event shall exceed five (5) years;
16. A statement that the Industrial Discharge Permit is nontransferable without prior notification to the Town of Newmarket in accordance with Section 5.6 of this Ordinance, and provisions for providing the new owner or operator with a copy of the existing Industrial Discharge Permit;
17. For users with reporting requirements, such reports at a minimum shall require:
 - a. Periodic monitoring results indicating the nature and concentration of pollutants in the discharge from the regulated processes governed by pretreatment requirements and the average and maximum daily flow for these process units;

- b. A statement as to whether the applicable pretreatment standards and requirements are being met on a consistent basis and, if not, the additional operation and maintenance practices and/or pretreatment systems that are necessary;
 - c. Submittal of any monitoring results performed in addition to the requirements of the Industrial Discharge Permit using procedures prescribed in the permit.
 - d. A description of identified pollution prevention opportunities at the facility.
 - e. A statement that compliance with the Industrial Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable federal and State pretreatment standards, including those that become effective after the submission of the permit application and during the term of the Industrial Discharge Permit.
 - f. A statement that the industrial user shall fully comply with the Town of Newmarket Sewer Use Ordinance.
 - g. A statement that the industrial user shall not dilute its effluent as a substitute for proper pretreatment.
 - h. A statement that the Industrial Discharge Permit is based on and shall apply only to the subject discharge request and the associated plans and supporting information as submitted in the completed Industrial Permit Application.
- B. Industrial Discharge Permits may contain, but need not be limited to, the following conditions:
- 1. Limitations on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - 2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices that are designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
 - 3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 - 4. Development and implementation of pollution prevention plans to reduce the amount of pollutants discharged to the POTW;
 - 5. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 - 6. Requirements for installation and maintenance of inspection and sampling facilities and equipment; and

7. Other conditions as deemed appropriate by the Superintendent to ensure compliance with this Ordinance, and State and federal laws, rules, and regulations.

5.4 Industrial Discharge Permit Appeals

Any person, including the user, may petition the Superintendent to reconsider the terms of an Industrial Discharge Permit within thirty (30) days of its issuance.

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appellant user must indicate the Industrial Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Industrial Discharge Permit.
- C. The effectiveness of the Industrial Discharge Permit shall not be stayed pending the appeal.
- D. If the Superintendent fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied.
- E. Aggrieved parties may appeal the conditions of the Industrial Discharge Permit in accordance with Section 15.2 of this Ordinance.

5.5 Industrial Discharge Permit Modification

The Superintendent may modify an Industrial Discharge Permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised federal, State, or local pretreatment standards or requirements;
- B. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of Industrial Discharge Permit issuance;
- C. To address a change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Upon receipt of information, from any source, indicating that the permitted discharge poses a threat to the Town of Newmarket's POTW, Town of Newmarket personnel, or the water quality in the receiving waters;
- E. Violation of any terms or conditions of the Industrial Discharge Permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the Industrial Discharge Permit application or in any required reporting;

- G. To correct typographical or other errors in the Industrial Discharge Permit; or
- H. To reflect a transfer of the facility ownership or operation to a new owner or operator.

The Superintendent shall ordinarily provide the user with five (5) days' notice and an opportunity to be heard prior to any proposed modification and the grounds supporting said modification unless public health, safety, or welfare requires a more immediate modification.

5.6 Industrial Discharge Permit Transfer

Industrial Discharge Permits may be transferred to a new owner or operator only if the permittee provides at least sixty (60) days advance notice to the Superintendent, and the Superintendent approves the Industrial Discharge Permit transfer. The notice to the Superintendent shall include a written certification by the new owner or operator that:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes that generate wastewater to be discharged to the POTW;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing Industrial Discharge Permit.

Failure to provide advance notice of a transfer shall render the Industrial Discharge Permit void as of the date of facility transfer.

5.7 Industrial Discharge Permit Reissuance

A user with an expiring Industrial Discharge Permit shall apply for reissuance of the Industrial Discharge Permit by submitting a complete permit application, in accordance with Section 4.7 of this Ordinance, a minimum of sixty (60) days prior to the expiration of the user's existing Industrial Discharge Permit. Under no circumstances shall the permittee continue to discharge without an effective permit. An expired permit will continue to be effective and enforceable until the permit is reissued if:

- The industrial user has submitted a complete permit application at least sixty (60) days prior to the expiration date of the user's existing permit; and
- The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the industrial user.

5.8 Regulation of Waste Received from Other Jurisdictions

- A. If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Town of Newmarket shall enter into an Intermunicipal agreement with the contributing municipality.

- B. Prior to entering into an agreement required by paragraph (A), above, the Superintendent shall request the following information from the contributing municipality:
1. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 2. An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 3. Such other information as the Superintendent may deem necessary.
- C. An Intermunicipal agreement, as required by paragraph (A), above, shall contain the following conditions:
1. A requirement for the contributing municipality to adopt a sewer use ordinance that is at least as stringent as this Ordinance and local limits that ensure that the pollutant loadings allocated to the contributing municipality are not exceeded. The requirement shall specify that such Ordinance and local limits shall be revised as necessary to reflect changes made to the Town of Newmarket's Ordinance or revisions to the loadings allocated to the contributing municipality;
 2. A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
 3. A provision specifying which pretreatment implementation activities, including Industrial Discharge Permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Superintendent; and which of these activities will be conducted jointly by the contributing municipality and the Superintendent;
 4. A requirement for the contributing municipality to provide the Superintendent with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 5. Limitations on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 6. Requirements for monitoring the contributing municipality's discharge;
 7. A provision ensuring that the Superintendent will have access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Superintendent; and
 8. A provision specifying remedies available for breach of the terms contained within

the agreement.

- D. Intermunicipal agreements shall be subject to approval by DES and the New Hampshire State Attorney General.

SECTION 6 - REPORTING REQUIREMENTS

6.1 Periodic Compliance Reports

- A. All significant indirect dischargers shall, at a frequency determined by the Superintendent but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge that are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports shall be signed and certified in accordance with Section 4.8 of this Ordinance.
- B. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to maintain its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- C. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Superintendent, using the procedures prescribed in Sections 6.11 and 6.12 of this Ordinance, the results of this monitoring shall be included in the report.

6.2 Reports of Changed Conditions

Each industrial user shall notify the Superintendent of any planned changes to the user's operations or system that might alter the nature, quality, or volume of its wastewater at least ninety (90) days before the change.

- A. The Superintendent may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submittal of an Industrial Discharge Permit application under Section 4.7 of this Ordinance.
- B. Upon approval of the application by the Town of Newmarket, an Industrial Wastewater Indirect Discharge Request may be submitted by the Town of Newmarket to DES on behalf of the user. All applicable DES review fees shall be provided by the user.
- C. Upon approval of the Industrial Discharge Request by DES, the Superintendent may issue an Industrial Discharge Permit or modify an existing Industrial Discharge Permit under Section 5 of this Ordinance in response to changed conditions or anticipated changed conditions.
- D. A NHDES "Sewer Connection Permit" request in accordance with Section 2.2 of this Ordinance may be required for changes.

6.3 Reports of Slug/Potentially Adverse Discharges

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause adverse impacts to the POTW, the user shall immediately telephone and notify the Superintendent of the incident. This notification shall include identifying the location of the discharge, the type of waste, the concentration and volume of the waste, if known, and corrective actions conducted by the user.
- B. Within five (5) days following such discharge, the user shall, unless waived by the Superintendent, submit a detailed written report describing the cause(s) of the discharge and the measures to be conducted by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability that may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability that may be imposed pursuant to this Ordinance.
- C. A notice shall be permanently posted on the user's employee bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (A), above. Employers shall ensure that all employees who may cause such a discharge to occur or who may be present when a discharge occurs are advised of the emergency notification procedure.

6.4 Reports from Unpermitted Users

All users not required to obtain an Industrial Discharge Permit shall provide appropriate reports to the Superintendent as the Superintendent may require.

6.5 Notice of Violation/Repeat Sampling and Reporting

If the results of sampling performed by a user indicate a violation, the user shall notify the Superintendent within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent within thirty (30) days subsequent to becoming aware of the violation. The user is not required to resample if the Superintendent monitors at the user's facility at least once a month, or if the Superintendent samples between the user's initial sampling and when the user receives the results of this sampling.

6.6 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses shall be performed in accordance with procedures approved by the Town of Newmarket.

6.7 Sample Collection

- A. Except as indicated in Paragraph (B), below, the user shall collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Superintendent may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to demonstrate compliance with instantaneous discharge limitations (e.g., screening levels established to protect worker health and safety). A single grab sample may also be used in place of a composite sample with approval of the Superintendent when:
- The effluent is not discharged on a continuous basis (i.e., batch discharges of short duration), and only when the batch exhibits homogeneous characteristics (i.e., completely mixed) and the pollutant can be safely assumed to be uniformly dispersed;
 - Sampling a facility where a statistical relationship can be established between previous grab samples and composite data; and
 - The waste conditions are relatively constant (i.e., are completely mixed and homogeneous) over the period of the discharge.
- B. Samples for temperature, pH, phenols, sulfides, and volatile organic compounds shall be obtained using grab collection techniques.

6.8 Timing

Written reports will be deemed to have been submitted on the date postmarked. For reports that are not mailed, the date of receipt of the report by the person designated in the Industrial Discharge Permit shall govern.

6.9 Record Keeping

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact location, method, and time of sampling, and the name of the person(s) obtaining the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least five (5) years. This period shall be automatically extended for the duration of any litigation concerning the user or the Town of Newmarket, or where the user has been specifically notified of a longer retention period by the Superintendent. Before destroying the records, the industrial user shall request and receive permission from the Town of Newmarket.

SECTION 7 - POWERS AND AUTHORITIES OF INSPECTORS

7.1 Compliance Monitoring

The Town of Newmarket shall investigate instances of noncompliance with the industrial pretreatment standards and requirements, as well as compliance with all applicable State, federal or local laws or regulations.

The Town of Newmarket shall, as necessary, sample and analyze the wastewater discharges of contributing users and conduct surveillance and inspection activities to identify, independently of information supplied by such users, occasional and continuing noncompliance with industrial pretreatment standards or State, federal, or local laws and regulations. Each industrial user will be billed directly for costs incurred for analysis of its wastewater.

7.2 Right of Entry: Inspection and Sampling

All users discharging to the Town of Newmarket's POTW shall allow unrestricted access by Town of Newmarket, State and EPA personnel ("Inspector(s)") for the purpose of determining whether the user is complying with all requirements of this Ordinance, and/or any Industrial Discharge Permit or order issued hereunder. Users shall allow the Inspector(s) ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- A. If a user has security measures in force that require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Inspector(s) will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The Inspector(s) shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- C. The Inspector(s) may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure accuracy.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Inspector(s) and shall not be replaced. The costs of clearing such access shall be borne by the user.
- E. Unreasonable delays in allowing the Inspector(s) access to the user's premises shall be a violation of this Ordinance.
- F. The Inspector(s) is authorized to obtain information concerning industrial processes that have a bearing on the kind or source of discharge to the public sewer. The industrial user may

request that the information in question not be disclosed to the public in accordance with Section 8 of this Ordinance. The information in question shall be made available upon written request to governmental agencies for uses related to this Ordinance, the NPDES permit, or the pretreatment program. The burden of proof that information should be held confidential rests with the user. However, information regarding wastewater discharge by the user (flow, constituents, concentrations, and characteristics) shall be available to the public without restriction.

- G. While performing the necessary work on private properties referred to in this Section, the Inspector(s) shall observe all safety rules applicable to the premises established by the user. The user shall be held harmless for injury or death to the Inspector(s), and the Town of Newmarket shall indemnify the user against loss or damage to its property by Town of Newmarket employees and against liability claims and demands for personal injury or property damage asserted against the user and growing out of the monitoring activities, except as such may be caused by negligence or failure of the user to maintain safe conditions.
- H. The Inspector(s) shall be permitted to enter all private properties through which the Town of Newmarket holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the POTW lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

7.3 Search Warrants

If the Superintendent has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the Town of Newmarket designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Superintendent may seek issuance of a search warrant from the Rockingham Circuit Court- District Division. In the event a search warrant is granted by the Rockingham Circuit Court-District Division, the user who refused said access shall be responsible for any and all fees and expenses incurred by the Town of Newmarket in obtaining said warrant.

SECTION 8 - CONFIDENTIAL INFORMATION/PUBLIC PARTICIPATION

8.1 Confidential Information

Information and data on a user obtained from reports, surveys, Industrial Discharge Permit Applications, Industrial Discharge Permits, and monitoring programs, and from the Superintendent's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Superintendent, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report that might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person providing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

8.2 Public Participation

The Town of Newmarket shall comply with the public participation requirements of 40 CFR Part 25 in the enforcement of industrial pretreatment standards and requirements.

SECTION 9 - ADMINISTRATIVE ENFORCEMENT REMEDIES

9.1 Notification of Violation

When the Superintendent determines that a user has violated, or continues to violate, any provision of this Ordinance, an Industrial Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may serve a verbal or written Notice of Violation to the user. Within the time period specified in the violation notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Superintendent. Submittal of this plan in no way relieves the user of liability for any violations occurring before or subsequent to receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Superintendent to take any action, including emergency actions or any other enforcement action, without initially issuing a Notice of Violation.

9.2 Compliance Schedule Development

The Superintendent may require any user that has violated or continues to violate any provision of this Ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, to develop a compliance schedule. A compliance schedule pursuant to this section shall comply with the following conditions:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards including, but not limited to, retaining an engineer, completing preliminary and final design plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation;
- B. No increment referred to above shall exceed nine (9) months;
- C. The user shall submit a progress report to the Superintendent no later than fourteen (14) days following each date in the schedule and the final date of compliance which identifies, at a minimum, whether the user complied with the increment of progress, the reason for any delay, and, if appropriate, the action being taken by the user to return to the established schedule; and
- D. In no event shall more than nine (9) months elapse between such progress reports to the Superintendent.

9.3 Pollution Prevention Plan Development

The Superintendent may require any user that has violated or continues to violate any provision of this Ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, to develop a pollution prevention plan. The pollution prevention plan must specifically address violation(s) for which this action was undertaken. The pollution prevention plan shall be developed using good engineering judgment and shall be

submitted to the Superintendent no later than sixty (60) days after the user was notified of this requirement.

9.4 Publication of Users in Significant Noncompliance

The Superintendent may publish annually, in the largest daily newspaper circulated in the Town of Newmarket, a list of the users that, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements.

9.5 Show Cause Orders

The Superintendent may order a user that has violated, or continues to violate, any provision of this Ordinance, an Industrial Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Superintendent and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, executing any other action against the user.

9.6 Cease and Desist Orders

When the Superintendent determines that a user has violated, or continues to violate, any provision of this Ordinance, an Industrial Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Superintendent may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- A. Immediately comply with all requirements; and
- B. Implement such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

9.7 Consent Orders

The Superintendent is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such orders shall include specific action to be taken by the user to correct the noncompliance within a time period also specified by the order. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment systems, additional self-monitoring, and

management practices. Such orders shall have the same force and effect as administrative orders issued pursuant to Sections 9.5 and 9.6 of this Ordinance and shall be judicially enforceable.

9.8 Industrial Discharge Permit Termination

Any industrial user who violates the following conditions of this Ordinance or a wastewater discharge permit or order, or any applicable State or federal law, is subject to permit termination:

- A. Violation of permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater constituents and characteristics; or
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 9.5 of this Ordinance why the proposed action should not be taken. Exercise of this option by the Superintendent shall not be a bar to, or a prerequisite for, taking any other action against the user.

9.9 Termination of Discharge

In addition to the provisions in Section 9.8 of this Ordinance, any user who violates the following conditions is subject to discharge termination:

- A. Violation of Industrial Discharge Permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the pretreatment standards in Section 2 of this Ordinance.
- F. Refusal or failure to adequately respond to any Notice of Violation issued by the Superintendent per Section 9.1 of this Ordinance.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 9.5 of this Ordinance why the proposed action should not be taken. Exercise of this option by the Superintendent shall not be a bar to, or a prerequisite for, taking any other action against the user.

9.10 Emergency Suspensions

The Superintendent may immediately suspend a user's discharge, subsequent to informal notice to the user, whenever such suspension is necessary to terminate an actual or threatened discharge that reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of POTW personnel or the public. The Superintendent may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or that presents, or may present, an endangerment to the environment.

- A. Any user notified of a suspension of its discharge shall immediately terminate or eliminate its wastewater discharge. In the event of a user's failure to immediately comply with the suspension order, the Superintendent may implement such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Superintendent may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Superintendent that the period of endangerment has passed, unless the termination proceedings in Section 9.8 or 9.9 of this Ordinance are initiated against the user.
- B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures implemented to prevent any future occurrence, to the Superintendent prior to the date of any show cause or termination hearing under Sections 9.5, 9.8 or 9.9 of this Ordinance.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

9.11 Recovery of Expenses

Any person or industrial user violating any of the provisions of this Ordinance shall be liable to the Town of Newmarket for any expense, loss, or damage occasioned the Town of Newmarket by reason of such violation. If the Superintendent or Town Council shall have caused the disconnection of a building sewer from a public sewer, the Town of Newmarket may collect the expenses associated with completing the disconnection from any person or user responsible for, or willfully concerned in, or who profited by such violation. The Town of Newmarket may thereafter refuse to permit the restoration of the former connection or of any new connection to the property concerned in the violation until the claim of the Town of Newmarket for the cost of completing such disconnection shall have been paid in full plus interest and the reasonable cost of any legal expenses incurred by the Town of Newmarket in connection therewith.

9.12 Harm to Town of Newmarket Property

No person shall maliciously, willfully, or negligently damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is part of the public sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly

conduct pursuant to the local Ordinances, and shall also be subject to penalties under State and federal statutes.

9.13 Liens and Collection of Sewer Charges

Liens: Under provision of New Hampshire RSA 149-I:11 and RSA 38:22, all charges for sewer services shall constitute a lien in favor of the Town of Newmarket upon real estate where services were furnished. Interest on overdue charges shall be assessed in accordance with RSA 76:13. Town records shall be sufficient notice to maintain suite upon the lien against subsequent purchases or attaching creditors or real estate.

SECTION 10 - JUDICIAL ENFORCEMENT REMEDIES

10.1 Injunctive Relief

When the Town of Newmarket determines that a user has violated, or continues to violate, any provision of this Ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, the Town of Newmarket may petition the Rockingham County Superior Court through the Town of Newmarket's Attorney for the issuance of a temporary or permanent injunction, as appropriate, that restrains or compels the specific performance of the Industrial Discharge Permit, order, or other requirement imposed by this Ordinance on activities of the user. The Town of Newmarket may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, implementing any other action against a user.

10.2 Civil Penalties

- A. A user who has violated, or continues to violate, any provision of this Ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the Town of Newmarket for a maximum civil penalty of \$10,000 per violation, per day, plus actual damages incurred by the POTW. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- B. The Town of Newmarket Council may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Town of Newmarket. The Town Council shall petition the Court to impose, assess, and recover such sums.
- C. In determining the amount of civil liability, the Court shall consider all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, implementing any other action against a user.

10.3 Criminal Prosecution

Any person or industrial user who willfully or negligently violates any provision of this Ordinance or any orders or permits issued hereunder shall, upon conviction, be guilty of a violation, punishable by a fine not to exceed \$10,000 for each violation. Every separate provision violated shall constitute a separate violation. Every day that a violation occurs shall be deemed a separate violation. Ref. RSA 47:17, I, RSA 149-I:6, RSA 31:39, III.

10.4 Nonexclusive Remedies

The remedies provided for in this Ordinance are not exclusive. The Town of Newmarket may take any, all, or any combination of these actions against a non-compliant user. Enforcement of pretreatment violations will generally be in accordance with the Town of Newmarket's enforcement response plan; however, the Town of Newmarket may pursue any other action against any user without limitation, including *ex parte* temporary judicial relief to prevent a violation of this Ordinance. Further, the Town of Newmarket is empowered to pursue more than one enforcement action against any non-compliant user.

SECTION 11 - SUPPLEMENTAL ENFORCEMENT ACTION

11.1 Performance Bonds

The Superintendent may decline to issue or reissue an Industrial Discharge Permit to any user who has failed to comply with any provision of this Ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the Town of Newmarket, in a sum not to exceed a value determined by the Superintendent to be necessary to achieve consistent compliance.

11.2 Liability Insurance

The Superintendent may decline to issue or reissue an Industrial Discharge Permit to any user who has failed to comply with any provision of this Ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

11.3 Water Supply Severance

Whenever a user has violated or continues to violate any provision of this Ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed. Service will only recommence, at the user's expense, subsequent to satisfactory demonstration of its ability to comply.

11.4 Public Nuisances

A violation of any provision of this Ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Superintendent. Any person(s) creating a public nuisance shall be subject to the penalty provisions of state law or the Town Code, as applicable, governing such nuisances, including reimbursing the Town of Newmarket for any costs incurred in removing, abating, remedying, or enforcing compliance to cease said nuisance, including the Town's legal fees and expenses.

11.5 Contractor Listing

Users that have not achieved compliance with applicable pretreatment standards and requirements are not eligible to receive a contractual award for the sale of goods or services to the Town of Newmarket. Existing contracts for the sale of goods or services to the Town of Newmarket held by a user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the Superintendent.

SECTION 12 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

12.1 Upset

- A. For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards due to factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An upset shall constitute an affirmative defense to an action brought for noncompliance with pretreatment standards if the requirements of paragraph (C), below, are met.
- C. A user who intends to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An upset occurred and the user can identify the cause(s) of the upset;
 - 2. At the time being of the upset, the facility was operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - 3. The user has submitted the following information to the Superintendent within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five (5) days):
 - a. A description of the discharge and cause of noncompliance;
 - b. The period of noncompliance, including exact dates and times or, if not corrected, the amount of time the noncompliance is expected to continue; and
 - c. Action being implemented and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with pretreatment standards.
- F. Users shall control all discharges to the extent necessary to maintain compliance with pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

12.2 Prohibited Discharge Standards

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2.3(A) of this Ordinance or the specific prohibitions in Sections 2.3(B) of this Ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- A. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- B. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the Town of Newmarket was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

12.3 Bypass

- A. For the purposes of this section,
 - 1. "Bypass" means the intentional diversion of waste streams from any portion of a user's treatment facility.
 - 2. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A user may allow any bypass to occur that does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this section.
- C. If a user knows in advance of the need for a bypass, it shall submit prior notice to the Superintendent, at least ten (10) days before the date of the bypass, if possible.

A user shall submit oral notice to the Superintendent of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the amount of time it is expected to continue; and steps implemented or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Superintendent may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

- D. Bypass is prohibited, and the Superintendent may initiate enforcement action against a user for a bypass, unless:
1. Bypass was required to prevent loss of life, personal injury, or severe property damage;
 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
 3. The user submitted notices as required under paragraph (C) of this section.
- E. The Superintendent may approve an anticipated bypass, subsequent to considering its adverse effects, if the Superintendent determines that it will meet the three conditions listed in paragraph (D)(1) of this section.

SECTION 13 - SEPTAGE DISPOSAL

No person shall discharge hauled septage at the Town of Newmarket's wastewater POTW who does not hold a septage hauler permit issued pursuant to RSA 485-A:4, XVI-a.

A copy of such permit shall be filed by the permit holder with the Town of Newmarket. Upon renewal or revocation of such permit, the hauler shall be responsible for notification of such renewal or revocation to the Town of Newmarket.

The Superintendent may limit the quantities of septage that can be received or refuse to receive septage to ensure proper operation of the treatment facility pursuant to RSA 486:13.

13.1 Septage Hauler Requirements

- A. A permitted hauler may discharge septage to the facilities provided at the Town of Newmarket's wastewater treatment facility only after paying the charges as set forth in Appendix A of this Ordinance.
- B. Those persons, firms, corporations, municipal subdivisions or institutions that conform to state definition of "RVs" shall dispose of such septage as human excrement or other putrescible materials at the dates, times, and locations designated by the Superintendent.
- C. No person, firm, corporation, municipal subdivision or institution shall discharge any toxic, poisonous, radioactive solids, liquids or gases, or the contents of grease, gas, oil and/or sand interceptors into the Town of Newmarket's wastewater treatment facility without specific authorization of the Superintendent.

13.2 Temporary Septage Permits

The Superintendent may issue a temporary permit to allow the discharge of septage at a point of discharge other than the wastewater treatment facility in a situation where such temporary discharge point is necessary to protect the health and welfare of the Town of Newmarket. The Superintendent shall issue such permit upon such terms and conditions as the Superintendent deems to be in the best interests of the Town of Newmarket. The temporary permit shall not be valid for a period exceeding twelve (12) months. The Superintendent shall have the right to revoke or suspend the temporary permit in the event that the terms and conditions are not met.

13.3 Septage Permits

- A. Any septage hauler who intends to dispose of septage within the limits of the Town of Newmarket shall first obtain a permit therefor from the Town of Newmarket.
- B. Such permit as issued by the Town of Newmarket shall identify:
 - 1. The motor vehicle;
 - 2. The capacity of the tank;

3. The DES Permit Number; and
 4. Any other details of compliance with DES rules.
- C. The following conditions shall constitute conditions precedent to the issuance of each permit by the Town of Newmarket:
1. Each septic tank truck shall be equipped with either a sight level by which the quantity of the contents of each tank may be ascertained by sight or an access port through which the quantity of the contents of each truck may be ascertained by depth measurements.
 2. Prior to discharging the load, the hauler shall record the following information in a log at the POTW:
 - a. The hauler's name;
 - b. Date;
 - c. Time of disposal;
 - d. Volume disposed;
 - e. Origin of load (property owner's name, address, and telephone number); and
 - f. Nature of the waste (i.e., grease or septage) being disposed.
 3. Such log as described in Section 14.3(C)(2) shall be located in the office of the Superintendent.
 4. Owners of "RVs" who intend to discharge the contents of holding tanks are exempt from the permitting process.

13.4 Septage Disposal Charge

There shall be a Septage Disposal Charge as established by this Ordinance for the receipt of septage into the Town of Newmarket's POTW for treatment. In the event that the permittee has either a defective sight level, no sight level attached to the truck, and/or no access to the contents of the truck for depth measurement, the permittee shall be charged according to the full tank capacity at the time of discharge or by other method determined by the Superintendent. Septage Fees shall be established by Town Council and are included in Appendix A.

SECTION 14 - ABATEMENTS

- A. A written request for abatement will be reviewed by the Superintendent according to the following:
 - 1. Errors in meter readings,
 - 2. Meter malfunctions,
 - 3. Water that did not enter the sewer system
 - 4. Errors in billing.
- B. Abatements will only be retroactive for one (1) billing period.
- C. Abatement requests that are denied by the Superintendent may be appealed by the owner to the Town Administrator. An appeal to the Town Administrator must be submitted in writing.

SECTION 15 - VALIDITY

- A. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
- B. The validity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance that can be given effect without such invalid part or parts.

SECTION 16 - INTERPRETATION OF REQUIREMENTS

16.1 Interpretation

The provisions of this Ordinance with respect to the meaning of technical terms and phrases, the classification of different types of sewers, the regulations with respect to making connections to sewers or drains, and other technical matters shall be interpreted and administered by the Superintendent acting in and for the Town of Newmarket, New Hampshire through the Town Council.

16.2 Appeals

Any party aggrieved by any decision, regulation or provision under this Ordinance, as amended, from time to time, shall have the right of appeal within thirty (30) calendar days of said decision to the Superintendent, who shall issue a decision within thirty (30) calendar days. If said appeal is denied by the Superintendent, then the aggrieved party shall have the right to appeal to the Rockingham County Superior Court for equitable relief, provided that said appeal is entered within thirty (30) calendar days from the issuance of the decision of the Superintendent.

SECTION 17 – USER FEES

To defray the costs of operating and maintaining the sewer system, payment of any principal or interest on bonds, or other indebtedness, a schedule of charges shall be set established by the Town of Newmarket for all classes of service and defined in the Sewer User Charge system.

Changes to the schedule of charges shall be approved by Town Council resolution after public notice and discussion at a Town Council Workshop meeting. Appendix A includes the schedule of charges, rates, fees, fines and penalties that have been established by the Town Council.

SECTION 18 - EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

Duly enacted and ordained this ____ day of _____ 20__ by the ____ Town Council of the Town of Newmarket in Rockingham County, State of New Hampshire, at a duly noticed and duly held session of the said Town Council.

This Ordinance is hereby authenticated as required by Section _____ of the Town Charter.

By:

Dale Pike, Chair

Toni Weinstein, Vice Chair

Kyle Bowden, Councilor

Amy Burns, Councilor

Casey Finch, Councilor

Gretchen Kast, Councilor

Amy Thompson, Councilor

Appendix A – Sewer User Fees

Appendix B – Residential/Commercial Sewer Connection Applications

Appendix C – Industrial Sewer Connection Application

Appendix D – POTW Screening Levels

Town of Newmarket, NH Sewer Use Ordinance



Sewer User Ordinance Overview

- Introduction
- History
- Regulatory Framework
- General Overview
- Questions



Sewer User Ordinance Overview

History

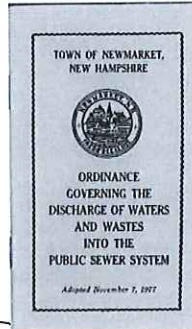
- 1st Ordinance adopted in 1977
- Adoption of a Sewer Use Ordinance is a requirement of accepting Federal and State grants and low interest loans



Sewer User Ordinance Overview

The following ordinance is adopted to regulate the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system and to provide penalties for violations thereof, in the Town of Newmarket, Rockingham County, New Hampshire.

Be it ordained and enacted by the Board of Sewer Commissioners of said Town, pursuant to RSA 252 and adopted July 1, 1970, as follows:



Sewer User Ordinance Overview Regulatory Framework

This Ordinance sets forth uniform requirements for users of the Town's Publicly Owned Treatment Works (POTW) and enables the Town to comply with all applicable State and Federal laws, including:

- the Clean Water Act (33 United States Code § 1251 et seq.),
- the General Pretreatment Regulations (40 Code of Federal Regulations Part 403),
- State RSA 149-I and RSA 485-A:5 III
- and for accomplishing the purposes of the Town Ordinance



Purpose of Sewer Use Ordinance

- Protect wastewater treatment facility from damaging pollution
- Protect environment from pollution
- Protect general public and wastewater treatment facility staff
- Promote sludge reuse
- Comply with federal and state regulations.



Sewer User Ordinance Overview

- Defines uniform requirements for design, construction, and use of the sewer collection system
- Provides for the enforcement of these requirements and establishes penalties for violations
- Defines responsibility for sewer collection system maintenance
- Establishes User Charges



Sewer User Ordinance Overview

Major changes from 1977 include:

- Expanded and updated the general sewer use policies
- Added Industrial Pretreatment and Industrial User Permit requirements
- Added Reporting Requirements



Sewer User Ordinance Overview

Major changes (continued):

- Added Administrative, Judicial and Supplemental enforcement remedies
- Added septage disposal regulations



Sewer User Ordinance Overview

Other Town Ordinances:

- Exeter Chapter 15 Sewer Ordinance
- Portsmouth Chapter 11, Article 2
- Durham Chapter 106



Newmarket Sewer Use Ordinance

- Questions



Town of Newmarket, New Hampshire

By the Newmarket Town Council

ORDINANCE NO. 5-2016/2017

Amendments to **Chapter 32 Zoning, Article I. Section 32-2 Purposes and Article IV Signs** of the Municipal Code of the Town of Newmarket and Zoning Ordinance, adopted 02/14/1996, as amended through March 1, 2017.

The Town of Newmarket ordains that:

WHEREAS, the Town of Newmarket has adopted a Master Plan and Zoning Ordinance to guide the character of growth, development, and change in order to provide for the public health, safety and general welfare; and

WHEREAS, the Planning Board has formed a sub-committee to evaluate current zoning, including its Purpose (Sec 32-2) and Sign (Sec 32-121) regulations and has suggested changes to the Town's zoning regulations in order to implement sections of the Town's newly adopted Future Land Use Chapter of the Master Plan and recent changes in state and federal case law, the State's RSAs, which govern and enable the adoption of municipal planning and zoning regulations; and

WHEREAS, the subcommittee met, reviewed possible changes and drafted recommendations for consideration by the full Planning Board; and

WHEREAS, these proposed amendments are intended to: (1) more clearly state the Town's authority under its zoning powers to advance aesthetic values, as recognized by the NH Supreme Court; and (2) Update and enhance the Town's signage regulations and bring them into conformance with recent U.S Supreme Court case law (Reed v. Gilbert, AZ), which requires regulations to be content neutral; and

WHEREAS, the Planning Board conducted a formal public hearing on May 9, 2017 to solicit citizen input and modifications to draft zoning amendments; and

WHEREAS, the Planning Board voted unanimously on May 9, 2017 to recommend and bring forward these proposed amendments to the Town Council for consideration and adoption.

NOW THEREFORE BE IT RESOLVED that **Chapter 32 Zoning** of the Municipal Code of Newmarket is amended as follows:

ARTICLE I. IN GENERAL

1. Amend **Sec. 32-2 Purpose.** by adding the following as a new Subsection (9) that Reads as follows:

“(9) To advance aesthetic values through design and architecture, because the preservation or enhancement of the visual environment may promote prosperity and the general welfare.”

2. Add new definitions to **Sec. 32-11 Definitions.** for “*Sign, Electronic Message Board*” and add language to clarify what a “*Sign, Neon/LED style*” sign is, as read below:

Section 32-11 Definitions. As used in this Ordinance, the following terms shall have the meanings indicated:

Sign. Any display of lettering, logos, colors, lights, or illumination visible from the property lines, which either conveys a message to the public, or intends to advertise, direct, invite, announce, or draw attention to, directly or indirectly, a use conducted, goods, products, services or facilities available, either on the lot or on any other premises. For purposes of this Ordinance, “sign” shall exclude: merchandise display; federal, state, county or municipal property of any sort; necessary highway traffic control or parking control devices on public or private rights-of-way; and municipally assigned structure numbers.

Sign, Electronic Message Board. A sign that is capable of displaying words, symbols, figures and images that can be electronically or mechanically changed by remote or automatic means.

Sign, Freestanding. A self-supporting sign not attached to any building, wall or fence, but in a fixed location. This does not include movable signs.

Sign Height. The measure from undisturbed ground directly under the sign to the top of the message area.

Sign Message Area. The total area used to display a sign’s message including all lettering, designs, symbols, logos, together with but not including the support framework, bracing and base, provided that these features remain incidental to the sign itself. Where the message area consists of letters, symbols, logos or devices affixed to the surface of a structure, wall, awning or window, the message area shall be measured by a single, continuous,

rectangular perimeter drawn to enclose the extreme limits of the sign elements. The message area of one side of a double faced sign shall be regarded as the total message area of the sign, provided that each of the double faces is parallel to, and attached directly to the other.

Sign, Movable. A sign capable of being readily moved or relocated, including portable signs mounted on a chassis and wheels, or supported by legs.

Sign, Neon/LED Style. Used in the colloquial sense, to indicate the type of sign generally made with shaped glass tubes filled with gas (typically a noble gas such as neon or argon) which radiate colored light when an electric current is added. For purposes of this Ordinance, a neon sign is not considered an internally illuminated sign but is defined separately. A LED (light-emitting diode) style sign is one that utilizes a two lead semiconductor light source, which emits light when activated.

Sign, Off-Site. A sign, which is not located on the lot to which its message refers.

Sign, Off-Site Commercial. A sign with a commercial message relating to a commercial activity not conducted on the lot on which the sign is located.

Sign, Projecting. A sign which is affixed to the wall of a building and which extends more than 12 inches beyond the surface to which it is affixed.

Sign, Wall. A sign affixed to the wall of a building or to an awning, provided the sign does not extend more than 12 inches beyond the surface to which it is attached.

Sign, Window. A window, or portion thereof, on which sign message is displayed whether by permanent or temporary attachment, but exclusive of merchandise

ARTICLE IV. SIGNS

Sec 32-120 PURPOSE.

Consistent with the overall purpose of this Ordinance, it is the Town's intent to require signs, which enhance the character of the community and protect its visual environment. Businesses need identification and the public needs direction, so the Town must balance these needs with the protection of community. Excessive signs shall be prevented. Sizes, materials, mounting locations and other such factors shall be consistent with the public objectives in the area in which a sign is located. Signs shall be readable and clear, and properly maintained. Signs shall not cause

safety problems.

3. Amend **Sec. 32-121 Application Process** to clarify that:

- (a) Neon style/LED window signs are exempt provided they meet the provisions of Sec 32-123 (b).
- (b) Yard sale signs are exempt provided the yard sales don't occur more frequently than 4 days per year.
- (c) Real estate non-projecting signs, unless otherwise permitted, shall not be allowed within the public right-of-way and that all such signs must comply with the Sign Height and Message Area Table under Sec. 124 (1) (B).
- (d) Directional ADA signs shall not exceed 2 square feet.
- (e) Awning signs with messages within the M-2 and M-2A zones are exempt and shall not be made of translucent material.
- (f) One (1) subdivision identification sign, not to exceed twelve (12) square feet in size and six (6) feet in height, at the entrance of a subdivision denoting the name of the development, is exempt provided the signage is located out of the public right-of-way and is approved by the Planning Board.
- (g) Permits are not required for the normal maintenance of a sign.

Sec. 32-121. Application process. (Changes in Red)

Except as listed below, all new signs or modifications to signs shall require a permit from the Code Enforcement Officer. A written application and a \$50 fee shall be submitted to the Town. The request shall have sufficient information to determine compliance with these requirements, and shall include drawings.

- (1) *Exempt Signs.* The following signs do not require a sign permit from the Town, and are not subject to the setback requirements:
 - a. Sign with a message area of one square foot or less, which bears only property numbers, post office box numbers, names of occupants, other non-commercial identification, or with a message of the following type: "open", "closed", "now hiring", "vacancy", "no vacancy", etc.

- b. Directional sign, with no commercial message, indicating entrance and/or exit to a site, with a message area of two square feet or less.
- c. Legal notice, such as “no trespassing” signs, with a message area of two square feet or less.
- d. Business name and/or directional sign with a message area of three square feet or less which are located over doorways.
- e. Government or religious flags.
- f. Window sign, unless a neon-style/LED sign per Sec 32-123 (b).
- g. Sign identifying lawn, garage or barn sales, with a message area of six square feet or less, and displayed not more than one day prior to the event and removed not more than one day following the end of the event, providing such sale does not occur on more than four days per calendar year.
- h. Sign for a government election, with time limits as specified in State law, or if no State law applies, then erected no more than 45 days prior to the election and removed within 10 days following the election, except for primaries where the winners signs may remain until 10 days after the final election (see RSA Chapter 664 for further information).
- i. Real estate sign for the sale or lease of the property on which the sign is located, with total message area not to exceed the permitted message area for other freestanding signs on the property. Real estate signs, being temporary, shall be permitted in addition to other permitted signs. Off-site real estate signs shall be limited to directional signs, with a maximum message area of two square feet, Indicating directions to properties for sale and/or open houses. Non-projecting signs, unless otherwise permitted, shall not be allowed within the public right-of-way. Real estate signs must comply with the Sign Height and Message Area table under Sec. 124 (1) (B).
- j. Promotional sign for public or institutional events, as authorized by the Town Council.
- k. Directional sign to help locate facilities for persons with disabilities, with the message area not to exceed two (2) square feet, as required for compliance with the Americans with Disabilities Act of 1990.
- l. Announcement/message board, with a message area not to exceed 12 square feet, on the property of public service organization, or religious institution,

because such activities are vital to the civic function of these properties.

- m. For construction in progress, one or more signs per lot with a total combined message area not to exceed 24 square feet, identifying the owner, architect, contractors, and/or developer, to be removed within one month of the completion of the project.
 - n. Sign for fraternal or social clubs, local service agencies, and philanthropic organization, which identified meeting times and locations, with a message area of three square feet or less.
 - o. Awnings with messages, as permitted in Sec. 32-46 (c) (4) ((4) in the M-2 and M-2A District. Awnings shall not be of translucent material.
 - p. One (1) subdivision identification sign, not to exceed twelve (12) square feet in size and six (6) feet in height, at the entrance of a subdivision denoting the name of the development, provided the signage is located out of the public right-of-way and is approved by the Planning Board.
- (2) *Permitted Maintenance.* No permit shall be required for normal maintenance of signs, which shall include repainting and other surface renewal.

Sec 32-122 Sign content.

The town has no intention of restricting individual free speech, but the Town does recognize its right to place reasonable restrictions upon commercial speech. Further, the Town wishes to prevent excessive or unnecessary signs along road corridors. In keeping with this reasoning, off-site commercial signs shall be prohibited. The Town, however, may develop and install a standardized system of municipally owned business directional signs, similar to the State system, to better index the community for people.

4. Amend Sec 32-123 General Design Standards. to clarify that:

- (a) Internally illuminated signs are only allowed in the B-1 District.
- (b) Only one neon/LED-style window sign shall be permitted in each business in the B-1, B-2, M-2 and M-2A Districts and that such signs shall not blink or flash.
- (c) Blinking, flashing or digital type lighting signs including electronic message centers, shall be prohibited, including time/temperature signs.
- (d) Plastic materials on signs are prohibited and wood, natural materials, stone, brick are encouraged.

(e) Movable signs, including vehicles used for advertising are prohibited.

(f) Feather Flags and pennants, as permanent fixtures, are not permitted in any zone.

Sec. 32-123. General design standards.

(a) *Illumination.*

(1) Each light source shall be located, directed and/or shielded such it is not visible at any point along the property boundary, nor from any right-of-way or neighboring property; and

(2) Internal illumination of signs is permitted only in the B-1 Districts. The method of internal illumination shall be limited to the following techniques:

a. Backlighting of non-translucent letters, characters and/or symbols surface mounted on a non-translucent background.

b. For signs with a translucent message face and an internal light source, letters, characters and/or symbols shall be light colored against a darker colored background.

(b) Neon/LED-style. One neon/LED-style window sign shall be permitted in each business in the B-1, B-2, M-2 and M-2A Districts. Message area shall not exceed four square feet. Neon/LED-style signs shall be prohibited in all other districts. Such signs shall not blink or flash.

(c) *Motion.* Moving and/or animated signs, or signs which give the appearance of motion, shall be prohibited.

(d) *Flashing/Blinking.* Flashing, blinking, alternating type, electronic message centers, or digital type lighting shall be prohibited, except that alternating time/temperature signs shall be permitted as part of the freestanding or wall sign.

(e) *Materials.* Except for the sign face of a permitted, internally illuminated sign, the use of plastic shall be minimized prohibited on the exterior of signs and their supporting structures. Wood, wrought iron, metal, stone, brick, and other natural materials, which are more traditional building materials in the region, shall be used to the maximum extent feasible. High

Density Urethane (HDU) signs, giving the appearance of wood, are permitted; however other forms of plastic are not allowed.

- (f) *Projection.* Signs shall not project over a public street, but projecting signs as permitted herein may project over Town sidewalks, and over other sidewalks with the sidewalk owner's consent. A minimum of eight feet of clearance underneath shall be provided.
- (g) *Placement.* Signs shall not be placed in such a position as to endanger vehicular, bicycle or pedestrian traffic by obstructing a clear view, by causing confusion with governmental signs and signals, or by any other means.
- (h) *Movable Signs.* Movable signs shall be prohibited. No vehicle, including parts thereof, trailers, and other accessories, shall be used as a means of circumventing the purpose and intent of this Ordinance. ~~However, a ——— vehicle displaying a commercial message which is licensed, registered and inspected shall be exempt from these sign regulations if it is regularly and customarily used to transport people or property for the business.~~
- (i) *Temporary items.* The following shall be allowed for one week per calendar year by permit from the Code Enforcement Officer: search lights; balloons or other gas-filled figures; and banners and/or pennants. Feather Flags and pennants, as permanent fixtures, are not permitted in any zone.
- (j) Message boards. Message boards (whether digital, electronic, manual and/or with interchangeable letters) are not permitted in any zone.
- (k) Sandwich board signs. Sandwich board signs may be placed on sidewalks in the M-1, M-2, and M-2A Districts. They must be less than 2 feet wide and less than 3 feet high. Sandwich board signs may not obstruct a sidewalk to less than 48 inches of clear travel path. Such signs may only be placed on the sidewalk while the business is open. Sandwich board signs shall be made of wood and shall be designed so they are not affected by less than storm force winds.

5. Amend Sec. 32-124 Regulations by district as follows:

- (a) Change Maximum Message Areas sq. ft. for *Free-standing Signs*.

M-1 District:	from 24 sq. ft. to 16 sq. ft.
M-2/M-2A District:	from 24 sq. ft. to 16 sq. ft.
M-3 District	from 24 sq. ft. to 16 sq. ft.
R-2 District	from 12 sq. ft. to 8 sq. ft.

R-3 District	from 12 sq. ft. to 8 sq. ft.
R-4 District	from 12 sq. ft. to 8 sq. ft.

- (b) Change the Message Areas sq. ft. for *Projecting Signs* in the M-1, M-2, M-2A, and B-1 Districts from 24 square feet to 8 square feet.
- (c) Allow *Wall Signs* in the M-2A district.
- (d) Change the *Message Areas* for *Wall Signs* not to exceed 3% (or 5% with a Special Use Permit approved by the Planning Board) of the area of the wall upon which it is attached.

Sec. 32-124. Regulations by district.

Specific restrictions regarding the type, message area, height, setback, and illumination are as follows:

- (1) *Freestanding Signs.* One freestanding sign per lot shall be permitted in all districts as follows:
 - a. Setback. All freestanding signs shall be set back a minimum of 5' from the property boundary.
 - b. Sign Height and Message Area. Maximum sign height and message area shall be limited as follows:

Zoning District	Maximum Sign Height (ft.)	Maximum Message Area (sq. ft.)
M-1	12	24 16
M-2/M-2A	12	24 16
M-3	8	24 16
M-4	12	32
B-1	12	32
B-2	12	32

B-3	8	32
R-1	8	12
R-2	8	12 <u>8</u>
R-3	8	12 <u>8</u>
R-4	8	12 <u>8</u>

(Editorial note: B3 District added 05/07/03)

- c. In the M-1, M-2, M-2A, and B-1 Districts, a projecting sign may be substituted for a freestanding sign. The message area shall not exceed 8 square feet, and no part of the sign or its supporting mechanisms shall extend above the top of the wall to which the sign is attached.
- d. In the B-3 district signs must be made of wood or other natural materials. Any lighting shall be directed from above and shall be installed and maintained so that no light is directed onto roadways or abutting properties. (Editorial note: Amended 05/07/03)

(2) *Wall Signs.*

- a. *Districts.* In addition to freestanding signs, wall signs shall be permitted on primary buildings in the following districts: M-1; M-2; M-2A; M-3; M-4; B-1; B-2; and B-3. In all other districts, wall signs shall be permitted only as an alternative to a freestanding sign. (Editorial note: Amended 05/07/03)
- b. *Height.* The top of the wall sign shall not extend above the top of the wall to which it is attached.
- c. *Number of Wall Signs.* Not more than one wall sign shall be permitted per lot, except for: a lot with multiple businesses, in which case each business shall be permitted its own wall sign; or a lot adjoining two or more streets, in which case a wall sign facing each street shall be permitted.
- d. *Message Area.* The message area of a wall sign shall not exceed 3% (or 5% with a Special Use Permit approved by the Planning Board) of the area of the wall to which it is attached. Where the wall may include two or more off-set sections parallel to one another, the area of the wall shall include the area of all the sections parallel to and facing the same direction as that

portion of wall to which the sign is attached. Where multiple wall signs are permitted, the sum of the message areas shall not exceed 3% (or 5% if approved by Special Use Permit approved by the Planning Board) of the area of the front wall of the primary structure on that lot.

Sec. 32-125. Signs in platted right of way.

Except as otherwise provided herein, no sign shall be permitted within any platted right-of-way.

6. Change **Sec. 32-126 Maintenance** changing “slightly” to well-kept and aesthetically pleasing.

Sec. 32-126. Maintenance.

All surfaces and supporting structures of signs, whether erected prior to the effective date of this Ordinance or not, shall be maintained in a safe, sightly well-kept and aesthetically pleasing condition to the satisfaction of the Code Enforcement Officer.

Sec 32-127 Nonconforming signs.

Signs lawfully in existence before the adoption of regulations, which make them non-conforming, shall be permitted to continue in existence and be maintained. No change in type, size of message area and/or support structure, height, location, message, illumination, number, or material shall be permitted without application to and approval from the Town. Non-conforming aspects of the sign may continue, but no additional types of non-conformity shall be created by any change. Permitted changes may allow reduction in any one or more non-conforming aspects, but shall not allow any non-conforming aspect of the sign to become increasingly non-conforming. If a non-conforming sign is abandoned, the grandfathered rights shall terminate and any replacement shall comply with the requirements of this Chapter.

Secs. 32-128-32-152 Reserved.

This ordinance shall become effective upon its passage.

Introduction Date: June 7, 2017

First Reading June 7, 2017

Second Reading/Public Hearing June 21, 2017

Final Action by Council

Approved: _____
Dale Pike, Chair Newmarket Town Council

A True Copy Attest: _____
Terry Littlefield, Town Clerk



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FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE


STAFF REPORT

DATE: May 31, 2017

TITLE: **Ordinance 2016/2017-5:** Amendments to Chapter 32 Zoning of the Newmarket Municipal Code regarding purpose statement and signage regulations.

PREPARED BY: Diane Hardy, Town Planner

TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:

As the Planning Board has recommended adoption of this ordinance, I recommend its passage. 

BACKGROUND/DISCUSSION: The attached changes are being recommended by the Town's Legal Counsel and Planning Board to: (1) more clearly state the Town's authority under its zoning powers to advance aesthetic values, as recognized by the NH Supreme Court; and (2) Update and enhance the Town's signage regulations and bring them into conformance with recent U.S Supreme Court case law (Reed v. Gilbert, AZ), which requires regulations to be content neutral.

FISCAL IMPACT: There are no direct fiscal impacts associated with these changes. Positive indirect fiscal impacts will result from the improvement of property values resulting from higher quality design standards and the construction of site improvements and signage.

RECOMMENDATION: Recommend that a public hearing be scheduled for June 21, 2017 and approval following the public hearing.

DOCUMENTS ATTACHED:

1. Letter from January 10, 2017 from John J. Ratigan of Donahue, Tucker, and Ciandella, PLLC>
2. "Explanation of Municipal Sign Ordinances" after Reed v. Town of Gilbert, AZ prepared by the New Hampshire Municipal Association, November 2015



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(1951-2010)

January 10, 2017

Diane Hardy, Town Planner
Town of Newmarket
186 Main Street
Newmarket, NH 03857

Re: Zoning Interpretation Question

Dear Diane:

I understand that the Planning Board is having a work session tomorrow to address zoning changes, and one of the issues that has arisen is the idea of possibly clarifying and broadening the Planning Board's authority with respect to adopting specific design and architectural review standards through zoning, site plan and subdivision regulation, beyond the B-1 zoning district.

I suggest the Board begin by considering an amendment to the Purpose section of the zoning ordinance, section 1.02, and add the following as a new subsection 1.02 (I): "To advance aesthetic values through design and architecture, because the preservation or enhancement of the visual environment may promote prosperity and the general welfare." This suggested amendment to the purpose section more clearly states the authority recognized by the NH Supreme Court that municipalities may validly exercise zoning power solely to advance aesthetic values. The Court recognized that the preservation or enhancement of the visual environment may promote the general welfare. Asselin v. Town of Conway, 137 N.H. 368, 371-72 (1993).

I have enclosed a concept of what a set of design regulations could begin to look like for the New Village neighborhood. It includes elements taken from the report prepared by the Preservation Company that was presented to the Planning Board during the Real Estate Advisors, LLC application. I do not suggest this is anything more than a draft to give the Board food for thought on how you might want to consider framing more specific standards to address a particular historic neighborhood like New Village. I think it makes sense to call out the particular lots that are included in what might be called the New Village Character Protection

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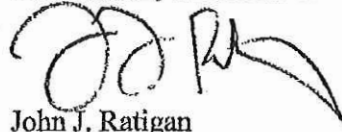
District architectural design standards. You could regulate new permits by a conditional use permit, and use the conditional use permit to give yourself room to work with an applicant on building design, subject to the applicable standards.

As for the Board's Site Plan and Subdivision regulations, I think it makes sense for the Board to call out with specificity in the regulations the type of building elevations or renderings that you have been looking for, including building materials. The issue came up in the Real Estate Advisors case about whether the site plan review regulations set forth clearly your authority to ask for such design information. While I imagine that for most areas of Newmarket, you will not want to exert design review control over residential development, but for commercial and business zones, you may want to give direction and calling out what you expect as part of a submission so that you will receive what you expect.

Should you have further questions, please do not hesitate to contact me.

Very truly yours,

DONAHUE, TUCKER & CIANDELLA, PLLC



John J. Ratigan
jratigan@dtclawyers.com

JJR:mes

Enclosure

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Building Materials -- Exterior siding shall be brick, stucco clad or wood framed. The choice of exterior shall be consistent with the materials used in the adjacent homes. For example, the first six houses are a row of identical duplexes on the east side of Beech Street, with stucco walls and distinctive gable on hip roofs. On Elm Street, and parallel Elder and Forest Streets are ten similar wood-frame two-family houses with wide front gables originally detailed with half timbering, now mostly vinyl sided. When northern Beech and Cedar Streets were developed, with Grape Street between, they were laid out in a curvilinear fashion with rows of brick houses in the Colonial Revival or English Cottage styles. All are two or 2 ½ stories with hip or gable roofs, divided down the middle with entries on the ends or paired in the middle. No two houses are alike, with different combinations of simple entry trim, arched window lintels, dormers, central or end brick chimneys and entry porches.

NEW VILLAGE CHARACTER PROTECTION DISTRICT:

ARCHITECTURAL DESIGN STANDARDS

Purpose and Intent – To provide for harmonious and compatible development of the built environment with the existing character of New Village as expressed in its indigenous architecture, by regulating the design and aesthetic quality of structures built to contain land uses allowed by this ordinance and the land on which such homes are sited, including the following Lot located on Cedar, Beech, Grape, Forest, Elder and adjacent portions of Elm Street: (Insert Map/Lot references).

Design Standards – All structures in the New Village Character Protection District shall be constructed in accordance with this section. The Planning Board, in reviewing and acting upon site plan applications, shall give consideration to relevant visual features and prevailing land uses of the immediate neighborhood and such other visual elements as are consistent with the purpose and intent of this section.

Building Scale – Scale is the proportional relationship between buildings, landscaping and other vertical elements of site development. Building elevations shall be designed to provide and maintain traditional scale in residential structures that relate to the existing structures and the site. Development should respect and relate to residential buildings in the neighborhood. Whenever possible, new development should maintain traditional residential forms and scale, based on adjacent or nearby homes.

Architectural Design – The architectural design of structures, consisting of the composite effects of building shapes, materials, finish, decorative elements, site grading and landscaping shall be compatible with the neighborhood. In particular, the following standards shall be applied:

Roofs – Gable or hip roofs.

Windows – Window glazing should be sized in proportion to the building. Frame material and color shall be compatible with existing materials used in the neighborhood.

Entrances – All entries of buildings shall be clearly defined, employing at least three of the following design details:

- (a) Porticos
- (b) Canopies
- (c) Porches



Municipal Sign Ordinances after *Reed v. Town of Gilbert*



DO'S & DON'TS



Because the Town of Gilbert sign code placed stricter limits on temporary events signs but more freely allowed ideological and political signs—despite the fact that all three sign types have the same effect on traffic safety and community aesthetics—the code failed the narrow tailoring requirement of strict scrutiny.

As a result of *Reed*, a sign code that makes *any* distinctions based on the message of the speech is content based. Only after determining whether a sign code is neutral on its face would a court inquire as to whether the law is neutral in its justification.

Municipalities should review their sign codes carefully, with an eye toward whether the code is truly content neutral. If the sign code contains some potential areas of content bias—for example, if the code contains different regulations for political signs, construction signs, real estate signs, or others—consider amending the code to remove these distinctions.

In cases where a sign code update might take time, local planners and lawyers should coach enforcement staff not to enforce distinctions which might cause problems.

Check to be sure your sign code has all of the “required” elements of a sign code.

- The code should contain a purpose statement that, at the very minimum, references traffic safety and aesthetics as purposes for sign regulation.
- The code should contain a message substitution clause that allows the copy on any sign to be substituted with noncommercial copy.
- The code should contain a severability clause to increase the likelihood that the code will be upheld in litigation, even if certain provisions of the code are not upheld.
- In preparing the purpose statement, it is always best to link regulatory purposes to data, both quantitative and qualitative. For example, linking a regulatory purpose statement to goals of the local master plan, such as community beautification, increases the likelihood that the code will survive a challenge.
- If traffic safety is one of the purposes of the sign code (it should be), consult studies on signage and traffic safety to draw the connection between sign clutter and vehicle accidents.

In conducting the review of the sign code recommended above, planners and lawyers should look to whether the code contains any of the sign categories that most frequently lead to litigation. For example, if the code creates categories for political signs, ideological or religious signs, real estate signs, construction signs, temporary event signs, or even holiday lights, it is likely that the code is at greater risk of legal challenge. As a general rule, the more complicated a sign code is—i.e., the more categories of signs the code has—the higher the risk of a legal challenge.

Sign Code Guidance from the Court (*Alito's Concurrence*):

A sign ordinance narrowly tailored to the challenges of protecting the safety of pedestrians, drivers, and passengers—such as warning signs marking hazards on private property, signs directing traffic, or street numbers associated with private houses—well might survive strict scrutiny.

The requirements of your ordinance may distinguish among signs based on any content-neutral criteria. Here are some specific standards the Court might uphold:

- Rules regulating the size of signs.
- Rules regulating the locations in which signs may be freestanding signs and those attached to buildings.
- Rules distinguishing between lighted and unlighted signs.
- Rules distinguishing between signs with fixed messages and electronic signs with messages that change.
- Rules that distinguish between the placement of signs on private and public property.
- Rules distinguishing between the placement of signs on commercial and residential property.
- Rules distinguishing between on-premises and off-premises signs.
- Rules restricting the total number of signs allowed per mile of roadway.
- Rules imposing time restrictions on signs advertising a one-time event.

In addition to regulating signs put up by private actors, government entities may also erect their own signs consistent with the principles that allow governmental speech. They may put up all manner of signs to promote safety, as well as directional signs and signs pointing out historic sites and scenic spots.

Possible Sign Code Changes:

Increase the overall allotment of temporary signs to accommodate the maximum demand for such signage at any one time, and allow that amount of temporary signs. A regulation that singles out off-premises signs that does not apply to a particular topic, idea, or viewpoint is probably valid because it regulates the locations of commercial signs generally, without imposing special burdens on any particular speaker or class of speakers.

Define government signs and Traffic Control Devices as signs, but specifically authorize them in all districts. Provide a base allotment of signs, and allow additional signs in relation to activities or events. Every property has a designated amount of square feet of signage that they can use for any temporary signs on their property, year round. For example: [x] square feet per parcel, in a residentially-zoned area, with a limit on the size of signs and perhaps with spacing of signs from one another. All properties get additional noncommercial signs at certain times, such as before an election or tied to issuance of special event permit. The key is to tie the additional sign allowance to the use of the property, rather than the content of the sign. Consider the following:

- Allow an extra sign on property that is currently for sale or rent, or within the two weeks following issuance of a new occupational license (real estate or grand opening signs).
- Allow an extra sign of the proper dimensions for a lot that includes a drive-through window, or a gas station, or a theater (drive thru, gas station price, and theater signs).
- Allowing additional sign when special event permit is active for property (special event signs). Key: not requiring that the additional signage be used for the purpose the sign opportunity is designed for, or to communicate only the content related to that opportunity.
- Grant an exemption allowing an extra sign on property that is currently for sale or rent.
- Grant exemptions allowing an extra sign (<10 sq. ft., <48 inches in height, and <six feet from a curb out), for a lot that includes a drive-through window.

Every parcel shall be entitled to one sign <36 sq. inches in surface area to be placed in any of the following locations: On the front of every building, residence, or structure; on each side of an authorized United States Postal Service mailbox; on one post which measures no more than 48 inches in height and 4 inches in width.

Provide a content-neutral application process: Citizens can apply, by postcard or perhaps online, for seven-day sign permits, and receive a receipt and a sticker to put on the sign that bears a date seven days after issuance, and the municipality's name. The sticker must be put on the sign so that enforcement officers can determine whether it's expired. Because the expiration date is tied to the date of issuance, there is no risk of content-discrimination. The sticker itself would be considered government speech.

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

9 **June 7, 2017 7:00 PM**

10 **TOWN COUNCIL CHAMBERS**
11
12

13 **PRESENT:** Council Chairman Dale Pike, Council Vice Chairman Toni Weinstein, Councilor Amy Thompson,
14 Councilor Gretchen Kast, Councilor Amy Burns, Councilor Casey Finch
15

16 **EXCUSED:** Councilor Kyle Bowden
17

18 **ALSO PRESENT:** Town Administrator Steve Fournier, Police Chief Kyle True, Officer Annaliese Schmidt,
19 Ree Cooper and the Children of Linked Together
20
21

22 **AGENDA**
23

24 Chairman Dale Pike welcomed everyone to the June 7, 2017 Newmarket Town Council Meeting and called
25 the meeting to order at 7:17 pm, followed by the Pledge of Allegiance.
26

27 Vice-Chair Weinstein made a motion to seal the minutes of the Non-Public Session, which was seconded
28 by Councilor Burns.
29

30 Town Administrator Fournier polled the Council and the motion to seal the minutes of the Non-Public
31 Session was approved by a vote of 6-0.
32

33 A recommendation was made to take the agenda out of order and begin with Linked Together.
34

35 **LINKED TOGETHER KIDS**
36

37 The children of Linked Together gave a presentation with regard to an on-going project. One of the
38 students stated that last year at Summer Camp they could not use the playground as it had been
39 vandalized. That had started them thinking about their School Playground, and they decided to make it
40 their main focus for the year to raise money to start a **Playground Repair Fund**. The students said they

41 had been collecting box-tops and had set up a store at the Elementary School which was open every day.
42 They said that from September to January they had raised \$802.13 to set up their fund, and had \$639.10
43 to add to that fund as of June 15, 2017.

44
45 The students said that the store was a lot of work as they had to keep inventory of supplies, sell the
46 merchandise, collect the money, keep track of what was earned, and then match the money against the
47 inventory. They said they also wanted to let people know that they could collect box-tops throughout the
48 summer and bring them in to the Elementary School collection bag in the Cafeteria.

49
50 The children of Linked Together then asked the Town Council for permission to hold their annual
51 **Lemonade Stand at Pocket Park** for the summer, from 11:00 am to 1:00 pm.

52
53 Councilor Thompson made a motion to approve Linked Together holding their Lemonade Stand at the
54 Pocket Park this summer from 11:00 am to 1:00 pm, which was seconded by Councilor Finch.

55
56 Town Administrator Fournier polled the Council and the motion to approve Linked together holding their
57 Lemonade Stand at Pocket Park for the summer was approved by a vote of 6-0.

58
59 **PUBLIC FORUM**

60
61 Chairman Pike opened the Public Forum at 7:23 pm

62
63 Police Chief Kyle True said he was very excited to introduce **Annaliese Schmidt** as Newmarket's newest
64 Police Officer. He said that Annaliese was born and raised in Newmarket and graduated from Newmarket
65 Junior-Senior High School in 2013. She then attended Plymouth State University to study Criminal Justice
66 and Business Administration. He said she was also a 4-year collegiate soccer player and athlete, and had
67 also worked as a part-time police officer while attending college.

68
69 Police Chief True said that Annaliese had graduated from Plymouth State a few weeks ago with a
70 Bachelor's Degree in Criminal Justice, and two days later she was sworn in as a fulltime Newmarket Police
71 Officer. He said she was scheduled to attend the 174th Police Academy in August and would spend 16
72 weeks in Concord, after which she would have another 4 weeks of training. He stated that Annaliese had
73 gone through a really long process to get hired with an intensive background investigation, and was
74 already doing a fantastic job.

75
76 Chairman Pike closed the Public Forum at 7:26 pm.

77
78 **PUBLIC HEARING – None**

79
80 **TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES**

81
82 **Acceptance of the Minutes of the Regular Meeting of May 17, 2017**

Councilor Kast made a motion to approve the minutes of the Regular Meeting of May 17, 2017, which was seconded by Councilor Thompson.

Town Administrator Fournier polled the Council and the minutes of the Regular Meeting of May 17, 2017, were approved by a vote of 5-0 with 1 abstention.

Acceptance of the Minutes of the Non-Public Session of May 17, 2017

Councilor Thompson made a motion to approve the minutes of the Non-Public Session of May 3, 2017, which was seconded by Vice-Chair Weinstein.

Town Administrator Fournier polled the Council and the minutes of the Non-Public Session of May 17, 2017 were approved by a vote of 5-0 with 1 abstention.

REPORT OF THE TOWN ADMINSTRATOR

As part of his unwritten report Town Administrator Steve Fournier said that the new **Facilities Director Greg Marles** had started on Monday. He said he was already looking into implementing shared software with the School District for Facilities, as well as reviewing some other purchases.

Town Administrator Fournier said that the Strafford Regional Planning Commission had collaborated with staff from UNH to implement a **Groundwater Modeling Study** to identify existing and potential future locations where public water systems might be vulnerable to rising sea levels. He said the report which resulted from the study would be presented to the Planning Board on June 13, 2017 at 7:00 pm. The presentation would provide an overview of the project, the computer model with sea-level rise projections that were used, and the outcomes and recommended adaptation strategies for the Town to consider. The Town Council was invited to attend.

Chairman Pike said he was on the committee for sea-level rise and groundwater and felt it was important to be aware of the issue. He said a lot of this was not just about municipal water but also private wells, and said there had already been saltwater intrusion in some of the areas in Newmarket. He explained that it was not just salt from rising sea levels, but how much water infiltrates and how much water is drawn. He said it was a consideration for development in the parts of Town near the Bay.

Town Administrator Fournier addressed the **Channel 13 Upgrade**, and said he had met with the Channel 13 Station Manager and the Director of the IT Department and they were recommending the servers and bulletin board system for Channel 13 be upgraded. He said they believed the system was installed over 25 years ago, and said they were concerned about being able to repair the system in the future and improve broadcasts. He stated that any appropriation would come from the Cable Capital Reserve Fund and would not affect the operating budget. He said the money for the fund came from a 5% franchising fee the Town was allowed to collect, and was used for equipment and costs for the cable channel.

Town Administrator Fournier stated that one item in the FY2018 Budget was to upgrade the Town's current **Financial Software**, which had been discussed for a number of years. He said that a Work Group

was formed to review products and get the Town up and running. He said the Finance Director would be issuing RFPs this summer with the intention of having a vendor in place by fall, and then begin rolling out the new program. He stated that the cost of the system was substantial, and they intended to lease the software to reduce costs. He said the first lease payment of \$54,000 was included in the budget. He added that they also wanted to make sure that the system would be compatible with any School system, though the Town and School would still need to maintain separate sets of books.

Discussion: Councilor Thompson asked who made up the Work Group, and asked if a consultant with a different knowledge base or an outside contractor was involved. Town Administrator Fournier said the Work Group consisted of himself, the Finance Director, the Town Clerk-Tax Collector, the IT Director, and Payroll/Accounting. He said he wanted to look at software packages for municipalities and make sure they would have the ability to add other departments to the system. Councilor Kast said that one of the values of integration was transcribing information from one place to another.

Town Administrator Fournier said they had found a product they were happy with but that it was on hold for Shared Services. He said his big thing was to have real-time information available and have everything together. He said as far as the Facilities Software, the product was basically a work order system which had been expanded for municipalities as well. He said it was web-based and could be worked anywhere, and said the cost was approximately \$5,000 which would be shared with the School and should begin shortly. Vice-Chair Weinstein said the system would be a great way for the Facilities Director to manage projects and keep track of everything.

COMMITTEE REPORTS

Vice-Chair Weinstein said that the *Budget Committee* had met a few weeks ago, and that it was basically a quick overview from both the Town and the School looking at where they were to date. She said that the Budget Committee would not be meeting again until August.

Chairman Pike said the *Macallen Dam Committee* had met recently and were meeting again tomorrow. He said basically they were in the process of going back to the three engineering firms they met with, and they had looked at the model and discussed the peak flow along Marsh Road in Durham in terms of how it would impact flows on the Dam. He said they had the numbers down to real specifics about what changes would happen with the abutment walls and what kind of Stability Analysis was recommended.

OLD BUSINESS

ORDINANCES AND RESOLUTIONS IN THE 2ND READING – None

ORDINANCES AND RESOLUTIONS IN THE 3RD READING – None

ITEMS LAID ON THE TABLE – Resolution #2015/2016-52 *Authorizing the Designation of a Portion of Route 152 as an Economic Recovery Zone.* (This Resolution is tabled from the June 15, 2016 Council Meeting pending Planning Board action.)

NEW BUSINESS/CORRESPONDENCE

TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS

Strafford Regional Planning Commission (SRPC) Commissioner

Candidate: *Peter Nelson – Term to Expire 3/1/2021*

Vice-Chair Weinstein made a motion to approve the nomination of *Peter Nelson* as a *Strafford Regional Planning Commissioner*, which was seconded by Councilor Burns.

Chairman Pike said Peter Nelson had been reporting to the Planning Board and had been very diligent. He said he was also on the Groundwater Technical Committee and was a good representative.

Town Administrator Fournier polled the Council and the nomination of *Peter Nelson* as a *Strafford Regional Planning Commissioner* was approved by a vote of 6-0.

ORDINANCES AND RESOLUTIONS IN THE 1ST READING

Resolution #2016/2017-33 Relating to Paving Improvement Bids

Chairman Pike read *Resolution #2016/2017-33 Relating to Paving Improvement Bids* in full.

Vice-Chair Weinstein asked if the roads they were paving should be included in the Resolution. Town Administrator Fournier said he would have the resolution amended to include them.

Resolution #2016/2107-34 Relating to Paving Improvements to Bay Road/Lamprey Street Parking Lot

Chairman Pike read *Resolution #2016/2107-34 Relating to Paving Improvements to Bay Road/Lamprey Street Parking Lot* in full.

Resolution #2016/2017-35 Relating to the Replacement of the Air Conditioning Unit at the Police Station

Chairman Pike read *Resolution #2016/2017-35 Relating to the Replacement of the Air Conditioning Unit at the Police Station* in full.

Ordinance #2016/2017-04 An Ordinance Adopting Chapter 14, Article III of the Code of the Town of Newmarket, New Hampshire: Sewer Use Ordinance

Chairman Pike read *Ordinance #2016/2017-04 An Ordinance Adopting Chapter 14, Article III of the Code of the Town of Newmarket, New Hampshire: Sewer Use Ordinance* in title only.

Ordinance #2016/2017-05 An Ordinance Amending Chapter 32 Zoning, Article I, Section 32-2 Purposes and Article IV Signs of the Municipal Code of the Town of Newmarket and Zoning Ordinance, adopted 02/14/1996, as amended through March 1, 2017

Chairman Pike read *Ordinance #2016/2017-05 An Ordinance Amending Chapter 32 Zoning, Article I, Section 32-2 Purposes and Article IV Signs of the Municipal Code of the Town of Newmarket and Zoning Ordinance, adopted 02/14/1996, as amended through March 1, 2017* in full.

CORRESPONDENCE/CLOSING COMMENTS

Vice-Chair Weinstein said she had been approached by a couple of residents recently about looking into ways Newmarket could be more environmentally friendly. She said specifically they brought up the exploration of solar energy as an option for the community, and the option of having a community-wide composting system. She said they would need to look at the options for both along with costs and feasibility. She had spoken with Town Administrator Fournier who suggested that one approach would be to establish an Environmental Committee.

Town Administrator Fournier said that procedurally a resolution would probably be needed, which would also establish the membership. He said he assumed the committee it would consist of 1 or 2 councilors along with members of the general public, and said there may be members of the community who were environmental experts in certain areas. Chairman Pike felt it would be hard to evaluate composting without looking at their own Solid Waste Program, as municipal composting would have some impact on bags. Town Administrator Fournier said that Solid Waste was separate from environmental and did not feel the impact would be huge. Vice-Chair Weinstein said she would work with Town Administrator Fournier to draft a resolution.

Councilor Finch said he had attended the Officials Workshop over the weekend with Councilor Kast. He said he had been impressed by how many things Newmarket was ahead of the game on, in terms of the concerns voiced by other communities.

Vice-Chair Weinstein said they had done the Roadside Cleanup and had picked up 68 bags of trash along Grant Road, Ash Swamp and Dame Road. She said she wanted to give a special thanks to Rick Malasky and the Public Works Department for the safety signage and bag pickup. She said she was excited by the turnout and thanked all the volunteers.

Vice-Chair Weinstein said she had an opportunity to attend a Workshop sponsored by New Hampshire Listens supported by the Seacoast, the NAACP, the Association of Police Chiefs and UNH. She said that Police Chief True and 3 other Newmarket Police Officers had attended and there was a conversation about policing in communities. She said the conversation was really beneficial, and they had discussed the need for more training and connecting with youth, understanding bias, and hiring a more diverse police force.

NEXT MEETING: Next regular Town Council Meeting June 21, 2017

ADJOURNMENT

Town Council Regular Meeting
June 7, 2017

258
259 Chairman Pike adjourned the meeting at 8:04 pm.
260
261 Respectfully submitted,
262 Patricia Denmark, Recording Secretary



TOWN OF NEWMARKET, NEW HAMPSHIRE
OFFICE of the TOWN ADMINISTRATOR

REPORT OF THE TOWN ADMINISTRATOR
June 21, 2017

FY17 Budget: Attached to this report is the monthly Expense and Revenue Report. With approximately 92% of the year completed, our expenses continue to be below budget, with 86% of the budget expended. There is nothing out of the ordinary.

As for revenues, we saw a significant uptick over last month. With 92% of the year completed, we have collected 104% of our annual revenues. Last year at this point in time, we collected \$24.1M in revenues. This year, we have collected \$25M.

Town Hall Security Upgrade: The Facilities Director and I are working on getting proposals to upgrade various security items here at Town Hall. This includes installation and moving of security cameras and the installation of some keyless door systems for the building. We have had a number of times the building has been left unlocked after a meeting or event. In addition, it would allow us to secure access to certain areas of the building.

If the cost is reasonable, we will be asking to withdraw funds from the Building Improvement Capital Reserve Fund. Any specific discussions would need to be held in non-public session, due to security factors.

Summer Schedule Reminder: Just a reminder that the next Town Council meeting will be July 19, and will be the only meeting for July.

ONGOING PROJECTS

*****This section will not be reported on orally to the Town Council at the meeting, but will use this as a chance to update on any developments in ongoing projects. *****

MRI Efficiency Study: We continue to work on these goals. The updated spreadsheet is attached to this report.

The Finance Director will be present at the next meeting to make a presentation.

Downtown Project: I will have a memo sent prior to the June 21 meeting.

Fire Department Response Time: I am currently analyzing response time data for 2016. I am

also reviewing surveys to issue to the call firefighters to get a sense of their concerns.

Street Lighting - LED: Eversource indicated that they could provide the Town funding for \$24,050 for the project. However, this would not cover the complete installation nor the decorative lights throughout the downtown area. We are now working with the Community Development Finance Authority to secure a 5-year loan at 2.5% to do this. The money to pay the loan would come from the savings on electricity.

NHDOT v Town of Newmarket: No new developments.

Town Council Goals:

Goal #1 - Unified Town-wide CIP

- Draft CIP process plan document is finished. We are waiting for the Facilities Director to come on board to comment on the plan.

Goal #2 - Increased parking in downtown by exploring public and/or private solutions

- Ongoing.

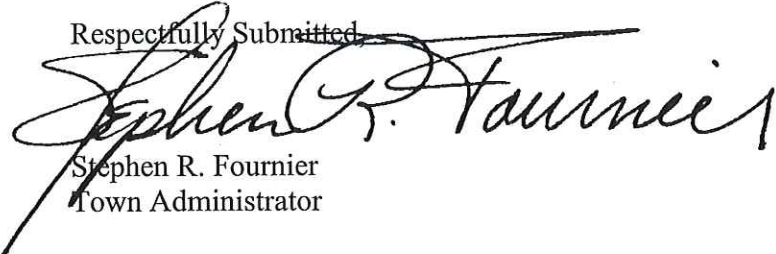
Goal #3 - Continue relations with School Board and SAU staff to find further efficiencies and solidify current agreement with shared finance and facilities

- The Facilities Director began Monday.
- The Superintendent and I will begin looking at sharing IT service late this summer or early fall. We are currently working to make sure that our upgraded phone system will be expandable to include the school in the future.

Goal #4 - Meet with Planning Board to work together to align goals for 2017 based off summaries of consultants and Strafford Regional Planning Commission reports

- The Town Council met with the Planning Board.

Respectfully Submitted


Stephen R. Fournier
Town Administrator

Town of Newmarket, New Hampshire
Expense Report ^{1,2}
For the Period Ended May 31, 2017

Fiscal Year 2017							Fiscal Year 2016					
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used
Town Council			19,300.00	793.50	20,536.89	-1,236.89	106%	19,300.00	566.25	19,254.20	45.80	100%
Town Administrator			189,139.00	13,407.17	173,345.89	15,793.11	92%	176,994.00	18,332.36	185,989.71	-8,995.71	105%
Finance			206,844.00	10,456.68	174,602.65	32,241.35	84%	200,975.00	19,264.75	159,646.69	41,328.31	79%
Human Resource			1,515,143.00	130,312.72	1,320,982.20	194,160.80	87%	1,371,879.00	90,858.01	1,238,240.42	133,638.58	90%
Town Clerk/Tax Collector			176,442.00	13,787.51	152,119.99	24,322.01	86%	162,270.00	15,355.07	148,469.81	13,800.19	91%
Recreation			200,322.00	16,966.76	167,228.94	33,093.06	83%	210,407.00	15,940.27	194,792.61	15,614.39	93%
Code Enforcement			69,755.00	5,816.94	63,259.41	6,495.59	91%	67,253.00	5,434.76	63,129.94	4,123.06	94%
Direct Assistance			41,343.00	1,319.47	23,048.51	18,294.49	56%	48,220.00	1,222.28	25,000.56	23,219.44	52%
Assessing			69,325.00	5,056.54	58,879.80	10,445.20	85%	63,900.00	12.80	49,515.97	14,384.03	77%
Legal			80,000.00	22.30	79,208.85	791.15	99%	80,000.00	15,852.44	80,198.26	-198.26	100%
Planning			122,676.00	8,285.41	107,040.05	15,635.95	87%	129,153.00	8,738.15	102,218.13	26,934.87	79%
Conservation Commission			2,941.00	161.25	1,718.75	1,222.25	58%	1,941.00	135.00	2,108.12	-167.12	109%
Economic Development			2,500.00	1,050.00	2,334.95	165.05	93%	1,000.00	0.00	0.00	1,000.00	0%
Debt Services			129,759.00	0.00	129,758.32	0.68	100%	131,959.00	0.00	134,158.32	-2,199.32	102%
Information Technology			135,558.00	10,121.11	127,324.18	8,233.82	94%	131,752.00	9,544.71	117,084.08	14,667.92	89%
Channel 13			31,586.00	2,484.99	21,757.12	9,828.88	69%	30,387.00	2,807.73	24,979.56	5,407.44	82%
Police			1,322,707.00	92,521.93	1,055,820.47	266,886.53	80%	1,308,012.00	118,828.04	1,104,558.28	203,453.72	84%
Public Works			427,516.00	31,441.89	412,440.04	15,075.96	96%	417,347.00	30,073.07	356,603.21	60,743.79	85%
Roadways & Sidewalks			330,970.00	1,450.02	244,230.04	86,739.96	74%	386,570.00	7,732.48	259,548.09	127,021.91	67%
Street Lights			49,000.00	4,294.50	41,677.65	7,322.35	85%	46,250.00	4,641.76	43,131.32	3,118.68	93%
Building & Grounds			482,233.00	43,076.20	411,271.75	70,961.25	85%	468,202.00	37,233.35	418,827.16	49,374.84	89%
Cemetery			37,253.00	1,936.14	24,228.49	13,024.51	65%	36,963.00	2,594.34	24,548.11	12,414.89	66%
Vehicle			206,500.00	16,939.56	165,085.77	41,414.23	80%	197,700.00	18,756.08	167,826.48	29,873.52	85%
Fire & Rescue			358,762.00	36,160.61	311,228.84	47,533.16	87%	334,185.00	27,749.90	327,462.17	6,722.83	98%
Emergency Management			1,950.00	0.00	750.00	1,200.00	38%	1,950.00	0.00	1,742.00	208.00	89%
Grants			53,000.00	0.00	46,505.00	6,495.00	88%	69,300.00	0.00	30,770.00	38,530.00	44%
Social Service Grant			43,029.00	0.00	31,626.00	11,403.00	73%	43,429.00	4,000.00	40,429.00	3,000.00	93%
Capital Reserve			575,115.00	0.00	575,115.00	0.00	100%	512,949.00	0.00	512,949.00	0.00	100%
		General Fund	6,880,668.00	447,863.20	5,943,125.55	937,542.45	86%	6,650,247.00	455,673.60	5,833,181.20	817,065.80	88%
Library			314,704.00	30,680.20	364,030.17	-49,326.17	116%	314,033.00	24,775.00	276,703.59	37,329.41	88%
Recreation			243,433.00	10,264.91	191,802.79	51,630.21	79%	199,670.00	11,994.80	195,577.95	4,092.05	98%
Solid Waste			447,356.00	53,137.70	421,761.45	25,594.55	94%	443,981.00	64,873.12	393,573.89	50,407.11	89%
Water			932,813.00	46,754.30	774,107.33	158,705.67	83%	947,051.00	43,418.56	783,116.40	163,934.60	83%
Sewer			1,177,968.00	89,877.60	946,010.17	231,957.83	80%	1,101,437.00	58,139.38	882,942.15	218,494.85	80%
		Total Operating Budget	9,996,942.00	678,577.91	8,640,837.46	1,356,104.54	86%	9,656,419.00	658,874.46	8,365,095.18	1,291,323.82	87%

Town of Newmarket, New Hampshire
Expense Report ^{1b}
For the Period Ended May 31, 2017

Fiscal Year 2017							Fiscal Year 2016					
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used
Town Council	01-401-100-0000	TC - ELECTED SALARIES	11,000.00	0.00	11,000.00	0.00	100%	11,000.00	0.00	11,000.00	0.00	100%
	01-401-103-0000	TC - PART-TIME	7,800.00	562.50	8,220.00	-420.00	105%	7,800.00	566.25	8,205.00	-405.00	105%
	01-401-190-0000	TC - TRAINING	250.00	0.00	0.00	250.00	0%	250.00	0.00	0.00	250.00	0%
	01-401-202-0000	TC - GENERAL SUPPLIES	250.00	231.00	1,316.89	-1,066.89	527%	250.00	0.00	49.20	200.80	20%
			19,300.00	793.50	20,536.89	-1,236.89	106%	19,300.00	566.25	19,254.20	45.80	100%
Town Administrator	01-402-101-0000	TA - FULL TIME SALARIES	135,095.00	10,347.06	124,094.41	11,000.59	92%	129,394.00	10,138.08	127,333.98	2,060.02	98%
	01-402-103-0000	TA - PART TIME SALARIES	4,000.00	0.00	0.00	4,000.00	0%	4,000.00	0.00	2,065.39	1,934.61	52%
	01-402-190-0000	TA - TRAINING/STAFF DEV	3,500.00	547.60	2,646.74	853.26	76%	3,000.00	278.26	3,641.32	-641.32	121%
	01-402-201-0000	TA - POSTAGE	3,000.00	170.06	1,763.46	1,236.54	59%	3,000.00	170.70	3,010.46	-10.46	100%
	01-402-202-0000	TA - GENERAL SUPPLIES	11,500.00	811.32	5,922.87	5,577.13	52%	11,000.00	404.20	6,378.77	4,621.23	58%
	01-402-301-0000	TA - COMMUNICATION SERVICES	4,200.00	550.69	3,581.55	618.45	85%	4,100.00	329.27	3,610.17	489.83	88%
	01-402-310-0002	TA - DUES/SUBSCRIPTIONS	10,500.00	20.00	8,729.00	1,771.00	83%	9,000.00	0.00	8,718.67	281.33	97%
	01-402-310-0003	TA - ADVERTISING	2,500.00	488.44	3,964.89	-1,464.89	159%	2,500.00	40.00	1,731.07	768.93	69%
	01-402-310-0005	TA - BOOKS	500.00	0.00	1,538.01	-1,038.01	308%	500.00	69.08	524.69	-24.69	105%
	01-402-402-0000	TA - EQUIPMENT MAINTENA	8,344.00	472.00	8,460.54	-116.54	101%	5,000.00	472.00	6,568.90	-1,568.90	131%
	01-402-501-0000	TA - PRINTING/PUBLISHING	3,500.00	0.00	2,571.25	928.75	73%	3,000.00	1,447.60	2,665.60	334.40	89%
	01-402-702-0000	TA - CONTRACTED SERVICE	2,500.00	0.00	10,073.17	-7,573.17	403%	2,500.00	4,983.17	19,740.69	-17,240.69	790%
			189,139.00	13,407.17	173,345.89	15,793.11	92%	176,994.00	18,332.36	185,989.71	-8,995.71	105%
Finance	01-403-100-0000	FINANCE - ELECTED OFFICIALS	900.00	0.00	900.00	0.00	100%	900.00	0.00	0.00	900.00	0%
	01-403-101-0000	FINANCE - FULL TIME SALARIES	167,544.00	7,284.50	133,521.62	34,022.38	80%	163,725.00	18,273.82	138,437.77	25,287.23	85%
	01-403-103-0000	FINANCE - PART TIME SALARIES*	5,000.00	416.67	4,583.37	416.63	92%	5,000.00	416.67	4,583.37	416.63	92%
	01-403-190-0000	FINANCE- TRAINING/STAFF DEVELOPMENT	0.00	0.00	40.72	-40.72	0%	0.00	0.00	99.12	-99.12	0%
	01-403-202-0000	FINANCE - GENERAL SUPPLIES	5,000.00	2,418.30	5,196.85	-196.85	104%	5,000.00	32.99	3,127.75	1,872.25	63%
	01-403-301-0000	FINANCE - COMMUNICATIONS SERVICES	2,400.00	277.21	2,309.23	90.77	96%	2,400.00	205.04	2,256.20	143.80	94%
	01-403-310-0001	FINANCE - BUDGET COMMITTEE EXPENSE	600.00	0.00	35.00	565.00	6%	600.00	0.00	18.96	581.04	3%
	01-403-310-0002	FINANCE - DUES/SUBSCRIPTIONS	0.00	25.00	25.00	-25.00	0%	300.00	0.00	0.00	300.00	0%
	01-403-310-0003	FINANCE - ADVERTISING	500.00	0.00	1,101.16	-601.16	220%	1,000.00	336.23	336.23	663.77	34%
	01-403-402-0000	FINANCE - EQUIPMENT MAINTENANCE	900.00	0.00	267.50	632.50	30%	600.00	0.00	446.29	153.71	74%
	01-403-460-0000	FINANCE - BANK FEES	0.00	35.00	390.20	-390.20	0%	0.00	0.00	0.00	0.00	0%
	01-403-703-0000	FINANCE - AUDIT	24,000.00	0.00	26,232.00	-2,232.00	109%	21,450.00	0.00	10,341.00	11,109.00	48%
			206,844.00	10,456.68	174,602.65	32,241.35	84%	200,975.00	19,264.75	159,646.69	41,328.31	79%
Human Resource	01-404-150-0000	EMP BEN - FICA	124,089.00	8,517.31	100,436.20	23,652.80	81%	111,000.00	8,323.75	100,075.55	10,924.45	90%
	01-404-151-0000	EMP BEN - MEDICARE	45,134.00	2,982.86	35,917.58	9,216.42	80%	43,407.00	3,045.11	37,253.69	6,153.31	86%
	01-404-152-0000	EMP BEN - PRE-EMPLOYMENT TESTING	2,740.00	1,044.45	2,706.85	33.15	99%	750.00	69.75	821.00	-71.00	109%
	01-404-155-0000	EMP BEN - HEALTH INSURANCE	585,734.00	84,589.47	540,969.35	44,764.65	92%	526,976.00	45,397.46	477,277.23	49,698.77	91%
	01-404-156-0000	EMP BEN - NH RETIREMENT	426,379.00	29,095.42	370,353.87	56,025.13	87%	397,313.00	31,387.35	370,814.15	26,498.85	93%
	01-404-159-0000	EMP BEN - LIFE/DISABILITY BENE	27,660.00	4,369.13	24,871.14	2,788.86	90%	25,575.00	2,655.55	21,378.48	4,196.52	84%
	01-404-160-0000	EMP BEN - WORKERS COMPENSATION	125,389.00	-456.00	123,626.98	1,762.02	99%	113,990.00	-563.00	114,838.59	-848.59	101%
	01-404-161-0000	EMP BEN - UNEMPLOYMENT	4,413.00	-3.92	1,591.71	2,821.29	36%	6,523.00	0.00	2,797.28	3,725.72	43%
	01-404-162-0000	EMP BEN - EMPLOYEE TESTING	600.00	174.00	746.25	-146.25	124%	600.00	542.04	686.04	-86.04	114%
	01-404-190-0000	HR - TRAINING STAFF DEVELOPMENT	2,500.00	0.00	2,833.27	-333.27	113%	2,500.00	0.00	1,673.41	826.59	67%
	01-404-197-0000	EMP BEN - MERIT INCREASE POOL	45,000.00	0.00	0.00	45,000.00	0%	35,000.00	0.00	0.00	35,000.00	0%
	01-404-198-0000	EMP BEN - LONGEVITY	22,275.00	0.00	15,750.00	6,525.00	71%	18,675.00	0.00	15,750.00	2,925.00	84%
	01-404-504-0006	EMP BEN - PROPERTY LIABILITY INSURANC	103,230.00	0.00	101,179.00	2,051.00	98%	89,570.00	0.00	93,845.00	-4,275.00	105%
	01-404-504-0007	EMP BEN - INSURANCE DEDUCTIBLES	0.00	0.00	0.00	0.00	0%	0.00	0.00	1,030.00	-1,030.00	0%
			1,515,143.00	130,312.72	1,320,982.20	194,160.80	87%	1,371,879.00	90,858.01	1,238,240.42	133,638.58	90%
Town Clerk/Tax Collector	01-405-101-0000	TC/TC - FULL TIME SALARIES	105,904.00	8,331.07	95,894.87	10,009.13	91%	101,548.00	8,146.36	94,752.22	6,795.78	93%
	01-405-103-0000	TC/TC - PART TIME SALARIES	27,919.00	2,084.00	22,188.36	5,730.64	79%	27,410.00	2,066.85	27,765.63	-355.63	101%
	01-405-103-0070	TC/TC PT - ELECTION OFFICIALS	8,925.00	-150.00	7,447.50	1,477.50	83%	5,106.00	0.00	5,055.00	51.00	99%
	01-405-190-0000	TC/TC - TRAINING STAFF DEVELOPMENT	2,600.00	57.99	1,726.20	873.80	66%	2,600.00	273.18	1,011.68	1,588.32	39%
	01-405-201-0000	TC/TC - POSTAGE	10,167.00	2,460.39	8,903.86	1,263.14	88%	8,966.00	785.83	7,549.73	1,416.27	84%
	01-405-202-0000	TC/TC - GENERAL SUPPLIES	3,300.00	197.00	2,719.41	580.59	82%	3,300.00	242.09	2,025.71	1,274.29	61%
	01-405-301-0000	TC/TC - COMMUNICATION SERVICES	1,600.00	240.28	1,209.74	390.26	76%	1,600.00	121.94	1,227.21	372.79	77%
	01-405-310-0002	TC/TC - DUES/SUBSCRIPTIONS	489.00	40.00	256.95	232.05	53%	360.00	65.00	130.00	230.00	36%
	01-405-310-0003	TC/TC - ADVERTISING	0.00	0.00	0.00	0.00	0%	0.00	0.00	231.33	-231.33	0%
	01-405-310-0070	TC/TC - ELECTION/REGISTRATION	8,113.00	63.08	5,308.35	2,804.65	65%	4,380.00	770.00	3,584.62	795.38	82%
	01-405-402-0000	TC/TC - EQUIPMENT MAINTENANCE	1,400.00	411.00	938.50	461.50	67%	1,400.00	130.00	757.00	643.00	54%
	01-405-702-0000	TC/TC - DEED RESEARCH	2,575.00	52.70	1,298.50	1,276.50	50%	2,600.00	253.82	487.05	2,112.95	19%
	01-405-702-1000	TC/TC - CODIFICATION	950.00	0.00	1,727.75	-777.75	182%	500.00	0.00	1,392.63	-892.63	279%
	01-405-800-0000	TC/TC - EQUIPMENT PURCHASE	2,500.00	0.00	2,500.00	0.00	100%	2,500.00	2,500.00	2,500.00	0.00	100%
			176,442.00	13,787.51	152,119.99	24,322.01	86%	162,270.00	15,355.07	148,469.81	13,800.19	91%
Recreation	01-406-101-0000	RECREATION-FULL TIME SALARIES	154,229.00	7,697.24	117,451.61	36,777.39	76%	146,666.00	11,863.58	138,325.03	8,340.97	94%
	01-406-103-0000	RECREATION-PART TIME SALARIES	25,486.00	3,689.26	33,532.91	-8,046.91	132%	43,434.00	3,245.82	37,830.95	5,603.05	87%
	01-406-190-0000	RECREATION-TRAINING/STAFF DEVELOP.	2,000.00	1,372.25	2,510.00	-510.00	126%	2,000.00	0.00	2,543.13	-543.13	127%
	01-406-191-0000	RECREATION-TRAVEL EXPENSE	300.00	0.00	155.54	144.46	52%	300.00	0.00	0.00	300.00	0%
	01-406-192-0000	RECREATION-MEAL ALLOWANCE	300.00	82.83	243.89	56.11	81%	300.00	0.00	78.95	221.05	26%
	01-406-201-0000	RECREATION-POSTAGE	1,500.00	0.00	3.99	1,496.01	0%	1,500.00	0.00	337.24	1,162.76	22%
	01-406-202-0000	RECREATION-GENERAL SUPPLIES	1,650.00	0.00	1,635.78	14.22	99%	1,650.00	380.65	1,357.32	292.68	82%
	01-406-301-0000	RECREATION-COMMUNICATION SERVICE	3,288.00	598.41	3,408.07	-120.07	104%	3,288.00	282.12	2,742.15	545.85	83%
	01-406-310-0002	RECREATION-DUES/SUBSCRIPTIONS	1,233.00	284.99	622.22	610.78	50%	1,233.00	0.00	1,211.31	21.69	98%
	01-406-402-0000	RECREATION-EQUIP. MAINTENANCE	6,636.00	2,624.65	5,952.70	683.30	90%	6,636.00	90.00	6,797.73	-161.73	102%
	01-406-800-0000	RECREATION-EQUIP. PURCHASE	1,200.00	0.00	530.19	669.81	44%	1,200.00	0.00	1,189.27	10.73	99%
	01-406-904-0000	RECREATION-SUNRISE SUNSET SR CTR	2,500.00	617.13	1,182.04	1,317.96	47%	2,200.00	78.10	2,379.53	-179.53	108%
			200,322.00	16,966.76	167,228.94	33,093.06	83%	210,407.00	15,940.27	194,792.61	15,614.39	93%

Town of Newmarket, New Hampshire
Expense Report ^{a,b}
For the Period Ended May 31, 2017

Fiscal Year 2017							Fiscal Year 2016					
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used
	01-407-101-0000	CODE - FULL-TIME SALARIES	25,356.00	2,047.92	23,558.12	1,797.88	93%	25,355.00	1,950.40	23,292.00	2,063.00	92%
	01-407-103-0000	CODE - PART TIME SALARIES	38,919.00	3,292.11	36,175.90	2,743.10	93%	37,318.00	3,100.70	35,467.90	1,850.10	95%
	01-407-190-0000	CODE - TRAINING	1,000.00	0.00	110.00	890.00	11%	1,000.00	0.00	814.00	186.00	81%
	01-407-201-0000	CODE - POSTAGE	130.00	9.99	119.33	10.67	92%	130.00	3.26	63.24	66.76	49%
	01-407-202-0000	CODE - GENERAL SUPPLIES	2,700.00	27.17	695.87	2,004.13	26%	2,700.00	159.19	2,110.05	589.95	78%
	01-407-301-0000	CODE - TELEPHONE	1,000.00	120.75	871.24	128.76	87%	500.00	86.21	915.75	-415.75	183%
	01-407-310-0002	CODE - DUES/SUBSCRIPTIONS	400.00	319.00	1,728.95	-1,328.95	432%	0.00	135.00	467.00	-467.00	0%
	01-407-402-0000	CODE - EQUIPMENT MAINTENANCE	200.00	0.00	0.00	200.00	0%	200.00	0.00	0.00	200.00	0%
	01-407-702-0000	CODE - LAB TESTING	50.00	0.00	0.00	50.00	0%	50.00	0.00	0.00	50.00	0%
Code Enforcement			69,755.00	5,816.94	63,259.41	6,495.59	91%	67,253.00	5,434.76	63,129.94	4,123.06	94%
	01-408-103-0000	DIR ASSIST - PART-TIME SALARIES	23,943.00	1,257.43	14,278.38	9,664.62	60%	22,320.00	1,191.24	17,175.33	5,144.67	77%
	01-408-190-0000	DIR ASSIST - TRAINING/STAFF DEVEL	150.00	0.00	0.00	150.00	0%	150.00	0.00	0.00	150.00	0%
	01-408-202-0000	DIR ASSIST - GENERAL SUPPLIES	200.00	62.04	310.13	-110.13	155%	200.00	31.04	315.33	-115.33	158%
	01-408-310-0002	DIR ASSIST - DUES/SUBSCRIPTIONS	50.00	0.00	0.00	50.00	0%	50.00	0.00	0.00	50.00	0%
	01-408-315-0038	DIR ASSIST - FOOD	1,000.00	0.00	0.00	1,000.00	0%	1,500.00	0.00	0.00	1,500.00	0%
	01-408-315-0039	DIR ASSIST - RENT	10,000.00	0.00	6,960.00	3,040.00	70%	15,000.00	0.00	6,100.00	8,900.00	41%
	01-408-315-0040	DIR ASSIST - ELECTRICITY	1,000.00	0.00	0.00	1,000.00	0%	1,500.00	0.00	500.00	1,000.00	33%
	01-408-315-0041	DIR ASSIST - HEAT	2,000.00	0.00	0.00	2,000.00	0%	2,500.00	0.00	159.90	2,340.10	6%
	01-408-315-0042	DIR ASSIST - MEDICAL	1,500.00	0.00	750.00	750.00	50%	2,000.00	0.00	0.00	2,000.00	0%
	01-408-315-0043	DIR ASSIST - MISCELLANEOUS	1,500.00	0.00	750.00	750.00	50%	3,000.00	0.00	750.00	2,250.00	25%
Direct Assistance			41,343.00	1,319.47	23,048.51	18,294.49	56%	48,220.00	1,222.28	25,000.56	23,219.44	52%
	01-409-130-0000	ASSESS - CONTRACTED SERVICES	60,475.00	5,054.03	50,833.80	9,641.20	84%	55,000.00	0.00	49,476.80	5,523.20	90%
	01-409-201-0000	ASSESS - POSTAGE	500.00	2.51	52.00	448.00	10%	500.00	12.80	39.17	460.83	8%
	01-409-202-0000	ASSESS - GENERAL SUPPLIES	500.00	0.00	234.00	266.00	47%	500.00	0.00	0.00	500.00	0%
	01-409-310-0002	ASSESS - DUES/SUBSCRIPTIONS	150.00	0.00	0.00	150.00	0%	350.00	0.00	0.00	350.00	0%
	01-409-407-0000	ASSESS - SOFTWARE	7,700.00	0.00	7,760.00	-60.00	101%	7,550.00	0.00	0.00	7,550.00	0%
Assessing			69,325.00	5,056.54	58,879.80	10,445.20	85%	63,900.00	12.80	49,515.97	14,384.03	77%
	01-410-602-0000	LEGAL - LEGAL EXPENSES	80,000.00	22.30	79,208.85	791.15	99%	80,000.00	15,852.44	80,198.26	-198.26	100%
Legal			80,000.00	22.30	79,208.85	791.15	99%	80,000.00	15,852.44	80,198.26	-198.26	100%
	01-411-101-0000	PLAN - FULL TIME SALARIES	98,731.00	7,638.14	90,404.18	8,326.82	92%	95,708.00	7,594.56	88,659.01	7,048.99	93%
	01-411-103-0000	PLAN - PART TIME SALARIES	2,000.00	0.00	0.00	2,000.00	0%	2,000.00	0.00	1,345.90	654.10	67%
	01-411-190-0000	PLAN - TRAINING/STAFF DEVELOPMENT	1,500.00	32.10	154.70	1,345.30	10%	1,500.00	16.20	1,266.90	233.10	84%
	01-411-201-0000	PLAN - POSTAGE	2,500.00	18.93	1,002.48	1,497.52	40%	2,000.00	95.34	1,757.93	242.07	88%
	01-411-202-0000	PLAN - GENERAL SUPPLIES	2,000.00	213.40	1,666.27	333.73	83%	2,000.00	93.91	1,577.62	422.38	79%
	01-411-202-0054	PLAN - MAPPING SUPPLIES	4,000.00	0.00	3,000.00	1,000.00	75%	4,000.00	0.00	3,000.00	1,000.00	75%
	01-411-301-0000	PLAN - COMMUNICATIONS SERVICES	600.00	105.13	590.30	9.70	98%	600.00	53.82	543.62	56.38	91%
	01-411-310-0002	PLAN - DUES/SUBSCRIPTIONS	8,345.00	0.00	8,965.28	-620.28	107%	8,345.00	0.00	490.00	7,855.00	6%
	01-411-310-0003	PLAN - ADVERTISING	2,000.00	277.71	1,256.84	743.16	63%	2,000.00	884.32	2,569.65	-569.65	128%
	01-411-702-0000	PLAN - TAX MAPS	1,000.00	0.00	0.00	1,000.00	0%	1,000.00	0.00	0.00	1,000.00	0%
	01-411-703-0000	PLAN - CONTRACTED SERVICES	0.00	0.00	0.00	0.00	0%	10,000.00	0.00	1,007.50	8,992.50	10%
Planning			122,676.00	8,285.41	107,040.05	15,635.95	87%	129,153.00	8,738.15	102,218.13	26,934.87	79%
	01-413-103-0000	CON COMM - PT RECORDING SECRETARY	2,000.00	161.25	1,263.75	736.25	63%	1,000.00	135.00	1,387.50	-387.50	139%
	01-413-201-0000	CON COMM - POSTAGE	60.00	0.00	60.00	0.00	100%	60.00	0.00	7.45	52.55	12%
	01-413-202-0000	CON COMM - GENERAL SUPPLI	200.00	0.00	75.00	125.00	38%	200.00	0.00	200.00	0.00	100%
	01-413-310-0002	CON COMM - DUES/SUBSCRIPT	390.00	0.00	0.00	390.00	0%	390.00	0.00	363.00	27.00	93%
	01-413-702-0000	CON COMM - CONTRACTED SERVICES	291.00	0.00	320.00	-29.00	110%	291.00	0.00	150.17	140.83	52%
Conservation Commission			2,941.00	161.25	1,718.75	1,222.25	58%	1,941.00	135.00	2,108.12	-167.12	109%
	01-414-310-0000	ECON DEV - OPERATING EXPENSE	2,500.00	1,050.00	2,334.95	165.05	93%	1,000.00	0.00	0.00	1,000.00	0%
Economic Development			2,500.00	1,050.00	2,334.95	165.05	93%	1,000.00	0.00	0.00	1,000.00	0%
	01-418-950-0000	DEBT SER - PRINCIPLE	100,000.00	0.00	100,000.00	0.00	100%	100,000.00	0.00	100,000.00	0.00	100%
	01-418-951-0000	DEBT SER - INTEREST	29,759.00	0.00	29,758.32	0.68	100%	31,959.00	0.00	34,158.32	-2,199.32	107%
Debt Services			129,759.00	0.00	129,758.32	0.68	100%	131,959.00	0.00	134,158.32	-2,199.32	102%
	01-420-101-0000	MIS - FULL TIME SALARIES	68,183.00	5,349.74	61,790.58	6,392.42	91%	65,377.00	5,244.84	61,132.46	4,244.54	94%
	01-420-190-0000	MIS - TRAINING	1,000.00	0.00	999.00	1.00	100%	1,000.00	0.00	996.00	4.00	100%
	01-420-202-0000	MIS - GENERAL SUPPLIES	2,500.00	648.49	2,024.62	475.38	81%	2,500.00	0.00	2,881.61	-381.61	115%
	01-420-301-0000	MIS - COMMUNICATION SERVICE	600.00	213.13	866.76	-266.76	144%	600.00	50.48	506.12	93.88	84%
	01-420-310-0002	MIS - DUES SUBSCRIPTIONS	275.00	0.00	125.00	150.00	45%	275.00	0.00	0.00	275.00	0%
	01-420-407-0000	MIS - SOFTWARE MAINT	42,500.00	0.00	41,202.49	1,297.51	97%	40,000.00	2,830.60	32,990.60	7,009.40	82%
	01-420-409-0000	MIS - REPAIRS/MAINT	4,500.00	962.50	3,924.65	575.35	87%	4,500.00	37.19	4,150.17	349.83	92%
	01-420-414-0000	MIS - SOFTWARE LICENSES	4,500.00	998.20	4,606.12	-106.12	102%	4,500.00	674.70	1,207.16	3,292.84	27%
	01-420-702-0000	MIS - VENDOR SUPPORT	1,500.00	0.00	0.00	1,500.00	0%	1,000.00	0.00	960.00	40.00	96%
	01-420-800-0000	MIS - NEW EQUIPMENT	10,000.00	1,949.05	11,784.96	-1,784.96	118%	12,000.00	706.90	12,259.96	-259.96	102%
Information Technology			135,558.00	10,121.11	127,324.18	8,233.82	94%	131,752.00	9,544.71	117,084.08	14,667.92	89%
	01-421-103-0000	CHANNEL 13 PART TIME SALARIES	23,086.00	2,205.00	16,244.51	6,841.49	70%	21,887.00	1,755.83	20,461.67	1,425.33	93%
	01-421-202-0000	CHANNEL 13 MISC EQUIPMENTS	6,000.00	29.99	2,106.61	3,893.39	35%	6,000.00	521.99	2,487.98	3,512.02	41%
	01-421-310-0000	CHANNEL 13 - OPERATING EXPENSES	2,500.00	250.00	3,406.00	-906.00	136%	2,500.00	529.91	2,029.91	470.09	81%
Channel 13			31,586.00	2,484.99	21,757.12	9,828.88	69%	30,387.00	2,807.73	24,979.56	5,407.44	82%

Town of Newmarket, New Hampshire
Expense Report ^{a,b}
For the Period Ended May 31, 2017

Fiscal Year 2017								Fiscal Year 2016				
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used
Police	01-438-101-0000	POLICE - FULL TIME SALARIES	1,037,437.00	70,956.44	869,892.20	167,544.80	84%	1,013,622.00	78,297.60	875,258.08	138,363.92	86%
	01-438-102-0000	POLICE - OVERTIME	107,010.00	6,055.59	86,576.49	20,433.51	81%	105,140.00	8,207.91	109,546.36	-4,406.36	104%
	01-438-103-0000	POLICE - PART-TIME SALARIES	35,000.00	3,519.73	27,040.21	7,959.79	77%	35,000.00	2,401.70	26,378.85	8,621.15	75%
	01-438-162-0000	POLICE - MEDICAL	2,500.00	0.00	940.08	1,559.92	38%	2,500.00	0.00	1,064.78	1,435.22	43%
	01-438-190-0000	POLICE - TRAINING/STAFF DEVELOPMENT	10,000.00	1,830.27	7,088.43	2,911.57	71%	10,000.00	6,116.28	7,306.06	2,693.94	73%
	01-438-191-0000	POLICE - TRAVEL/MILEAGE	600.00	156.22	175.22	424.78	29%	600.00	121.50	330.40	269.60	55%
	01-438-193-0000	POLICE - UNIFORMS	8,800.00	143.00	8,328.26	471.74	95%	8,800.00	79.99	3,534.85	5,265.15	40%
	01-438-194-0000	POLICE - EDUCATIONAL INCENTIVE	5,000.00	0.00	4,800.00	200.00	96%	5,000.00	0.00	4,100.00	900.00	82%
	01-438-195-0000	POLICE - CLEANING ALLOWANCE	2,500.00	0.00	2,500.00	0.00	100%	2,500.00	0.00	2,250.00	250.00	90%
	01-438-199-0000	POLICE - CRIMINAL INVESTIGATION	2,000.00	89.40	645.73	1,354.27	32%	2,000.00	249.00	786.68	1,213.32	39%
	01-438-200-0000	POLICE - YOUTH/PUBLIC RELATIONS	2,500.00	0.00	1,300.22	1,199.78	52%	2,500.00	205.95	255.10	2,244.90	10%
	01-438-201-0000	POLICE - POSTAGE	450.00	22.91	371.18	78.82	82%	450.00	40.69	427.49	22.51	95%
	01-438-202-0000	POLICE - OFFICE SUPPLIES	5,500.00	452.65	3,203.13	2,296.87	58%	5,500.00	1,052.05	5,171.10	328.90	94%
	01-438-202-0438	POLICE-GENERAL SUPPLIES	400.00	63.85	249.85	150.15	62%	400.00	20.50	222.50	177.50	56%
	01-438-209-0000	POLICE - GASOLINE	34,000.00	1,567.15	16,324.31	17,675.69	48%	34,000.00	1,650.68	15,273.23	18,726.77	45%
	01-438-301-0000	POLICE - COMMUNICATION SERVICES	16,500.00	1,328.27	10,150.90	6,349.10	62%	16,500.00	1,785.06	12,157.54	4,342.46	74%
	01-438-310-0002	POLICE - DUES/MEMBERSHIPS	4,210.00	2,500.00	2,925.00	1,285.00	69%	3,200.00	150.00	4,525.00	-1,325.00	141%
	01-438-310-0005	POLICE - BOOKS/PUBLICATIONS	2,800.00	0.00	767.80	2,032.20	27%	2,800.00	525.00	1,238.95	1,561.05	44%
	01-438-310-0044	POLICE - EQUIPMENT/FIELD SUPPLIES	6,000.00	759.08	1,775.73	4,224.27	30%	18,000.00	1,953.00	3,247.76	14,752.24	18%
	01-438-310-0045	POLICE - PRISONER EXPENSES	1,200.00	700.00	1,024.92	175.08	85%	1,200.00	700.00	940.98	259.02	78%
	01-438-402-0000	POLICE - EQUIP MAINTENANCE	5,000.00	85.00	727.82	4,272.18	15%	5,000.00	55.00	8,374.71	-3,374.71	167%
	01-438-410-0000	POLICE - EQUIPMENT LEASE	26,900.00	2,292.37	7,908.00	18,992.00	29%	26,900.00	14,184.13	20,239.01	6,660.99	75%
	01-438-501-0000	POLICE - PRINTING/PUBLISHING	2,800.00	0.00	1,104.99	1,695.01	39%	2,800.00	1,032.00	1,680.30	1,119.70	60%
	01-438-521-0000	POLICE - ANIMAL CONTROL	3,600.00	0.00	0.00	3,600.00	0%	3,600.00	0.00	248.55	3,351.45	7%
	Police			1,322,707.00	92,521.93	1,055,820.47	266,886.53	80%	1,308,012.00	118,828.04	1,104,558.28	203,453.72
Public Works	01-441-101-0000	PW ADMIN. - FULL TIME SALARIES	119,085.00	9,108.19	107,601.99	11,483.01	90%	118,136.00	9,160.32	106,726.24	11,409.76	90%
	01-441-102-0000	PW ADMIN. - OVERTIME	50,000.00	2,046.67	69,747.56	-19,747.56	139%	50,000.00	1,324.38	29,434.03	20,565.97	59%
	01-441-106-0000	PW ADMIN. - LABOR SALARIES	231,131.00	17,320.92	209,846.42	21,284.58	91%	220,711.00	16,892.22	197,974.55	22,736.45	90%
	01-441-190-0000	PW ADMIN. - TRAINING/STAFF DEVELOPM	1,000.00	0.00	1,200.00	-200.00	120%	500.00	295.47	385.47	114.53	77%
	01-441-193-0000	PW ADMIN. - UNIFORMS	10,000.00	1,208.57	8,352.09	1,647.91	84%	14,000.00	1,058.09	7,924.90	6,075.10	57%
	01-441-201-0000	PW ADMIN. - POSTAGE	100.00	1.38	34.42	65.58	34%	100.00	0.47	72.75	27.25	73%
	01-441-202-0000	PW ADMIN. - GENERAL SUPPLIES	8,000.00	920.11	8,571.09	-571.09	107%	6,500.00	610.93	4,848.27	1,651.73	75%
	01-441-301-0000	PW ADMIN. - COMMUNICATION SERVICE	6,000.00	658.88	6,794.23	-794.23	113%	6,000.00	731.19	5,793.35	206.65	97%
	01-441-310-0002	PW ADMIN. - DUES/MEMBERSHIPS	1,000.00	25.00	115.00	885.00	12%	200.00	0.00	1,147.00	-947.00	574%
	01-441-310-0003	PW ADMIN. - ADVERTISING	1,200.00	152.17	177.24	1,022.76	15%	1,200.00	0.00	2,296.65	-1,096.65	191%
	Public Works			427,516.00	31,441.89	412,440.04	15,075.96	96%	417,347.00	30,073.07	356,603.21	60,743.79
Roadways & Sidewalks	01-442-202-0000	RDWY/SWK - GENERAL SUPPLIES	16,000.00	711.57	18,113.44	-2,113.44	113%	15,000.00	1,170.89	11,484.16	3,515.84	77%
	01-442-205-0000	RDWY/SWK - WINTER SALT	80,000.00	0.00	121,242.23	-41,242.23	152%	80,000.00	0.00	67,278.33	12,721.67	84%
	01-442-208-0000	RDWY/SWK - WINTER SAND	6,200.00	0.00	0.00	6,200.00	0%	6,200.00	0.00	108.53	6,091.47	2%
	01-442-213-0000	RDWY/SWK - PAVEMENT MARKING	3,500.00	0.00	15.96	3,484.04	0%	3,000.00	1,974.50	1,974.50	1,025.50	66%
	01-442-250-0000	RDWY/SWK - COLD MIX	3,000.00	738.45	3,345.30	-345.30	112%	2,800.00	1,363.50	3,202.20	-402.20	114%
	01-442-251-0000	RDWY/SWK - HOT TOP	155,000.00	0.00	61,025.96	93,974.04	39%	125,000.00	750.00	118,836.25	6,163.75	95%
	01-442-402-0000	RDWY/SWK - EQUIPMENT LEASE	13,200.00	0.00	13,892.50	-692.50	105%	12,500.00	0.00	13,000.00	-500.00	104%
	01-442-514-0000	RDWY/SWK - CONTRACT STREET MAR	6,000.00	0.00	5,998.44	1.56	100%	6,000.00	0.00	5,855.62	144.38	98%
	01-442-516-0000	RDWY/SWK - CONTRACT WINTER EQU	15,000.00	0.00	13,970.00	1,030.00	93%	15,000.00	0.00	4,480.55	10,519.45	30%
	01-442-527-0000	RDWY/SWK - CURBSIDE WEED CONTR	3,000.00	0.00	1,900.00	1,100.00	63%	3,000.00	0.00	950.00	2,050.00	32%
	01-442-528-0000	RDWY/SWK - TREE SERVICE	3,000.00	0.00	0.00	3,000.00	0%	3,000.00	0.00	841.10	2,158.90	28%
	01-442-531-0000	RDWY/SWK - WEATHER SERVICE	2,070.00	0.00	1,025.01	1,044.99	50%	2,070.00	0.00	2,050.00	20.00	99%
	01-442-704-0000	RDWY/SWK - ENGINEERING	25,000.00	0.00	3,701.20	21,298.80	15%	25,000.00	2,473.59	6,237.57	18,762.43	25%
	01-442-705-0000	RDWY/SWK CONSTRUCTION	0.00	0.00	0.00	0.00	0%	88,000.00	0.00	23,249.28	64,750.72	26%
	Roadways & Sidewalks			330,970.00	1,450.02	244,230.04	86,739.96	74%	386,570.00	7,732.48	259,548.09	127,021.91
Street Lights	01-446-202-0000	STREET LIGHT - FIXTURES	2,000.00	0.00	0.00	2,000.00	0%	2,000.00	0.00	4,852.07	-2,852.07	243%
	01-446-302-0000	STREET LIGHT - ELECTRICITY	47,000.00	4,294.50	41,677.65	5,322.35	89%	44,250.00	4,641.76	38,279.25	5,970.75	87%
			49,000.00	4,294.50	41,677.65	7,322.35	85%	46,250.00	4,641.76	43,131.32	3,118.68	93%

Town of Newmarket, New Hampshire
Expense Report ^{a b}
For the Period Ended May 31, 2017

Fiscal Year 2017								Fiscal Year 2016				
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used
	01-448-101-0000	BLD/GRNDS - FULL-TIME SALARIES	63,461.00	4,836.97	57,467.25	5,993.75	91%	61,382.00	4,981.60	56,614.99	4,767.01	92%
	01-448-102-0000	BLD/GRNDS - OVERTIME	3,000.00	0.00	5,367.27	-2,367.27	179%	3,000.00	0.00	3,834.62	-834.62	128%
	01-448-103-0000	BLD/GRNDS - PART TIME SALARIES	86,247.00	9,147.00	56,954.71	29,292.29	66%	88,420.00	7,407.40	63,355.88	25,064.12	72%
	01-448-202-0000	BLD/GRNDS - GENERAL SUPPLIES	10,000.00	426.55	5,840.85	4,159.15	58%	10,000.00	1,293.81	8,305.71	1,694.29	83%
	01-448-302-0000	BLD/GRNDS - ELECTRICITY-TOWN HALL	12,000.00	1,620.18	9,925.06	2,074.94	83%	10,900.00	888.10	10,274.44	625.56	94%
	01-448-302-0406	BLD/GRNDS - ELECTRICITY - PARKS	1,300.00	171.44	1,037.28	262.72	80%	1,300.00	147.35	1,033.70	266.30	80%
	01-448-302-0438	BLD/GRNDS - ELECTRICITY POLICE	13,500.00	1,523.39	9,217.33	4,282.67	68%	11,800.00	952.25	10,933.57	866.43	93%
	01-448-302-0441	BLD/GRNDS - ELECTRICITY YOUNGS LANE	25,000.00	3,513.15	21,196.62	3,803.38	85%	24,000.00	1,947.12	21,779.26	2,220.74	91%
	01-448-303-0000	BLD/GRNDS - HEAT & OIL - TOWN HALL	23,000.00	1,321.31	16,773.43	6,226.57	73%	26,000.00	2,480.40	16,824.84	9,175.16	65%
	01-448-303-0438	BLD/GRNDS - HEAT & OIL - POLICE	4,100.00	0.00	3,390.76	709.24	83%	3,000.00	392.91	2,400.61	599.39	80%
	01-448-303-0441	BLD/GRNDS - HEAT & OIL - YOUNGS LANE	39,000.00	2,196.33	28,839.04	10,160.96	74%	39,000.00	3,574.66	27,163.89	11,836.11	70%
	01-448-304-0000	BLD/GRNDS - WATER/SEWER TOWN HALL	4,000.00	837.41	4,973.27	-973.27	124%	4,000.00	-1,594.08	6,800.79	-2,800.79	170%
	01-448-304-0150	BLD/GRNDS-WATER/SEWER COMMUNITY	0.00	219.86	2,765.07	-2,765.07	0%	0.00	1,606.89	1,606.89	-1,606.89	0%
	01-448-304-0151	BLD/GRNDS-WATER/SEWER SENIOR CTR	0.00	0.00	0.00	0.00	0%	0.00	396.09	396.09	-396.09	0%
	01-448-304-0438	BLD/GRNDS - WATER/SEWER - POLICE	525.00	137.91	572.02	-47.02	109%	800.00	109.84	904.46	-104.46	113%
	01-448-304-0441	BLD/GRNDS - WATER/SEWER - YOUNGS LA	1,950.00	464.26	2,005.03	-55.03	103%	1,800.00	185.05	2,374.95	-574.95	132%
	01-448-401-0110	BLD/GRNDS - YOUNGS LANE MAINT	14,000.00	1,632.38	18,428.59	-4,428.59	132%	14,000.00	122.40	17,021.06	-3,021.06	122%
	01-448-401-0120	BLD/GRNDS - TOWN HALL MAINTENANC	13,000.00	2,841.23	14,975.01	-1,975.01	115%	13,000.00	1,351.24	18,569.18	-5,569.18	143%
	01-448-401-0125	BLD/GRNDS - ELEVATOR MAINTENANCE	2,500.00	50.00	1,447.64	1,052.36	58%	2,400.00	1,323.19	3,032.66	-632.66	126%
	01-448-401-0140	BLD/GRNDS - PARKS MAINTENANCE	8,000.00	0.00	1,621.19	6,378.81	20%	8,000.00	93.51	5,100.95	2,899.05	64%
	01-448-401-0150	BLD/GRNDS - COMMUNITY CENTER MAI	7,500.00	1,386.18	13,179.53	-5,679.53	176%	7,500.00	521.74	17,289.93	-9,789.93	231%
	01-448-401-0151	BLD/GRNDS - COMM CTR ELECTRICITY	12,000.00	1,488.28	9,959.76	2,040.24	83%	12,000.00	710.38	9,820.01	2,179.99	82%
	01-448-401-0152	BLD/GRNDS - COMM CTR HEAT OIL	14,000.00	885.23	12,771.70	1,228.30	91%	14,000.00	669.08	8,964.98	5,035.02	64%
	01-448-401-0153	BLD/GRNDS - SENIOR CENTER ELECTRICITY	7,000.00	463.63	2,892.96	4,107.04	41%	0.00	375.92	3,070.91	-3,070.91	0%
	01-448-401-0154	BLD/GRNDS - SENIOR CTR HEAT	5,000.00	165.41	2,071.11	2,928.89	41%	0.00	0.00	1,161.16	-1,161.16	0%
	01-448-401-0155	BLD/GRNDS - SENIOR CTR MAINT.	0.00	0.00	1,528.00	-1,528.00	0%	0.00	0.00	0.00	0.00	0%
	01-448-401-0160	BLD/GRNDS - BANDSTAND MAINTENANC	100.00	0.00	0.00	100.00	0%	100.00	0.00	850.00	-750.00	850%
	01-448-401-0170	BLD/GRNDS - HAND TUB MAINTENANCE	300.00	42.24	276.02	23.98	92%	300.00	30.06	285.56	14.44	95%
	01-448-401-0175	BLD/GRNDS - DAM MAINTENANCE	3,000.00	30.24	1,893.58	1,106.42	63%	3,000.00	30.22	1,763.54	1,236.46	59%
	01-448-401-0180	BLD/GRNDS - TOWN CLOCK MAINTENAN	250.00	0.00	36.66	213.34	15%	2,000.00	0.00	2,727.50	-727.50	136%
	01-448-401-0438	BLD/GRNDS - POLICE BUILDING MAINTEN	11,500.00	749.00	13,285.57	-1,785.57	116%	10,000.00	462.81	3,353.49	6,646.51	34%
	01-448-402-0000	BLD/GRNDS - EQUIPMENT MAINTENANC	2,500.00	230.94	1,333.02	1,166.98	53%	2,500.00	206.16	1,248.29	1,251.71	50%
	01-448-405-0000	BLD/GRNDS - GROUNDS MAINTENANCE	32,000.00	4,195.68	26,746.42	5,253.58	84%	32,000.00	1,567.25	28,463.25	3,536.75	89%
	01-448-533-0000	BLD/GRNDS - MOSQUITO CONTROL	60,000.00	0.00	60,000.00	0.00	100%	55,000.00	5,000.00	55,000.00	0.00	100%
	01-448-800-0000	BLD/GRNDS - EQUIPMENT PURCHASE	2,500.00	2,500.00	2,500.00	0.00	100%	7,000.00	0.00	6,500.00	500.00	93%
Building & Grounds			482,233.00	43,076.20	411,271.75	70,961.25	85%	468,202.00	37,233.35	418,827.16	49,374.84	89%
	01-449-101-0000	CEM - FULL TIME SALARIES	19,053.00	1,352.17	17,536.28	1,516.72	92%	18,263.00	1,465.60	17,627.41	635.59	97%
	01-449-103-0000	CEM - PART TIME SALARIES	11,050.00	0.00	5,658.95	5,391.05	51%	11,050.00	1,095.90	6,312.97	4,737.03	57%
	01-449-202-0000	CEM - GENERAL SUPPLIES	500.00	25.19	339.84	160.16	68%	1,000.00	0.00	138.16	861.84	14%
	01-449-302-0000	CEM - ELECTRICITY	250.00	45.66	180.30	69.70	72%	250.00	32.84	170.57	79.43	68%
	01-449-402-0000	CEM - EQUIPMENT MAINT	800.00	0.00	0.00	800.00	0%	800.00	0.00	0.00	800.00	0%
	01-449-702-0000	CEM - CONTRACTED SERVICES	5,000.00	0.00	0.00	5,000.00	0%	5,000.00	0.00	0.00	5,000.00	0%
	01-449-800-0000	CEM - EQUIPMENT PURCHASE	600.00	513.12	513.12	86.88	86%	600.00	0.00	299.00	301.00	50%
Cemetery			37,253.00	1,936.14	24,228.49	13,024.51	65%	36,963.00	2,594.34	24,548.11	12,414.89	66%
	01-452-202-0000	VEHICLE - GENERAL SUPPLIES	3,000.00	193.38	2,976.26	23.74	99%	5,000.00	113.40	4,174.09	825.91	83%
	01-452-209-0000	VEHICLE - GASOLINE	16,000.00	1,409.54	7,172.26	8,827.74	45%	16,000.00	1,096.76	4,754.42	11,245.58	30%
	01-452-210-0000	VEHICLE - DIESEL FUEL	38,000.00	1,861.78	24,478.56	13,521.44	64%	37,000.00	1,558.56	20,915.33	16,084.67	57%
	01-452-214-0000	VEHICLE - OIL	0.00	0.00	812.22	-812.22	0%	1,500.00	0.00	1,436.10	63.90	96%
	01-452-402-0000	VEHICLE - EQUIP MAINT	60,000.00	12,157.10	55,668.00	4,332.00	93%	54,000.00	7,710.48	53,106.25	893.75	98%
	01-452-403-0000	VEHICLE - VEHICLE MAINT PUBLIC WORKS	48,000.00	0.00	53,759.24	-5,759.24	112%	48,000.00	2,693.91	42,187.72	5,812.28	88%
	01-452-403-0406	VEHICLE - VEHICLE MAINT REC	2,000.00	0.00	957.19	1,042.81	48%	2,000.00	215.00	1,142.18	857.82	57%
	01-452-403-0438	VEHICLE- VEHICLE MAINT POLICE	15,000.00	307.85	8,540.71	6,459.29	57%	14,000.00	2,581.78	11,890.76	2,109.24	85%
	01-452-403-0461	VEHICLE - VEHICLE MAINT FIRE	20,000.00	1,009.91	9,371.33	10,628.67	47%	16,000.00	2,786.19	24,835.56	-8,835.56	155%
	01-452-404-0000	VEHICLE - RADIO MAINT	1,500.00	0.00	0.00	1,500.00	0%	1,200.00	0.00	800.00	400.00	67%
	01-452-800-0000	VEHICLE - EQUIP PURCHASE	3,000.00	0.00	1,350.00	1,650.00	45%	3,000.00	0.00	2,584.07	415.93	86%
Vehicle			206,500.00	16,939.56	165,085.77	41,414.23	80%	197,700.00	18,756.08	167,826.48	29,873.52	85%
	01-461-101-0000	FIRE/RES - FULL TIME SALARIES	84,779.00	7,523.86	69,283.63	15,495.37	82%	82,298.00	6,521.40	76,701.17	5,596.83	93%
	01-461-102-0000	FIRE/RES - OVERTIME	14,000.00	888.58	11,227.17	2,772.83	80%	14,000.00	1,787.53	21,375.32	-7,375.32	153%
	01-461-103-0000	FIRE/RES - PART TIME SALARIES	134,808.00	15,109.15	131,850.53	2,957.47	98%	119,012.00	11,136.93	129,154.44	-10,142.44	109%
	01-461-190-0000	FIRE/RES - TRAINING/STAFF DEVELOPMEN	18,000.00	5,492.42	13,063.65	4,936.35	73%	12,500.00	0.00	18,101.69	-5,601.69	145%
	01-461-193-0000	FIRE/RES - UNIFORMS	12,000.00	1,375.14	9,197.10	2,802.90	77%	10,000.00	220.08	8,068.24	1,931.76	81%
	01-461-201-0000	FIRE/RES - POSTAGE	75.00	2.76	22.58	52.42	30%	75.00	1.40	94.59	-19.59	126%
	01-461-202-0000	FIRE/RES - GENERAL SUPPLIES	6,500.00	663.02	5,568.76	931.24	86%	6,500.00	903.07	7,007.92	-507.92	108%
	01-461-202-0406	FIRE/RES - MEDICAL SUPPLIES	13,500.00	1,201.38	12,299.65	1,200.35	91%	12,500.00	1,443.24	12,121.62	378.38	97%
	01-461-209-0000	FIRE/RES - GASOLINE	1,200.00	37.77	283.31	916.69	24%	1,200.00	86.34	614.89	585	

Town of Newmarket, New Hampshire
Expense Report ^{a, b}
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Fiscal Year 2017								Fiscal Year 2016				
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used
	01-463-103-0000	EM - PART TIME SALARIE	750.00	0.00	750.00	0.00	100%	750.00	0.00	750.00	0.00	100%
	01-463-190-0000	EM - TRAINING/STAFF DE	750.00	0.00	0.00	750.00	0%	750.00	0.00	0.00	750.00	0%
	01-463-202-0000	EM - GENERAL SUPPLIES	450.00	0.00	0.00	450.00	0%	450.00	0.00	992.00	-542.00	220%
Emergency Management			1,950.00	0.00	750.00	1,200.00	38%	1,950.00	0.00	1,742.00	208.00	89%
	01-480-812-0000	GRANTS - MEM DAY PARADE	2,000.00	0.00	0.00	2,000.00	0%	2,000.00	0.00	1,315.00	685.00	66%
	01-480-813-0000	GRANTS - FESTIVAL SUPPORT	0.00	0.00	0.00	0.00	0%	15,500.00	0.00	4,280.00	11,220.00	28%
	01-480-814-0000	GRANTS - NWMKT ATHLETIC ASSOC	21,500.00	0.00	21,500.00	0.00	100%	21,500.00	0.00	21,500.00	0.00	100%
	01-480-815-0000	GRANTS - NWMKT SENIOR CITIZENS	2,000.00	0.00	2,000.00	0.00	100%	1,200.00	0.00	1,200.00	0.00	100%
	01-480-816-0000	GRANTS - NWMKT HISTORICAL SOCIETY	2,000.00	0.00	2,000.00	0.00	100%	2,000.00	0.00	2,000.00	0.00	100%
	01-480-817-0000	GRANTS - C.O.A.S.T.	23,000.00	0.00	21,005.00	1,995.00	91%	23,000.00	0.00	0.00	23,000.00	0%
	01-480-818-0000	GRANTS - VETERANS MEMORIAL	500.00	0.00	0.00	500.00	0%	2,100.00	0.00	475.00	1,625.00	23%
	01-480-819-0000	GRANTS - NWMKT HANDTUB ASSOC.	2,000.00	0.00	0.00	2,000.00	0%	2,000.00	0.00	0.00	2,000.00	0%
Grants			53,000.00	0.00	46,505.00	6,495.00	88%	69,300.00	0.00	30,770.00	38,530.00	44%
	01-481-910-0000	SS GRANTS - RICHIE MCFARLAND	2,000.00	0.00	2,000.00	0.00	100%	2,000.00	0.00	2,000.00	0.00	100%
	01-481-913-0000	SS GRANTS - LAMPREY HEALTH CENTER	10,403.00	0.00	10,403.00	0.00	100%	10,403.00	0.00	10,403.00	0.00	100%
	01-481-914-0000	SS GRANTS - AREA HOMEMAKERS	0.00	0.00	0.00	0.00	0%	0.00	0.00	5,000.00	-5,000.00	0%
	01-481-915-0000	SS GRANTS - CHILD & FAMILY SERVICE	4,000.00	0.00	0.00	4,000.00	0%	4,000.00	0.00	0.00	4,000.00	0%
	01-481-916-0000	SS GRANTS - R.C.C.A.P.	9,000.00	0.00	9,000.00	0.00	100%	9,000.00	0.00	9,000.00	0.00	100%
	01-481-917-0000	SS GRANTS - R.S.V.P.	600.00	0.00	600.00	0.00	100%	0.00	0.00	0.00	0.00	0%
	01-481-918-0000	SS GRANTS - A SAFE PLACE	1,200.00	0.00	0.00	1,200.00	0%	1,200.00	0.00	1,200.00	0.00	100%
	01-481-919-0000	SS GRANTS - BIG BROTHER/BIG SISTER	1,000.00	0.00	0.00	1,000.00	0%	1,000.00	0.00	1,000.00	0.00	100%
	01-481-920-0000	SS GRANTS - SEACOAST MENTAL HEALTH	2,000.00	0.00	0.00	2,000.00	0%	2,000.00	0.00	0.00	2,000.00	0%
	01-481-923-0000	SS GRANTS - LINKED TOGETHER	4,000.00	0.00	0.00	4,000.00	0%	4,000.00	4,000.00	4,000.00	0.00	100%
	01-481-924-0000	SS GRANTS - ROCKINGHAM COUNTY NUTR	5,326.00	0.00	5,623.00	-297.00	106%	5,326.00	0.00	5,326.00	0.00	100%
	01-481-925-0000	SS GRANTS - AIDS RESPONSE	500.00	0.00	500.00	0.00	100%	500.00	0.00	0.00	500.00	0%
	01-481-926-0000	SS GRANTS - AMERICAN RED CROSS	1,000.00	0.00	1,000.00	0.00	100%	1,000.00	0.00	1,000.00	0.00	100%
	01-481-927-0000	SS GRANTS - READY RIDES	1,500.00	0.00	1,500.00	0.00	100%	1,500.00	0.00	1,500.00	0.00	100%
	01-481-929-0000	OTHER GRANTS - CHILD ADVOCACY CENTE	500.00	0.00	1,000.00	-500.00	200%	1,500.00	0.00	0.00	1,500.00	0%
Social Service Grant			43,029.00	0.00	31,626.00	11,403.00	73%	43,429.00	4,000.00	40,429.00	3,000.00	93%
	01-490-900-0011	CAP RES - REVALUATION	10,000.00	0.00	10,000.00	0.00	100%	10,000.00	0.00	10,000.00	0.00	100%
	01-490-900-0012	CAP RES - FIRE DEPARTMENT	50,000.00	0.00	50,000.00	0.00	100%	50,000.00	0.00	50,000.00	0.00	100%
	01-490-900-0013	CAP RES - ROADWAY IMPROVEMENTS	125,000.00	0.00	125,000.00	0.00	100%	125,000.00	0.00	125,000.00	0.00	100%
	01-490-900-0016	CAP RES - PUBLIC WORKS	80,000.00	0.00	80,000.00	0.00	100%	130,000.00	0.00	130,000.00	0.00	100%
	01-490-900-0017	CAP RES - POLICE VEHICLES	48,000.00	0.00	48,000.00	0.00	100%	46,500.00	0.00	46,500.00	0.00	100%
	01-490-900-0019	CAP RES - BUILDING IMPROVEMENT	50,000.00	0.00	50,000.00	0.00	100%	0.00	0.00	0.00	0.00	0%
	01-490-900-0021	CAP RES - RECREATION FACILITIES	18,666.00	0.00	18,666.00	0.00	100%	0.00	0.00	0.00	0.00	0%
	01-490-900-0028	CAP RES - MASTER PLAN	10,000.00	0.00	10,000.00	0.00	100%	10,000.00	0.00	10,000.00	0.00	100%
	01-490-900-0036	CAP RES - VETERANS MEMORIAL	2,000.00	0.00	2,000.00	0.00	100%	0.00	0.00	0.00	0.00	0%
	01-490-900-0074	CAPITAL RESERVE POLICE DISPATCH EQUIP	29,449.00	0.00	29,449.00	0.00	100%	29,449.00	0.00	29,449.00	0.00	100%
	01-490-900-0079	CAP RES - MACALLEN DAM	75,000.00	0.00	75,000.00	0.00	100%	50,000.00	0.00	50,000.00	0.00	100%
	01-490-900-0085	CAP RES - STORM WATER MANAGEMENT	75,000.00	0.00	75,000.00	0.00	100%	50,000.00	0.00	50,000.00	0.00	100%
	01-490-900-0086	CAP RES - 300TH ANNIV.CELEBRATION EXP	2,000.00	0.00	2,000.00	0.00	100%	2,000.00	0.00	2,000.00	0.00	100%
	01-490-900-0087	CAP RES - COMPENSATED ABSENCE EXP.TR	0.00	0.00	0.00	0.00	0%	10,000.00	0.00	10,000.00	0.00	100%
Capital Reserve			575,115.00	0.00	575,115.00	0.00	100%	512,949.00	0.00	512,949.00	0.00	100%
		General Fund	6,880,668.00	447,863.20	5,943,125.55	937,542.45	86%	6,650,247.00	455,673.60	5,833,181.20	817,065.80	88%

Town of Newmarket, New Hampshire
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Fiscal Year 2017								Fiscal Year 2016					
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	
Library	02-480-101-0000	LIBRARY - SALARIES	54,100.00	4,236.92	49,077.66	5,022.34	91%	54,100.00	3,923.06	45,703.65	8,396.35	84%	
	02-480-103-0000	LIBRARY - PART TIME SALARIES	108,013.00	9,164.40	99,323.18	8,689.82	92%	114,235.00	7,684.56	82,282.88	31,952.12	72%	
	02-480-150-0000	LIBRARY - FICA	9,571.00	854.51	9,447.55	123.45	99%	10,712.00	743.28	8,194.85	2,517.15	77%	
	02-480-151-0000	LIBRARY - MEDICARE	2,238.00	199.84	2,209.49	28.51	99%	2,506.00	173.82	1,916.38	589.62	76%	
	02-480-155-0000	LIBRARY - HEALTH INSURANCE	15,000.00	567.24	5,386.34	9,613.66	36%	15,000.00	481.91	5,301.01	9,698.99	35%	
	02-480-156-0000	LIBRARY - RETIREMENT	6,043.00	473.26	5,471.32	571.68	91%	6,032.00	438.20	5,110.52	921.48	85%	
	02-480-159-0000	LIBRARY - LIFE & DISABILITY	750.00	177.68	996.44	-246.44	133%	633.00	92.04	1,184.13	-551.13	187%	
	02-480-160-0000	LIBRARY-WORKERS COMPENSATION	1,500.00	0.00	1,500.00	0.00	100%	2,352.00	0.00	2,352.00	0.00	100%	
	02-480-161-0000	LIBRARY - UNEMPLOYMENT	2,495.00	0.00	918.76	1,576.24	37%	2,816.00	0.00	1,207.65	1,608.35	43%	
	02-480-190-0000	LIBRARY - TRAINING/STAFF DEVELOPMENT	2,000.00	248.44	1,149.55	850.45	57%	2,000.00	0.00	652.73	1,347.27	33%	
	02-480-202-0000	LIBRARY - GENERAL SUPPLIES	5,000.00	637.60	4,600.90	399.10	92%	5,000.00	575.38	4,935.85	64.15	99%	
	02-480-202-0043	LIBRARY - LIB. TRUSTEES GENERAL SUPPLIE	0.00	7,658.95	7,658.95	-7,658.95	0%	0.00	0.00	0.00	0.00	0%	
	02-480-301-0000	LIBRARY - TELEPHONE	1,800.00	125.72	2,012.33	-212.33	112%	1,800.00	147.30	1,342.21	457.79	75%	
	02-480-302-0000	LIBRARY - ELECTRICITY	12,000.00	1,440.26	6,941.23	5,058.77	58%	10,000.00	1,373.08	8,509.47	1,490.53	85%	
	02-480-303-0000	LIBRARY - HEAT & OIL	12,000.00	226.34	4,656.71	7,343.29	39%	13,800.00	462.38	7,801.60	5,998.40	57%	
	02-480-304-0000	LIBRARY - WATER	700.00	221.85	778.07	-78.07	111%	700.00	56.92	568.28	131.72	81%	
	02-480-310-0005	LIBRARY - BOOKS/SUBSCRIPTIONS	39,394.00	3,578.31	39,249.32	144.68	100%	38,247.00	6,529.50	39,792.54	-1,545.54	104%	
	02-480-330-0000	LIBRARY - ELECTRONIC INFO - OTHER	9,500.00	0.00	9,541.00	-41.00	100%	9,500.00	0.00	9,423.36	76.64	99%	
	02-480-350-0000	LIBRARY - PROGRAMS	2,000.00	61.54	1,951.51	48.49	98%	2,000.00	0.00	2,823.95	-823.95	141%	
	02-480-401-0000	LIBRARY - BUILDING MAINTENANCE	23,000.00	469.34	104,562.09	-81,562.09	455%	15,000.00	2,050.57	39,786.01	-24,786.01	265%	
	02-480-402-0000	LIBRARY - EQUIPMENT MAINTENANCE/LEA	600.00	43.00	529.22	70.78	88%	600.00	43.00	493.16	106.84	82%	
	02-480-504-0000	LIBRARY-PROPERTY LIABILITY INS	5,000.00	0.00	5,000.00	0.00	100%	5,000.00	0.00	5,000.00	0.00	100%	
	02-480-800-0000	LIBRARY - EQUIPMENT PURCHASE	2,000.00	295.00	1,068.55	931.45	53%	2,000.00	0.00	2,321.36	-321.36	116%	
Library			314,704.00	30,680.20	364,030.17	-49,326.17	116%	314,033.00	24,775.00	276,703.59	37,329.41	88%	
Recreation	05-406-103-0000	RECREATION - PART TIME SALARIES	124,440.00	2,428.13	89,241.06	35,198.94	72%	100,440.00	2,261.50	81,755.56	18,684.44	81%	
	05-406-111-0000	RECREATION - WORK STUDY	2,000.00	0.00	3,460.00	-1,460.00	173%	0.00	0.00	0.00	0.00	0%	
	05-406-150-0000	RECREATION - FICA	7,715.00	150.54	5,609.78	2,105.22	73%	6,227.00	140.23	4,746.82	1,480.18	76%	
	05-406-151-0000	RECREATION - MEDI	1,804.00	35.22	1,312.14	491.86	73%	1,456.00	32.80	1,110.23	345.77	76%	
	05-406-190-0000	RECREATION - TRAINING/STAFF DEVELOPNA	2,000.00	10.95	897.74	1,102.26	45%	1,400.00	0.00	988.60	411.40	71%	
	05-406-192-0000	RECREATION - MEAL ALLOWANCE	350.00	0.00	151.35	198.65	43%	350.00	19.08	297.63	52.37	85%	
	05-406-201-0000	RECREATION - POSTAGE	1,000.00	21.16	70.71	929.29	7%	400.00	12.56	255.88	144.12	64%	
	05-406-202-0000	RECREATION - GENERAL SUPPLIES	1,650.00	253.08	1,479.07	170.93	90%	1,650.00	99.40	897.59	752.41	54%	
	05-406-202-0034	RECREATION - ATHLETIC SUPPLIES	8,830.00	0.00	2,499.11	6,330.89	28%	7,830.00	71.76	2,259.22	5,570.78	29%	
	05-406-202-0036	RECREATION - CLASS SUPPLIES	2,954.00	2,654.55	10,084.40	-7,130.40	341%	2,154.00	305.85	6,236.79	-4,082.79	290%	
	05-406-302-0000	RECREATION - ELECTRICITY	0.00	210.23	326.16	-326.16	0%	0.00	0.00	0.00	0.00	0%	
	05-406-302-0001	RECREATION - FIELD LIGHTS	5,000.00	0.00	2,798.72	2,201.28	56%	5,000.00	121.23	3,385.15	1,614.85	68%	
	05-406-310-0002	RECREATION - DUES/SUBSCRIPTIONS	150.00	0.00	170.02	-20.02	113%	150.00	0.00	15.56	134.44	10%	
	05-406-310-0003	RECREATION - ADVERTISING	800.00	199.00	202.44	597.56	25%	800.00	0.00	150.10	649.90	19%	
	05-406-402-0000	RECREATION - EQUIPMENT MAINTENANCE	2,000.00	90.00	1,564.62	435.38	78%	1,000.00	600.78	2,014.25	-1,014.25	201%	
	05-406-460-0000	RECREATION - BANK FEES	0.00	508.51	4,500.05	-4,500.05	0%	0.00	680.78	2,682.63	-2,682.63	0%	
	05-406-501-0000	RECREATION - PRINTING & PUBLISHING	8,163.00	0.00	0.00	8,163.00	0%	8,163.00	49.99	4,837.59	3,325.41	59%	
	05-406-508-0000	RECREATION - BUS TRIPS	36,000.00	1,101.70	30,385.56	5,614.44	84%	36,000.00	5,791.98	59,788.27	-23,788.27	166%	
	05-406-702-0000	RECREATION - CONTRACTUAL SERVICES	5,000.00	0.00	3,480.00	1,520.00	70%	0.00	0.00	0.00	0.00	0%	
	05-406-800-0000	RECREATION - EQUIPMENT PURCHASE	3,000.00	0.00	1,448.05	1,551.95	48%	2,000.00	0.00	78.30	1,921.70	4%	
	05-406-902-0000	RECREATION - SUMMER CAMP	9,000.00	0.00	15,251.23	-6,251.23	169%	9,000.00	83.89	8,405.56	594.44	93%	
	05-406-902-0037	RECREATION - TEEN CAMP	2,500.00	0.00	1,343.94	1,156.06	54%	2,500.00	0.00	1,112.03	1,387.97	44%	
	05-406-904-0000	RECREATION - SUNRISE SUNSET SR CTR	3,927.00	271.20	2,360.42	1,566.58	60%	3,000.00	550.08	3,164.25	-164.25	105%	
05-406-905-0000	RECREATION - SPLASH PAD	5,000.00	0.00	0.00	5,000.00	0%	0.00	0.00	0.00	0.00	0%		
05-406-906-0000	RECREATION - SPECIAL EVENTS	10,150.00	2,330.64	13,166.22	-3,016.22	130%	10,150.00	1,172.89	11,395.94	-1,245.94	112%		
Recreation			243,433.00	10,264.91	191,802.79	51,630.21	79%	199,670.00	11,994.80	195,577.95	4,092.05	98%	
Solid Waste	07-450-103-0000	SW - PART TIME	11,156.00	884.88	10,353.00	803.00	93%	10,881.00	871.10	9,964.72	916.28	92%	
	07-450-202-0000	SW - GENERAL SUPPLIES	15,000.00	477.92	16,624.26	-1,624.26	111%	20,000.00	75.87	20,742.02	-742.02	104%	
	07-450-310-0002	SW - DUES/SUBSCRIPTIONS	800.00	625.52	775.52	24.48	97%	800.00	0.00	675.52	124.48	84%	
	07-450-402-0000	SW - EQUIPMENT LEASE	1,200.00	50.00	1,150.00	50.00	96%	1,200.00	50.00	1,132.00	68.00	94%	
	07-450-403-0000	SW - VEHICLE MAINTENANCE	6,500.00	0.00	0.00	6,500.00	0%	1,500.00	0.00	0.00	1,500.00	0%	
	07-450-501-0000	SW - PRINTING & PUBLICATION	500.00	0.00	0.00	500.00	0%	500.00	0.00	397.11	102.89	79%	
	07-450-532-0000	SW - FREON REMOVAL	2,300.00	0.00	1,179.00	1,121.00	51%	1,000.00	0.00	704.00	296.00	70%	
	07-450-536-0000	SW - HOUSEHOLD HAZARDOUS	10,000.00	0.00	11,543.07	-1,543.07	115%	0.00	0.00	0.00	0.00	0%	
	07-450-537-0000	SW - SPRING CLEAN-UP	0.00	0.00	0.00	0.00	0%	35,000.00	16,095.79	19,261.09	15,738.91	55%	
	07-450-702-0047	SW - LAMPREY REG. CO-OP	2,100.00	0.00	0.00	2,100.00	0%	2,100.00	0.00	0.00	2,100.00	0%	
	07-450-702-0048	SW - MSW CONTRACT	163,000.00	15,328.26	141,447.51	21,552.49	87%	142,000.00	11,938.72	130,855.68	11,144.32	92%	
	07-450-702-0049	SW - RECYCLING CONTRACT	152,000.00	15,351.20	159,188.36	-7,188.36	105%	152,000.00	12,233.70	131,156.38	20,843.62	86%	
	07-450-702-0050	SW - CONSTRUCTION DEBRIS	47,000.00	3,008.00	38,206.49	8,793.51	81%	47,000.00	4,131.85	42,322.51	4,677.49	90%	
	07-450-702-0051	SW - POST CLOSURE LANDFILL TEST	30,000.00	17,411.92	41,294.24	-11,294.24	138%	30,000.00	19,476.09	36,362.86	-6,362.86	121%	
	07-450-800-0000	SW - EQUIPMENT PURCHASE	5,800.00	0.00	0.00	5,800.00	0%	0.00	0.00	0.00	0.00	0%	
Solid Waste			447,356.00	53,137.70	421,761.45	25,594.55	94%	443,981.00	64,873.12	393,573.89	50,407.11	89%	

Town of Newmarket, New Hampshire
Expense Report ^{a,b}
For the Period Ended May 31, 2017

Fiscal Year 2017								Fiscal Year 2016				
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Used
Water	20-451-101-0000	WATER - FULL TIME SALARIES	131,004.00	9,696.34	112,854.48	18,149.52	86%	121,009.00	9,428.06	107,290.86	13,718.14	89%
	20-451-102-0000	WATER - OVERTIME	10,000.00	712.79	9,416.88	583.12	94%	8,500.00	356.01	6,697.02	1,802.98	79%
	20-451-103-0000	WATER - PART TIME SALARIES	8,487.00	336.00	2,743.11	5,743.89	32%	0.00	663.00	8,198.55	-8,198.55	0%
	20-451-150-0000	WATER - FICA	8,150.00	606.15	7,118.52	1,031.48	87%	8,150.00	587.60	7,064.52	1,085.48	87%
	20-451-151-0000	WATER - MEDICARE	1,906.00	141.78	1,658.36	247.64	87%	1,906.00	137.46	1,649.96	256.04	87%
	20-451-155-0000	WATER - HEALTH INSURANCE	47,153.00	6,833.28	40,999.68	6,153.32	87%	31,783.00	3,388.61	32,656.66	-873.66	103%
	20-451-156-0000	WATER - RETIREMENT	14,157.00	1,141.82	13,574.41	582.59	96%	14,157.00	1,076.13	12,647.26	1,509.74	89%
	20-451-159-0000	WATER - LIFE/DISABILITY INSURANCE	1,542.00	210.28	1,241.74	300.26	81%	1,542.00	119.13	946.14	595.86	61%
	20-451-160-0000	WATER - WORKERS COMPENSATION	4,939.00	0.00	4,939.00	0.00	100%	4,939.00	0.00	4,939.00	0.00	100%
	20-451-161-0000	WATER - UNEMPLOYMENT	2,201.00	0.00	810.35	1,390.65	37%	2,201.00	0.00	944.19	1,256.81	43%
	20-451-190-0000	WATER - TRAINING/STAFF DEVELOPMENT	2,000.00	730.97	1,773.61	226.39	89%	1,500.00	80.00	1,335.00	165.00	89%
	20-451-193-0000	WATER - UNIFORMS	2,500.00	184.52	1,697.23	802.77	68%	2,700.00	180.33	1,635.74	1,064.26	61%
	20-451-198-0000	WATER - LONGEVITY	1,013.00	0.00	1,012.50	0.50	100%	1,013.00	0.00	1,012.50	0.50	100%
	20-451-201-0000	WATER - POSTAGE	6,500.00	472.05	2,038.87	4,460.13	31%	6,000.00	850.68	5,700.45	299.55	95%
	20-451-202-0000	WATER - GENERAL SUPPLIES	3,000.00	299.47	2,962.32	37.68	99%	3,000.00	147.68	2,607.06	392.94	87%
	20-451-202-0002	WATER - DUES/SUBSCRIPTIONS	1,050.00	185.00	383.00	667.00	36%	1,050.00	385.00	917.50	132.50	87%
	20-451-202-0003	WATER - ADVERTISING	2,500.00	432.50	432.50	2,067.50	17%	1,600.00	0.00	0.00	1,600.00	0%
	20-451-209-0000	WATER - GASOLINE	3,700.00	220.71	2,359.04	1,340.96	64%	5,200.00	257.83	2,264.12	2,935.88	44%
	20-451-211-0000	WATER - LP GAS	20,000.00	203.77	9,446.31	10,553.69	47%	20,000.00	907.39	7,859.00	12,141.00	39%
	20-451-217-0000	WATER - CHEMICALS	18,000.00	0.00	13,544.43	4,455.57	75%	22,000.00	1,729.90	9,313.29	12,686.71	42%
	20-451-301-0000	WATER - COMMUNICATION SERVICES	3,800.00	359.00	3,622.99	177.01	95%	3,800.00	348.21	2,940.42	859.58	77%
	20-451-302-0000	WATER - ELECTRICITY	53,000.00	9,864.70	50,389.41	2,610.59	95%	47,000.00	2,476.92	35,276.82	11,723.18	75%
	20-451-401-0000	WATER - BUILDING MAINTENANCE	7,000.00	549.98	5,033.87	1,966.13	72%	7,000.00	411.71	9,686.21	-2,686.21	138%
	20-451-402-0000	WATER - EQUIPMENT MAINTENANCE/LEASE	4,000.00	1,352.40	1,352.40	2,647.60	34%	4,000.00	1,214.86	1,214.86	2,785.14	30%
	20-451-403-0000	WATER - VEHICLE MAINTENANCE	5,000.00	183.00	905.22	4,094.78	18%	5,000.00	302.31	6,165.59	-1,165.59	123%
	20-451-406-0000	WATER - SYSTEM MAINTENANCE	50,000.00	9,991.79	40,219.36	9,780.64	80%	45,000.00	10,863.00	44,189.75	810.25	98%
	20-451-504-0000	WATER - PROPERTY-LIABILITY INSURANCE	5,179.00	0.00	5,179.00	0.00	100%	4,280.00	0.00	4,280.00	0.00	100%
	20-451-702-0000	WATER - CONTRACTED SERVICES	10,000.00	2,046.00	11,222.85	-1,222.85	112%	15,000.00	185.00	7,090.10	7,909.90	47%
	20-451-702-0702	WATER - GROUNDWATER ENGINEERING	0.00	0.00	0.00	0.00	0%	0.00	371.74	371.74	-371.74	0%
	20-451-703-0000	WATER - AUDIT	3,484.00	0.00	3,484.00	0.00	100%	3,484.00	0.00	3,484.00	0.00	100%
	20-451-704-0000	WATER - ENGINEERING	25,000.00	0.00	5,731.99	19,268.01	23%	22,500.00	6,950.00	13,550.00	8,950.00	60%
	20-451-900-0000	WATER - TRANSFER TO CAPITAL RESERVE	364,000.00	0.00	364,000.00	0.00	100%	364,000.00	0.00	364,000.00	0.00	100%
	20-451-950-0000	WATER - BONDS & NOTES PRINCIPLE	52,750.00	0.00	0.00	52,750.00	0%	107,449.00	0.00	54,698.54	52,750.46	51%
	20-451-951-0000	WATER - BONDS & NOTES INTEREST	39,798.00	0.00	31,094.56	8,703.44	78%	40,288.00	0.00	489.55	39,798.45	1%
	20-451-954-0000	WATER - LAND ACQUISITION	20,000.00	0.00	20,864.34	-864.34	104%	20,000.00	0.00	20,000.00	0.00	100%
Water			932,813.00	46,754.30	774,107.33	158,705.67	83%	947,051.00	43,418.56	783,116.40	163,934.60	83%
Sewer	30-471-101-0000	WW - FULL TIME SALARIES	230,469.00	16,842.75	196,369.14	34,099.86	85%	209,313.00	14,383.66	156,016.07	53,296.93	75%
	30-471-102-0000	WASTEWATER - OVERTIME	19,000.00	1,401.59	15,366.28	3,633.72	81%	17,000.00	1,308.66	14,323.91	2,676.09	84%
	30-471-103-0000	WASTEWATER PART TIME SALARIES	8,487.00	336.00	2,743.28	5,743.72	32%	0.00	663.00	8,198.75	-8,198.75	0%
	30-471-150-0000	WASTEWATER - FICA	14,204.00	1,051.36	12,381.11	1,822.89	87%	14,204.00	919.61	10,201.96	4,002.04	72%
	30-471-151-0000	WASTEWATER - MEDICARE	3,322.00	245.87	2,895.67	426.33	87%	3,322.00	215.03	2,385.63	936.37	72%
	30-471-155-0000	WASTEWATER - HEALTH INSURANCE	71,120.00	11,836.20	71,017.23	102.77	100%	87,510.00	5,206.32	57,269.60	30,240.40	65%
	30-471-156-0000	WASTEWATER - RETIREMENT	24,674.00	2,014.08	23,835.37	838.63	97%	24,674.00	1,724.90	18,870.49	5,803.51	76%
	30-471-159-0000	WASTEWATER - LIFE/DISABILITY INSURANCE	2,195.00	401.84	2,235.06	-40.06	102%	2,195.00	158.64	1,515.66	679.34	69%
	30-471-160-0000	WASTEWATER - WORKERS COMPENSATION	5,899.00	0.00	5,899.00	0.00	100%	5,899.00	0.00	5,899.00	0.00	100%
	30-471-161-0000	WASTEWATER - UNEMPLOYMENT INSURANCE	3,157.00	0.00	1,162.68	1,994.32	37%	3,157.00	0.00	1,353.88	1,803.12	43%
	30-471-162-0000	WASTEWATER - EMPLOYEE TESTING	750.00	0.00	0.00	750.00	0%	750.00	0.00	0.00	750.00	0%
	30-471-190-0000	WASTEWATER - TRAINING/STAFF DEVELOPMENT	5,000.00	418.44	3,838.80	1,161.20	77%	3,500.00	100.00	3,325.92	174.08	95%
	30-471-193-0000	WASTEWATER - UNIFORMS	3,700.00	391.24	4,931.98	-1,231.98	133%	3,600.00	265.94	2,141.09	1,458.91	59%
	30-471-198-0000	SEWER - LONGEVITY	1,913.00	0.00	1,687.50	225.50	88%	1,913.00	0.00	1,687.50	225.50	88%
	30-471-201-0000	WASTEWATER - POSTAGE	6,500.00	468.05	2,772.03	3,727.97	43%	6,000.00	850.67	5,689.01	310.99	95%
	30-471-202-0000	WASTEWATER - GENERAL SUPPLIES	3,000.00	452.88	4,564.71	-1,564.71	152%	3,000.00	134.20	4,129.18	-1,129.18	138%
	30-471-202-0002	WASTEWATER - DUES/SUBSCRIPTIONS	800.00	0.00	210.00	590.00	26%	800.00	35.00	928.50	-128.50	116%
	30-471-202-0003	WASTEWATER - ADVERTISING	2,000.00	302.75	302.75	1,697.25	15%	1,500.00	0.00	565.79	934.21	38%
	30-471-209-0000	WASTEWATER - GASOLINE	5,000.00	173.09	1,385.98	3,614.02	28%	5,000.00	280.65	1,977.42	3,022.58	40%
	30-471-215-0000	WASTEWATER - LAB SUPPLIES	30,000.00	5,794.09	26,411.15	3,588.85	88%	20,000.00	740.03	24,177.59	-4,177.59	121%
	30-471-217-0000	WASTEWATER - CHEMICALS	53,000.00	3,640.00	23,152.16	29,847.84	44%	40,000.00	3,260.50	25,204.80	14,795.20	63%
	30-471-301-0000	WASTEWATER - COMMUNICATION SERVICES	6,800.00	812.59	6,257.14	542.86	92%	6,800.00	669.68	6,093.62	706.38	90%
	30-471-302-0000	WASTEWATER - ELECTRICITY	144,000.00	12,303.12	86,002.47	57,997.53	60%	84,000.00	8,392.39	82,726.93	1,273.07	98%
	30-471-303-0000	WASTEWATER - HEAT & OIL	35,000.00	261.18	7,065.50	27,934.50	20%	30,000.00	0.00	12,800.71	17,199.29	43%
	30-471-401-0000	WASTEWATER - BUILDING MAINTENANCE	25,000.00	7,842.56	25,254.84	-254.84	101%	23,000.00	2,348.88	26,857.83	-3,857.83	117%
	30-471-403-0000	WASTEWATER - VEHICLE MAINTENANCE	5,000.00	0.00	2,257.54	2,742.46	45%	5,000.00	388.47	2,103.07	2,896.93	42%
	30-471-406-0000	WASTEWATER - SYSTEM MAINTENANCE	50,000.00	16,508.21	40,236.41	9,763.59	80%	50,000.00	7,219.41	36,849.81	13,150.19	74%
	30-471-504-0000	WASTEWATER - PROPERTY-LIABILITY INSURANCE	10,575.00	0.00	10,575.00	0.00	100%	8,740.00	0.00	8,740.00	0.00	100%
	30-471-538-0000	WASTEWATER - SLUDGE DISPOSAL	55,000.00	6,098.71	33,561.60	21,438.40	61%	30,000.00	8,137.38	40,533.23	-10,533.23	135%
	30-471-702-0000	WASTEWATER - CONTRACT SERVICES	13,000.00	281.00	6,493.50	6,506.50	50%	17,500.00	145.00	11,462.87	6,037.13	66%
	30-471-703-0000	WASTEWATER - AUDIT	3,425.00	0.00	3,425.00	0.00	100%	3,425.00	0.00	3,425.00	0.00	100%
	30-471-704-0000	WASTEWATER - ENGINEERING	30,000.00	0.00	15,742.32	14,257.68	52%	30,000.00	591.36	5,853.28	24,146.72	20%
	30-471-804-0000	WASTEWATER - NPDES PERMITS	0.00	0.00	0.00	0.00	0%	60,000.00	0.00	0.00	60,000.00	0%
	30-471-900-0000	WASTEWATER - TRANSFER TO CAPITAL RESERVE	174,200.00	0.00	174,200.00	0.00	100%	164,200.00	0.00	164,200.00	0.00	100%
	30-471-950-0000	WW - BONDS & NOTES PRINCIPLE	102,540.00	0.00	102,540.00	-0.00	100%	102,540.00	0.00	102,540.00	-0.00	100%
	30-471-951-0000	WW - BONDS & NOTES INTEREST	29,238.00	0.00	29,236.91	1.09	100%	32,895.00	0.00	32,893.99	1.01	100%
Sewer			1,177,968.00	89,877.60	946,010.17	231,957.83	80%	1,101,437.00	58,139.38	882,942.15	218,494.85	80%
Total Operating Budget			9,996,942.00	678,577.91	8,640,837.46	1,356,104.54	86%	9,656,419.00	658,874.46	8,365,095.18	1,291,323.82	87%

Town of Newmarket, New Hampshire
Revenue Report ^{a,b}
For the Period Ended May 31, 2017

			Fiscal Year 2017				Fiscal Year 2016					
				Month to Date	Year to Date				Month to Date	Year to Date		
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Transactions	Transactions	Balance Year	Percent Collected	Budget	Transactions	Transactions	Balance Year	Percent Collected
Taxes (Real Estate), land use, PILOT, interest on taxes			18,541,324.00	8,937.93	18,562,798.76	-21,474.76	100%	17,915,011.00	22,698.82	18,038,173.18	-123,162.18	101%
Licenses, permit and fees			1,556,300.00	210,894.74	1,703,729.86	-147,429.86	109%	1,556,300.00	217,600.67	1,608,943.78	-52,643.78	103%
From State			659,414.00	0.00	696,034.84	-36,620.84	106%	657,223.00	0.00	661,359.06	-4,136.06	101%
Charges for Services			153,348.00	70,121.77	199,044.87	-45,696.87	130%	139,850.00	38,827.37	219,363.46	-79,513.46	157%
Misc. Rev. includes Int. Rev.			69,601.00	1,553.06	112,041.62	-42,440.62	161%	9,601.00	9,915.96	72,779.03	-63,178.03	758%
Fund Balance			500,000.00	0.00	500,000.00	0.00	100%	575,000.00	0.00	575,000.00	0.00	100%
Recreation			243,433.00	29,318.10	276,644.00	-33,211.00	114%	199,670.00	38,545.63	253,591.27	-53,921.27	127%
Solid Waste			230,000.00	28,333.17	454,336.27	-224,336.27	198%	244,450.00	224,264.34	423,723.96	-179,273.96	173%
Water			932,813.00	194,789.52	916,716.89	16,096.11	98%	947,051.00	59,594.08	869,543.16	77,507.84	92%
Sewer			1,159,007.00	382,210.59	1,596,277.83	-437,270.83	138%	1,080,753.00	102,589.99	1,401,153.84	-320,400.84	130%
Total Revenues			24,045,240.00	926,158.88	25,017,624.94	-972,384.94	104%	23,324,909.00	714,036.86	24,123,630.74	-798,721.74	103%

Town of Newmarket, New Hampshire
Revenue Report ^{a b}
For the Period Ended May 31, 2017

Fiscal Year 2017							Fiscal Year 2016					
Function	Account Number	ACCOUNT DESCRIPTION	Month to				Month to					
			Date	Year to Date	Balance Year	Percent Collected	Date	Year to Date	Balance Year	Percent Collected		
			Budget	Transactions	Transactions		Budget	Transactions	Transactions	Balance Year	Percent Collected	
	01-310-000-1001	REAL ESTATE TAXES	18,454,468.00	0.00	18,458,884.00	-4,416.00	100%	17,858,168.00	0.00	17,877,132.68	-18,964.68	100%
	01-310-000-1003	LAND USE CHANGE TAX	3,755.00	4,012.50	20,070.00	-16,315.00	534%	3,755.00	0.00	33,567.50	-29,812.50	894%
	01-310-000-1004	YIELD TAXES	1,500.00	0.00	26.94	1,473.06	2%	1,500.00	0.00	0.00	1,500.00	0%
	01-310-000-1005	PAYMENTS IN LIEU OF TAXES	19,175.00	0.00	23,225.66	-4,050.66	121%	23,601.00	0.00	39,679.59	-16,078.59	168%
	01-310-000-1006	INTEREST & PENALTIES ON CURRENT PROP	27,000.00	0.01	34,882.41	-7,882.41	129%	27,000.00	17,608.39	40,252.63	-13,252.63	149%
	01-310-000-1007	REDEMPTION INTEREST	60,000.00	4,923.31	43,628.66	16,371.34	73%	79,000.00	4,464.43	45,403.79	33,596.21	57%
	01-310-000-1008	EXCAVATION TAX	0.00	0.00	1,464.28	-1,464.28	0%	0.00	0.00	998.58	-998.58	0%
	01-310-000-1010	OVERLAY	-24,574.00	0.00	-24,574.00	0.00	100%	-78,013.00	0.00	0.00	-78,013.00	0%
	01-310-001-1006	INTEREST & PENALTIES ON OTHER TAXES	0.00	2.11	5,172.81	-5,172.81	0%	0.00	0.00	94.91	-94.91	0%
	01-310-002-1011	LIEN COST RECOVERY UTILITIES	0.00	0.00	18.00	-18.00	0%	0.00	626.00	1,043.50	-1,043.50	0%
Taxes (Real Estate), land use, PILOT, interest on taxes			18,541,324.00	8,937.93	18,562,798.76	-21,474.76	100%	17,915,011.00	22,698.82	18,038,173.18	-123,162.18	101%
	01-330-000-1013	MV MAIL-IN FEES	0.00	786.00	6,900.00	-6,900.00	0%	0.00	732.00	6,695.00	-6,695.00	0%
	01-330-000-1014	MV PERMIT, LOCAL CLERK & TRANSFER FEE	1,258,000.00	163,567.80	1,373,061.40	-115,061.40	109%	1,258,000.00	152,523.80	1,301,374.31	-43,374.31	103%
	01-330-000-1015	MOTOR VEHICLE STICKERS	26,000.00	3,288.00	28,668.00	-2,668.00	110%	26,000.00	3,144.00	28,396.85	-2,396.85	109%
	01-330-000-1016	BOAT REGISTRATIONS	3,000.00	1,133.55	3,868.19	-868.19	129%	3,000.00	955.68	4,714.68	-1,714.68	157%
	01-330-000-1017	MV TITLE FEES	3,000.00	438.00	3,826.00	-826.00	128%	3,000.00	442.00	3,866.00	-866.00	129%
	01-330-000-1018	DOG LICENSES	0.00	1,690.00	6,859.00	-6,859.00	0%	0.00	2,423.50	6,408.50	-6,408.50	0%
	01-330-000-1019	VITAL STATISTICS	0.00	801.00	5,944.00	-5,944.00	0%	0.00	442.00	5,560.00	-5,560.00	0%
	01-330-000-1020	UCC'S	0.00	0.00	270.00	-270.00	0%	0.00	0.00	300.00	-300.00	0%
	01-330-000-1022	POLICE - DOG ORDINANCE FINES	0.00	50.00	350.00	-350.00	0%	0.00	125.00	255.00	-255.00	0%
	01-330-000-1023	Finger Prints Receipts	0.00	0.00	30.00	-30.00	0%	0.00	0.00	20.00	-20.00	0%
	01-330-000-1024	BUILDING PERMITS	66,000.00	7,303.00	80,229.05	-14,229.05	122%	66,000.00	8,066.00	63,986.25	2,013.75	97%
	01-330-000-1025	MISC LICENSES, PERMITS & Fees	50,300.00	150.00	1,003.33	-49,296.67	2%	50,300.00	366.38	1,673.96	-1,673.96	3%
	01-330-000-1026	FRANCHISE RENEWAL AGREEMENT	150,000.00	31,687.39	192,720.89	-42,720.89	128%	150,000.00	48,380.31	185,693.23	-35,693.23	124%
Licenses, permit and fees			1,556,300.00	210,894.74	1,703,729.86	-147,429.86	109%	1,556,300.00	217,600.67	1,608,943.78	-52,643.78	103%
	01-320-000-1012	HIGHWAY BLOCK GRANT	173,078.00	0.00	177,515.29	-4,437.29	103%	173,078.00	0.00	177,214.41	-4,136.41	102%
	01-320-000-1014	MISC. GRANTS	25,137.00	0.00	28,443.00	-3,306.00	113%	23,414.00	0.00	19,535.00	3,879.00	83%
	01-320-000-1015	MEALS AND ROOM TAX DISTRIBUTION	442,238.00	0.00	474,176.06	-31,938.06	107%	439,966.00	0.00	439,965.89	0.11	100%
	01-320-000-1042	RAILROAD TAX	0.00	0.00	1,393.49	-1,393.49	0%	655.00	0.00	654.76	0.24	100%
	30-320-000-1073	WASTEWATER - STATE REVENUE	18,961.00	0.00	14,507.00	4,454.00	77%	20,110.00	0.00	23,989.00	-3,879.00	119%
From State			659,414.00	0.00	696,034.84	-36,620.84	106%	657,223.00	0.00	661,359.06	-4,136.06	101%
	01-340-000-1025	POLICE SEX OFFENDER RECEIPTS	50.00	0.00	0.00	50.00	0%	50.00	0.00	0.00	50.00	0%
	01-340-000-1027	PLANNING/ZONING RECEIPTS	2,000.00	26.00	5,693.00	-3,693.00	285%	2,000.00	1,015.00	11,958.00	-9,958.00	598%
	01-340-000-1028	POLICE REPORT FEES	1,200.00	0.00	1,363.50	-163.50	114%	1,200.00	120.00	1,851.50	-651.50	154%
	01-340-000-1031	AMBULANCE RECEIPTS	138,598.00	61,028.84	167,692.37	-29,094.37	121%	125,000.00	31,712.37	188,001.46	-63,001.46	150%
	01-340-000-1034	FIRE DEPARTMENT RECEIPTS	5,000.00	6,850.00	7,780.00	-2,780.00	156%	5,000.00	5,800.00	7,207.50	-2,207.50	144%
	01-340-000-1036	COURT RECEIPTS	1,500.00	171.93	1,416.00	84.00	94%	1,500.00	0.00	2,105.00	-605.00	140%
	01-340-000-1043	PARKING TICKETS	0.00	1,185.00	12,240.00	-12,240.00	0%	0.00	170.00	6,650.00	-6,650.00	0%
	01-340-000-1045	PARKING PERMITS	5,000.00	860.00	2,860.00	2,140.00	57%	5,100.00	10.00	1,590.00	3,510.00	31%
Charges for Services			153,348.00	70,121.77	199,044.87	-45,696.87	130%	139,850.00	38,827.37	219,363.46	-79,513.46	157%
	01-340-000-1037	COPIER REVENUE	0.00	5.00	62.50	-62.50	0%	0.00	0.00	85.50	-85.50	0%
	01-340-000-1038	MISC. RECEIPTS	0.00	0.04	36,452.14	-36,452.14	0%	0.00	0.00	43,017.33	-43,017.33	0%
	01-340-001-1034	FIRE DEPT. X-DETAIL RECEIPTS	0.00	0.00	1,015.00	-1,015.00	0%	0.00	0.00	1,696.50	-1,696.50	0%
	01-340-002-1034	DPW DEPT. X-DETAIL RECEIPTS	0.00	0.00	1,260.00	-1,260.00	0%	0.00	0.00	1,150.00	-1,150.00	0%
	01-340-051-1047	RECREATION FACILITY RENTAL	0.00	135.00	510.00	-510.00	0%	0.00	50.00	2,935.00	-2,935.00	0%
	01-340-052-0000	SUNRISE SUNSET REVENUE	0.00	0.00	249.00	-249.00	0%	0.00	603.00	5,441.00	-5,441.00	0%
	01-345-000-1044	HOUSING AUTHORITY	0.00	0.00	0.00	0.00	0%	0.00	313.34	313.34	-313.34	0%
	01-350-000-1046	SALE OF MUNICIPAL PROPERTY	0.00	760.00	56,701.13	-56,701.13	0%	0.00	8,002.50	8,002.50	-8,002.50	0%
	01-350-000-1047	RENT OF MUNICIPAL PROPERTY	3,600.00	0.00	2,825.33	774.67	78%	3,600.00	550.00	3,100.00	500.00	86%
	01-350-000-1048	INTEREST ON INVESTMENTS	6,000.00	631.97	10,159.35	-4,159.35	169%	6,000.00	398.12	7,057.82	-1,057.82	118%
	01-350-001-1105	TC/TC OVER AND UNDER	0.00	21.05	86.45	-86.45	0%	0.00	-1.00	-20.96	20.96	0%
	01-360-000-0000	GF - MISCELLANEOUS REVENUE	60,001.00	0.00	2,720.72	57,280.28	5%	1.00	0.00	1.00	0.00	100%
Misc. Rev. includes Int. Rev.			69,601.00	1,553.06	112,041.62	-42,440.62	161%	9,601.00	9,915.96	72,779.03	-63,178.03	758%
	01-360-000-1054	FUND BALANCE USED	500,000.00	0.00	500,000.00	0.00	100%	575,000.00	0.00	575,000.00	0.00	100%
Fund Balance			500,000.00	0.00	500,000.00	0.00	100%	575,000.00	0.00	575,000.00	0.00	100%
	05-340-000-1058	RECREATION - REVENUE	243,433.00	28,621.95	268,874.76	-25,441.76	110%	199,670.00	38,525.65	248,177.66	-48,507.66	124%
	05-340-000-1059	RECREATION - LIGHT USAGE	0.00	0.00	2,460.15	-2,460.15	0%	0.00	0.00	1,274.70	-1,274.70	0%
	05-340-052-0000	REC-SUNRISE SUNSET REVENUE	0.00	655.00	4,015.00	-4,015.00	0%	0.00	0.00	0.00	0.00	0%
	05-350-000-1048	RECREATION - INTEREST	0.00	41.15	294.09	-294.09	0%	0.00	19.98	172.66	-172.66	0%
	05-350-000-1049	REC - ADVERTISING RECEIPTS	0.00	0.00	1,000.00	-1,000.00	0%	0.00	0.00	2,085.00	-2,085.00	0%
	05-350-050-1058	RECREATION - BUS USAGE	0.00	0.00	0.00	0.00	0%	0.00	0.00	1,881.25	-1,881.25	0%
Recreation			243,433.00	29,318.10	276,644.00	-33,211.00	114%	199,670.00	38,545.63	253,591.27	-53,921.27	127%
	07-340-000-1055	SW - TRANSFER FROM GENERAL FUND	0.00	0.00	217,356.00	-217,356.00	0%	0.00	199,531.00	199,531.00	-199,531.00	0%
	07-340-000-1067	SW - LANDFILL RECEIPTS	230,000.00	10,587.34	61,238.04	168,761.96	27%	244,450.00	9,003.68	58,026.69	186,423.31	24%
	07-340-000-1068	SW - GARBAGE BAGS	0.00	17,441.00	155,636.05	-155,636.05	0%	0.00	15,586.00	153,405.45	-153,405.45	0%
	07-340-000-1069	SW - RECYCLING BINS	0.00	270.00	1,500.00	-1,500.00	0%	0.00	120.00	1,550.00	-1,550.00	0%
	07-340-000-1070	SW - UNITED TECHNOLOGIES	0.00	0.00	15,523.51	-15,523.51	0%	0.00	0.00	10,881.15	-10,881.15	0%
	07-350-000-1048	SW - INTEREST	0.00	34.83	381.26	-381.26	0%	0.00	15.62	187.71	-187.71	0%
	07-360-001-0000	SW - MISC. REVENUES	0.00	0.00	2,701.41	-2,701.41	0%	0.00	8.04	141.96	-141.96	0%

Town of Newmarket, New Hampshire
Revenue Report ^{a,b}
For the Period Ended May 31, 2017

Fiscal Year 2017							Fiscal Year 2016					
Function	Account Number	ACCOUNT DESCRIPTION	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Collected	Budget	Month to Date Transactions	Year to Date Transactions	Balance Year	Percent Collected
Solid Waste			230,000.00	28,333.17	454,336.27	-224,336.27	198%	244,450.00	224,264.34	423,723.96	-179,273.96	173%
	20-310-000-1001	WATER - TAX REVENUE	932,813.00	187,863.75	822,173.24	110,639.76	88%	947,051.00	50,518.28	777,670.18	169,380.82	82%
	20-310-000-1006	WATER - INTEREST AND PENALTIES ON DELI	0.00	130.79	2,824.14	-2,824.14	0%	0.00	3,684.68	7,459.30	-7,459.30	0%
	20-330-000-1071	WATER - ENTRANCE FEES	0.00	1,000.00	17,000.00	-17,000.00	0%	0.00	0.00	11,000.00	-11,000.00	0%
	20-340-000-1072	WATER - JOB WORK	0.00	-430.00	-286.50	286.50	0%	0.00	0.00	245.00	-245.00	0%
	20-350-000-1047	WATER - RENT OF MUNICIPAL PROPERTY	0.00	6,167.82	72,368.29	-72,368.29	0%	0.00	5,305.42	70,696.77	-70,696.77	0%
	20-350-000-1048	WATER - INTEREST	0.00	57.16	803.72	-803.72	0%	0.00	85.70	899.91	-899.91	0%
	20-350-021-1073	WATER - DEDUCT METER	0.00	0.00	1,834.00	-1,834.00	0%	0.00	0.00	1,572.00	-1,572.00	0%
Water			932,813.00	194,789.52	916,716.89	16,096.11	98%	947,051.00	59,594.08	869,543.16	77,507.84	92%
	30-310-000-1001	WASTEWATER - TAX REVENUE	1,159,007.00	380,552.18	1,569,156.41	-410,149.41	135%	1,080,753.00	97,227.87	1,365,838.51	-285,085.51	126%
	30-310-000-1006	WASTEWATER - INTEREST ON DELIQUENT T	0.00	334.77	5,784.32	-5,784.32	0%	0.00	5,168.57	12,044.52	-12,044.52	0%
	30-330-000-1071	WASTEWATER - ENTRANCE FEES	0.00	1,000.00	18,000.00	-18,000.00	0%	0.00	0.00	18,000.00	-18,000.00	0%
	30-340-000-1038	WASTEWATER - OTHER MISC. REVENUE	0.00	0.00	624.70	-624.70	0%	0.00	0.00	0.00	0.00	0%
	30-345-000-1038	WASTEWATER - MISC. GRANTS	0.00	0.00	0.00	0.00	0%	0.00	0.00	3,213.00	-3,213.00	0%
	30-350-000-1048	WASTEWATER - INTEREST	0.00	323.64	2,712.40	-2,712.40	0%	0.00	193.55	2,057.81	-2,057.81	0%
Sewer			1,159,007.00	382,210.59	1,596,277.83	-437,270.83	138%	1,080,753.00	102,589.99	1,401,153.84	-320,400.84	130%
Total Revenues			24,045,240.00	926,158.88	25,017,624.94	-972,384.94	104%	23,324,909.00	714,036.86	24,123,630.74	-798,721.74	103%

Project Name	Department	Start Date	End Date	Status	Assigned To	Comments
The Administrator and the Council would benefit from facilitated executive coaching aimed at developing mutual expectations. (Page 6)	Town Administrator	Fall 2016	On going	In Progress	Steve Fournier	This will be an ongoing project with the Town Council and Town Administrator
Continue outsourcing property tax assessing. (Page 9)	Town Administrator	Fall 2012	1-Jul-21	Completed	Steve Fournier	The Town signed a 5 year agreement in 2016.
Paperless decentralized purchasing and invoice payment should continue to be a goal for the near future. (Page 8)	Finance	1-Oct-17	1-Jul-18	In Progress	Lisa Ambrosio	Paperless decentralized purchasing and invoice payment has been a goal of this office for several years. We have been working towards this goal, which we secured funding to move this project along within the FY 2018 budget.
Consolidation of the Town and School finance/business operations. In the absence of a successful consolidation the outsourcing of the payroll function should be considered. (Page 8)	Finance	Spring 2017	1-Sep-17	In Progress	Lisa Ambrosio	I have been working the School Business Administrator regarding the duties I perform, which she will assume beginning March '18. I don't believe this should be a backup plan, but part of the ongoing consolidation. It is preferable to provide and maintain a backup in-house for this critical payroll function. Outsourcing to a 3rd party provider, in my experience will take more time to manage, have more costs.
The Tax Collector's online bill paying process should be reviewed for clarity and Automated phone answering application or use of volunteers to serve at a reception/information desk during peak periods in order to respond to calls for Because the IT Director is a one person department and reliance on technology is so significant to providing services, explore shared staffing with the School District. (Page 10)	Town Clerk - Tax Collector Town Clerk - Tax Collector IT	1-Jan-17		In Progress	Doug Poulin	I have started the process of moving our email to a hosted service like the School uses. In this way our users could call the School for tech help if I am unavailable, and I can learn from the school's experience as they have had this system for
Invest in a technology upgrade to support community development services - especially IT mobile technology to support field staff. (Page 12)	IT	30-Sep-16		In Progress	Doug Poulin	We have added two more mobile units to the Water and Wastewater Department. Now when an alarm occurs, the tablet users can not only receive the alarm, they can see the reason for the alarm and react properly, and they can silence the alarm
Engage a GIS consultant to help develop an incremental implementation plan for GIS using cloud-based services that require a minimum of training and staff time to maintain. Job descriptions should be reviewed and revised as necessary to more clearly define and prioritize the roles and responsibilities of the Planner and the part-time Compliance Officer. (Page 13)	IT/Planning Zoning Planning and Zoning	05-01-17 03-01-17	1-Sep-17 5-30-2017	Not Started In Progress	Doug Poulin/Diane Hardy/Mike Hoffman	We will solicit an RFP for GIS consulting services to determine what any costs would be for this project. Diane Hardy, Doug Poulin and Steve Fournier will be We will review the job descriptions. However, we both believe that upon reviewing the positions that additional staffing will be needed to accomplish all of the current duties, plus any additional duties.
Consider separating the code enforcement role from those of planning and zoning to create a check and balance between the two. (Page 13)	Planning and Zoning	1-Mar-17	1-Sep-17	On Hold	Diane Hardy/Mike Hoffman	We agree with separating the position. However, with the current workload and duties that are done we both believe that this would require additional staff to achieve this. This will be completed when the Job Descriptions are finished
Explore providing inspection and permitting services on a regional scale. (Page 13)	Planning and Zoning	undetermined	3March17	In Progress	Kyle True	We currently have an informal mutual aid agreement with Durham, Lee and
Consider upgrading the security of the evidence room including the addition of an alarm. (Page 30)	Police			Completed	Kyle True	This upgrade is complete. An alarm system has been placed at the entrance to the evidence room and is working very well. Fortunately, the one-time cost to implement this upgrade totaled \$69.00 with no annual or monthly fees. When entry is made to the evidence room by the evidence detective, an alarm sounds in the dispatch center alerting the on duty dispatcher that the door has been opened. The on duty dispatcher will confirm via phone that only authorized personnel are
Attend to resurfacing the police station parking lot in the intermediate future to preserve its structural integrity and reduce the potential for injuries. (Page 30)	Police	1-Sep-18	On Hold		Kyle True	I do not feel it is in "urgent" need of repair. As the Town departments are currently structured, this item would fall under Buildings and Grounds and not the Police Department. Resurfacing the police station parking lot will cost tens of thousands of dollars to complete as there is a drainage issue that must be addressed during the resurfacing. It is my recommendation that this item be tabled until the Town of Newmarket hires a new Facilities Director. The Director should be the individual
Update the web site and make it more informative and interactive. (Page 30)	Police	1-May-17	In Progress		Kyle True	Former employee, Robert Jordan Jr., has accepted the responsibility and task of Prior to the MRI study becoming a public document, the Police Department had already updated and entered into a current towing contract with Kruczek's Garage.
Review the towing contract, last done in 2008, and update it as needed. (Page 31)	Police		Completed		Kyle True	We will not be using citizen volunteers for this project as individuals would be required to go through an extensive background process to access sensitive police documents. A Patrol Sergeant has been tasked to seek out and apply for grants as
Consider using a citizen volunteer to seek public and private grants to supplement the police budget. (Page 31)	Police		Completed		Kyle True	I am currently researching the best approach for conducting a survey that is fair, accurate, reaches our target audience and is within our budget. I have already met
Conduct a Police/Community Interaction Survey (PCI) to provide the Chief with a foundation to better match the services to the needs and desires of the community. Consider a wage and benefit study of comparable and neighboring police agencies. Consider creating a Public Safety Explorer Group for teenagers as a youth activity to inspire local youth to consider careers in the fire and police service. (Page 31)	Police	01-Sep-17	In Progress		Kyle True	In 2016, the interim finance director completed a wage study at the request of the Although I think a public safety explorer group would be good for young individuals who wish to enter the fields of law enforcement and/or the fire services, we currently This is not something new for the Police Department. Every working police officer and or procedure meets current CALEA standards. We will continue to keep up with current trends in policing to ensure that our policies meet those of CALEA in order to reduce liability to the Police Department and the Town.
Continue to integrate the standards of the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) into department policies and practices. (Page 31)	Police		In Progress		Kyle True	It is not my intention to change the standing practice at this time as the current system is working extraordinarily well. The current procedures in place are safe, secure, convenient and provide exemplary customer service to the people we serve
Consider directing all payments of fees and fines now collected at the Police Department to the Tax Collector's office. (Page 31)	Police		Cancelled		Kyle True	

Adjust supervisors' schedules to provide 24/7 coverage by a Lieutenant or Sergeant. (Page 31)	Police	Cancelled	Kyle True	In December I made an adjustment to the schedule in which our Detective Sergeant position was transferred to the patrol division to add another 40 hours of supervision to the patrol officers working the streets. Having supervisory coverage 7 days a week, 24 hours a day would be impossible and impractical with the current staffing.
Equip each patrol vehicle with an AED defibrillator. (Page 32)	Police	Cancelled	Kyle True	This is cost prohibited at this time. The cost to outfit all cruisers with AED will look to see if funds exist to purchase similar solar powered speed boards that have the ability to be moved to different locations within the Town.
Seek funding for the purchase of a new solar powered speed board. (Page 32)	Police	In Progress	Kyle True	I agree that this is an upgrade that should be addressed in the future. Again, as the Town departments are currently structured, this item would fall under Buildings and Grounds and not the Police Department. It is my recommendation that this item be tabled until the Town of Newmarket hires a Facilities Director.
Consider installing fire suppression systems at police headquarters. (Page 32)	Police	On Hold	Kyle True	The Town of Newmarket currently houses a command vehicle at the Newmarket Fire Department. This vehicle is deployed for all major incidents within the Rockingham County Dispatch Center currently does not have the capacity to take on the Town of Newmarket.
Plan for consolidating emergency command functions in a single location and creating a redundant location as a fallback. (Page 32)	Police	Completed	Kyle True	After completing the study relative to report fees, I have determined that the Police Department is in line with the rates charged by surrounding communities and are actually charging more with regards to some report requests.
Participation in the Rockingham County Dispatch Center should be abandoned due to its lack of capacity and the additional dispatch functions the Town must continue to provide	Police	Cancelled	Kyle True	I have completed the study at the request of MRI and have determined that an increase is warranted. I will be making my recommendation to the Town Administrator to increase the rate for the use of a police cruiser from \$10.00 per hour to \$12.00 per hour and the administrative fee from \$14.00 per hour to \$15.00 per hour. The hourly rate for the police officer cannot be changed at this time as this figure is negotiated as part of the collective bargaining agreement between the
Update permit fees that are below those in the region. (Page 32)	Police	Cancelled	Kyle True	I am in the process of researching the burglar alarm ordinance's from the surrounding communities. Simply implementing an ordinance will not reduce
Review outside police detail rates to be sure that the Town's costs are being fully recovered. (Page 32)	Police	On Hold	Kyle True	We currently use social media, mailings, and created a video to achieve this.
Implement a burglar alarm ordinance to reduce the number of false alarms. Will also generate some revenue. (Page 32)	Police	In Progress	Kyle True	For several years now we have been a member of the Seacoast Fire Chiefs Mutual District which does multi agency purchases and bids i.e. radio purchases, hose Have been a member since 2001.
Maintain a strong focus on personnel recruitment, training and retention to sustain the current operating model. (Page 46)	Fire	On going	Malasky/Andy	This is reviewed monthly with our Emergency Reporting System.
Continually look for ways to partner with other communities for joint service provision and collective purchasing and contracting opportunities. (Page 47)	Fire	Completed	Malasky/Andy	Geographically and call volume wise this is not practical for the town.
Participate in regional professional associations such as the Seacoast Fire Chiefs Association, as a resource for best practices and partnership building. (Page 47)	Fire	Completed	Malasky/Andy	This service is provided at no cost to the town through Exeter Hospital. It would not be cost effective to have our own paramedic service. It would increase the
Continuously assess capabilities of responding to the needs of the community by monitoring and reporting on realistic and measurable objectives to deliver Fire, Rescue and EMS services including response times and patient satisfaction data. (Page 47)	Fire	Completed	Malasky/Andy	We are always trying to expand with neighboring communities for EMS.
Keep in mind the outsourcing of EMS transport service as a possible viable option for the future. (Page 48)	Fire	Cancelled	Malasky/Andy	This done monthly and evaluated at every officers meeting.
Understand Community Paramedicine services as a way of expanding EMS services and underwriting EMS costs. (Page 49)	Fire	Completed	Malasky/Andy	Done regularly within budget restraints.
Maintain the current level of staffing of the Fire Department subject to providing expanded services to neighboring communities. (Page 49)	Fire	Completed	Malasky/Andy	There are no large businesses in town that we could use to accomplish this. We have looked into this not an option for the town.
Maintain awareness of the attendance and participation of call and volunteer forces as a trend predictor that will signal consideration of alternative staffing models. (Page 49)	Fire	Completed	Malasky/Andy	We have applied for this in the past. After doing more research I have been told these grants will only be awarded to a regionalized organization involving multiple
Continue to support the call and volunteer fire and EMS force with opportunity and suitable tools, training, technology, and outfitting. (Page 49)	Fire	Completed	Malasky/Andy	Not practical with budget restraints. Additional FF/EMTs is a move of a priority for the State of NH to sign up for this service.
Develop working relationships with local businesses as a recruiting tool for daytime call personnel. (Page 50)	Fire	Cancelled	Malasky/Andy	This is something I have been trying to do since 2006. Can not be completed until
Apply for a federal SAFER grant to help fund call firefighter recruitment and retention schemes. (Page 50)	Fire	Cancelled	Malasky/Andy	Currently working with the school and the fire academy to start this program. This will probably not happen for another year.
Consider hiring a call/volunteer "Recruitment and Retention Coordinator". (Page 50)	Fire	Cancelled	Malasky/Andy	The town will need to hire a full time fire chief.
Invest in response software such as JamResponding.com™ for use by the Newmarket Police dispatch center to efficiently coordinate fire responses. (Page 50)	Fire	On going	Malasky/Andy	We do this now through Seacoast Fire Chiefs Mutual Aid District.
Pursue a live-in firefighter program for college students. (Page 50)	Fire	On Hold	Malasky/Andy	We have been doing this since the hiring of full time staff.
Coordinate efforts with the Newmarket High School to work with the New Hampshire Fire Academy to introduce a Firefighter I and a Basic EMT program to the school curriculum.	Fire	In Progress	Malasky/Andy	We have been doing this for several years with monthly dinner meetings and
Develop a succession plan for the Fire Chief. (Page 51)	Fire	Completed	Malasky/Andy	Have been trying to increase the budget. It happen this year for calls.
Pursue opportunities that may arise to partner with other communities to provide fire and rescue services, particularly specialized functions. (Page 51)	Fire	Completed	Malasky/Andy	
Continue to use on-duty firefighters for safety and code inspections. (Page 51)	Fire	Completed	Malasky/Andy	
Consider incentives and recognition programs for call firefighters. (Page 51)	Fire	Completed	Malasky/Andy	
Base budget decisions on the metrics that drive the Fire budget. (Page 52)	Fire	In Progress	Malasky/Andy	

Seek out and apply for federal grants that can be used to help obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources. (Page 52)	Fire	NA	Completed	Rick Malasky/Andy	We apply for grants regularly. Grants are very competitive and typically only awarded now to regional, multi agency programs.
Work with the EMS billing contractor to improve collection rates or consider changing contractors. (Page 52)	Fire	2006	Completed	Rick Malasky/Andy	This is done annually.
Review and adjust EMS rates annually based Medicare/Medicaid rates or the regional Consumer Price Index rates. (Page 52)	Fire	2006	Completed	Rick Malasky/Andy	This is done annually.
Develop a cost recovery billing ordinance for some emergency response incidents. (Page 53)	Fire	1-Mar-18	In Progress	Rick Malasky/Andy	We are working to have something in place within the next six months.
Adopt a "False Alarm Fee" ordinance. (Page 53)	Fire	1988	Completed	Rick	We have had one since 1988.
Implement and commit to funding a realistic capital improvement program (CIP). (Page 53)	Department of Public Work	2016	In Progress	Rick Malasky	We have been working for the past couple of years to increase and improve the CIP
Add a "mechanic" designation to a current employee to work in-house as needed to make certain repairs to equipment, especially during snowplowing or other emergencies.	Department of Public Work	NA	On Hold	Rick Malasky	This was cut from the budget several years ago and was outsourced.
Establish a threshold annual funding amount to deposit into a road maintenance fund that can be used as warranted to take advantage of low price periods or to responsibly schedule maintenance and repairs. (Page 59)	Department of Public Work	6/1999	Completed	Rick Malasky	We currently have a fund were \$5.00 from every motor vehicle registration gets set aside for this purpose.
Immediately explore as a high priority, the possibility of sharing a Facilities Management position with the School District. (Page 59)	Department of Public Work	1-Jan-17	On going	Rick Malasky	The Town Administrator is currently working with the school on this.
Seek and participate in collective purchasing groups. (Page 59)	Department of Public Work	2001	Completed	Rick Malasky	We currently do so. We are a member of the Lamprey Regional Co-op for MSW
Add one (1) operational employee before completion of the new treatment plant. (Page 63)	Environmental Services	1-Mar-17	In Progress	Sean Greig	I will be bringing a resolution forward to the Town Council for approval to hire an administrative assistant for the Water and Sewer Department in July 2017.
Add one (1) administrative and finance support person, shared with DPW, to relieve the department heads of the clerical tasks that keep them from other management priorities. (Page 63)	Environmental Services	1-Mar-17	In Progress	Sean Greig	I will be bringing a resolution forward to the Town Council for approval to hire an administrative assistant for the Water and Sewer Department in July 2017.
Establish and annually commit to funding staff training and compensation to maintain qualifications, capability and to support staff retention. (Page 63)	Environmental Services	1-Mar-17	In Progress	Sean Greig	Environmental Services personnel are offered and required to attend training classes for both water and wastewater. It is true the number of water and wastewater operators is declining. So Water and Sewer Department's have begun trying to hire qualified operators away from neighboring cities and towns. This will only get worse as the baby boomers continue to retire and the treatment systems become more complex. The Environmental Services Department will review its pay classifications, incentives, and benefits with the local cities and towns on a yearly
Create a detailed business plan that fully documents department programs, operations and methods as a manual for future use. (Page 65)	Recreation		In Progress	Aimee Gigandet	All summer camp job descriptions are now in draft form waiting for the Summer Camp Director to at the end of the month and review them for any additional
Consider naming the Director's successor early enough to ensure a relatively seamless transition. (Page 65)	Recreation	15-Mar-17	Completed	Steve Fournier	Non-Public



Department Heads Monthly Reports to the Town Council and Town Administrator

Report of the Police Department Activity

Newmarket Police 3 year comparable statistics for month of **May**.

	<u>2017</u>	<u>2016</u>	<u>2015</u>
Total calls for service	1635	1582	1618
Motor vehicle stops	378	271	231
Arrests	24	26	19
Offense reports	36	22	27
M/V accidents	10	11	7
Parking tickets	58	20	40
Drug Overdoses	2	0	2
Alarms	19	16	19
Unattended death/Suicide	1	1	0

During the month of May, the Newmarket Police Dispatch Center documented 1,635 calls for service. We have investigated 48 criminal complaints that require active investigations in 36 of the complaints. These criminal complaints include offenses such as simple assault, criminal threatening, domestic violence, stalking, tampering with witnesses, identity fraud, contributing to the delinquency of minors, thefts (vehicles and buildings), criminal mischief/vandalism, reckless conduct, criminal threatening, violation of protective orders, bench warrants, conduct after an accident and narcotic violations including search warrants. We investigated no unattended deaths and or suicides. Numerous motor vehicle complaints were also investigated. In May, patrol officers conducted 378 motor vehicle stops which led to arrests for charges such as driving while intoxicated, possession of drugs and driving with suspended/revoked driver's licenses. Officers conducted a total of 14 welfare checks. The patrol division issued 58 parking tickets.

Personnel

On May 22nd, the members of the Police Department gathered in the training room to witness the swearing in ceremony for Newmarket's newest Police Officer, Annaliese Schmidt. Annaliese graduated from Plymouth State University on May 20th with a degree in Criminal Justice. During her time at PSU, Officer Schmidt was a member of the woman's soccer team and women's basketball team. This year, Officer Schmidt was awarded the "Panther Award" by the University for her commitment to

academics, athletics and community. Officer Schmidt is a graduate of Newmarket Jr./Sr. High School. She is currently in field training and she is scheduled to attend the New Hampshire Police Academy in August of this year. The Academy lasts a total of 16 weeks.

We currently have one Officer who is out of work due to a work related injury. He is scheduled to be out of work for a few more weeks until he is cleared to return to light duty and then full active duty. Fortunately, we have been able to reduce the fiscal impact by manipulating assignments to cover his work week.

On May 17th, I along with two members of my command/supervisory staff attended a six hour seminar at the University of New Hampshire hosted by NH Listens and the Carsey School of Law entitled "NH Blue and You". We were fortunate to be joined by several other Newmarket residents who are rooted in the community. This seminar focused on identifying strategies and actions for community leaders, civil rights advocates, elected officials, and law enforcement to adopt to assure relationships between police and those they protect and serve are equitable, respectful, and consistent with the core values of a democratic, pluralistic society.

Last month I was asked to join the board of directors for the Child Advocacy Center. On May 16th, I attended my first board meeting. I look forward to working with the CAC board to help find funding through charitable events and other fundraising efforts. I have personally worked closely with the CAC over the past 12 years and have great admiration for the work they do to bring justice to the children and families who are victimized by sexual and physical abuse.

Detective Scott Kukesh attended a training relative to managing a police evidence room. This training was hosted at the Portsmouth Police Department. This training is important for many different reasons to include chain of custody, care and control of physical evidence as well as care and control of personal items. Currently, our evidence room is nearly filled to capacity due to a couple of large seizures that we have had in recent months. Currently we are storing (hopefully temporarily) over 200 firearms.

Officer Nick Drew recently attended a Taser Instructor recertification class at the Greenland NH Police Department. Officers are required by Taser standards and department policy to train with the Tasers on a yearly basis.

Parking Violations

As reported earlier in this report, patrol officers issued 58 parking tickets during the month of May.

In April, the Town Council unanimously voted to expand the permitted parking spaces that are currently owned by the Town. We have begun issuing these permits.

Motor Vehicle Accidents

During the month of May, we responded to 10 motor vehicle accidents.

Fleet

All cars in the fleet are in good working order and are continuously maintained by the officers as well as Auto Excellence. Officers do their very best to maintain the professional image of our cruisers however, salt and sand does make this task difficult.

On May 27th, all police cruisers were professionally detailed. We have found that this increases the lifespan of the vehicles and provides a professional image of our police department. It is quite often that tours of our police vehicles are given to the public. The officers take great pride in their assigned cruisers and are held to a high standard by myself. The cruisers are routinely inspected by myself.

Police Station Maintenance:

The Department of Buildings and Grounds have done a fantastic job keeping up with the floors and overall image of the facility.

I have been made aware that Director Malasky is requesting funds from CIP to replace an upstairs air conditioning unit. This unit is the original unit that was installed when the police department was built 22 years ago. I am hopeful that the Council will approve the funds to replace this unit.

Drug related issues

During the month of May we did not respond to any opiate related overdoses. This is the 2nd month in a row that we did not have any overdoses related to heroin/fentanyl or opiate based drugs. We did however respond to 2 drug related overdoses that were "intentional" overdoses (sleeping pills).

I am pleased to report the following statistics for Heroin/Opiate related overdoses and deaths since the inception of the Newmarket Alliance for Substance Abuse Prevention (N-ASAP);

2015- 45 Overdoses with 4 deaths resulting
2016- 22 Overdoses with 2 deaths resulting
2017- 6 Overdoses with 1 death resulting (thus far)

Officers still continue to seize illegal drugs as well as drug related paraphernalia throughout the course of their duty.

On May 18th, I was asked to represent Newmarket's ASAP program at a Seacoast Heroin Summit that was held in Brentwood NH and to speak to a large audience about the progress and the success the Town of Newmarket has made combating this epidemic. I also spoke of the culture change and mindset of our police officers which has contributed to the progress that we have seen.

I have consistently added the foregoing paragraph in my last few reports as I feel that it is important for anyone reading this report to understand the philosophy this agency has relative to this epidemic.

The police department's culture with regards to the opiate epidemic has evolved from "arrest and incarcerate" to "intervene and assist with recovery" when it comes to individuals who are addicted to opiates. It is my personal and professional belief that we cannot arrest our way out of this epidemic. Even if we tried that route, the cost to the taxpayers would be astronomical. Furthermore, the county jails and the state prison could not house all arrested "users". With that being said, we will **NOT** tolerate anyone who sells, distributes or dispenses any of this poison that is in our community. If anyone is caught selling, distributing or dispensing narcotics we will prosecute them to the fullest extent of the law.

We continue to be involved with Newmarket's Alliance for Substance Abuse Prevention as well as Safe Harbor Recovery Center in Portsmouth. We have had much success in getting a number of individuals the assistance they need to deal with substance misuse.

Miscellaneous

The Newmarket ASAP in conjunction with the Police Department is planning a community event to be held on August 12th from 5:00 PM to 8:00 PM. This event has been named "**NEWMARKET NIGHT OUT**" and will be held at the Newmarket Community Center and ball fields. This event focuses on drug prevention awareness as well as an opportunity to strengthen neighborhood spirit and police-community partnerships. We plan to have local musicians perform live music for entertainment, a three point shootout, food and drinks (non-alcoholic) as well as other activities for children of all ages. More information will be forthcoming.

On May 9th, we were fortunate to give a tour of our facility as well as a tour of our police vehicles to our neighbors at the Newmarket Sunrise Sunset Center.

I am pleased to report that the Memorial Day parade was once again safe and successful. Officers provided the community with a safe gathering by shutting down several side streets within the downtown area so our veterans and community members could march to the Riverside Cemetery to pay their respects.

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
1,322,707.00	92,521.93	1,055,820.47	266,886.53	80%

<u>FISCAL YEAR 2016</u>				
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
1,308,012.00	118,828.04	1,104,558.28	203,453.72	84%

Fire and Rescue Department

- For the month of May the department responded to 93 calls for service, of those 57 were medical calls, transporting 46 patients to area hospitals. The ambulance responded to Newfields for five medical calls, transporting two patients and Durham twice transporting one patient. The ladder responded to Durham for a hazmat incident on College Road in one of the labs. We did have a home struck by lightning on Bald Hill Road with minor damage.
- The full time vacancy has been filled by Evan Crafts. Evan comes to us from Brentwood Fire and Rescue with lots of experience. He will be another asset to the department.
- I'm very pleased to report that the following individuals; EMT- Michael Pelczar, Firefighter/AEMT Gary Lemoine and Captain/AEMT Doug Hamilton, were recognized by Portsmouth Regional Hospital at their annual awards banquet as EMS Providers of the Year for Trauma Service. The hospital also recognized the department as EMS Agency of the Year for Trauma Service. This recognition was for a call in Newfields where a patient was crushed by a large piece of equipment. They successfully had extricated the patient and transported to the ER in less than an hour. This patient had multiple traumatic injuries and went into traumatic cardiac arrest two times on the way to the hospital. After multiple surgeries and many months in the hospital this individual is alive today for the actions of this crew. It's an honor to say that we were selected to receive these awards out of the entire seacoast, which is made up of three states ME, NH, and MA.
- The department is currently in the process of obtaining a HEARTSafe Community designation for the town. The HEARTSafe Community was created to increase the rate of survival for out of hospital cardiac arrest by promoting CPR/AED education and awareness. The goal is to create a healthier and safer community for all. The HEARTSafe community program is a national and international program with local communities such as Durham and Portsmouth are already designated.
- Obtaining a HEARTSafe Designation is a community-wide effort involving CPR/AED classes, AED placement, and coordination with local schools. We are in the final stages of obtaining a designation and need the community's help. We are trying to increase the number of community members trained in CPR and AED use. To achieve our goal we are hosting free classes this summer at the fire station. The classes are all schedule to begin at 5:30 pm on June 26th, July 10th, and August 14th. All people need to do to sign up is contact the department at (603) 659-3334 or email Garrett Thompson at gthompson594@gmail.com

FIRE

<u>FISCAL YEAR 2017</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
358,762.00	36,160.61	311,228.84	47,533.16	87%	

<u>FISCAL YEAR 2016</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
334,185.00	27,749.90	327,462.17	6,722.83	98%	

Public Works Department

The NHDOT will be paving Gerry Ave and Exeter Road sometime in June. Crews will be raising all the catch basins and sewer covers in preparation of this work. This is our responsibility because we own the utilities which are on a state highway.

The paving bids have come back and we should have final approval from the town council at their June 21st meeting. This work will begin in July.

All of the out of service fire hydrants have been repaired.

The New Road Drainage Project is at 80 percent design. The permitting process is starting to move along and we have a verbal approval of the new outfall. Underwood will continue to work with DES on the permitting process and final design.

The painting of all the crosswalks and parking lots has been delayed with all the rainy weather we have been experiencing. As soon as the weather breaks, crews will start repainting everything.

Target Construction is still responsible for the crosswalks on Main Street. There has been some ongoing issues with several of the crosswalks. They have been working with the project engineer, Dubois-King, to fix the problems. There is a large punch list of items that need to be finished and corrected. The NHDOT is holding up this project at this point and we waiting for them to move it along. The attorneys are involved also.

The North Main Street project being completed by NHDOT is progressing well. This project will be ongoing until November. There is nothing new to report other than to expect more delays as the crews get going. The NHDOT has requested that the contractor have no lane closures after 4 pm to reduce interruptions to traffic.

I have attached charts to show more detail on budget expenditures.

DPW ADMIN

<u>FISCAL YEAR 2017</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
427,516.00	31,441.89	412,440.04	15,075.96	96%	

<u>FISCAL YEAR 2016</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
417,347.00	30,073.07	356,603.21	60,743.79	85%	

ROADS & SIDEWALKS

FISCAL YEAR 2017

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
330,970.00	1,450.02	244,230.04	86,739.96	74%

FISCAL YEAR 2016

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
386,570.00	7,732.48	259,548.09	127,021.91	67%

**STREET
LIGHTS**

FISCAL YEAR 2017

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
49,000.00	4,294.50	41,677.65	7,322.35	85%

FISCAL YEAR 2016

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
46,250.00	4,641.76	43,131.32	3,118.68	93%

**BUILDINGS
& GROUNDS**

FISCAL YEAR 2017

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
482,233.00	43,076.20	411,271.75	70,961.25	85%

FISCAL YEAR 2016

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
468,202.00	37,233.35	418,827.16	49,374.84	89%

CEMETERIES

FISCAL YEAR 2017

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
37,253.00	1,936.14	24,228.49	13,024.51	65%

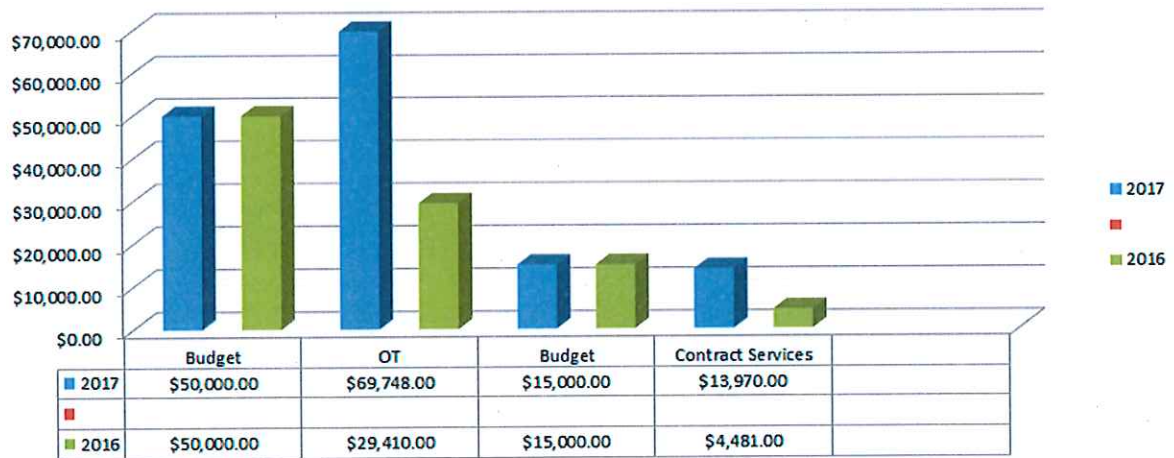
FISCAL YEAR 2016

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
36,963.00	2,594.34	24,548.11	12,414.89	66%

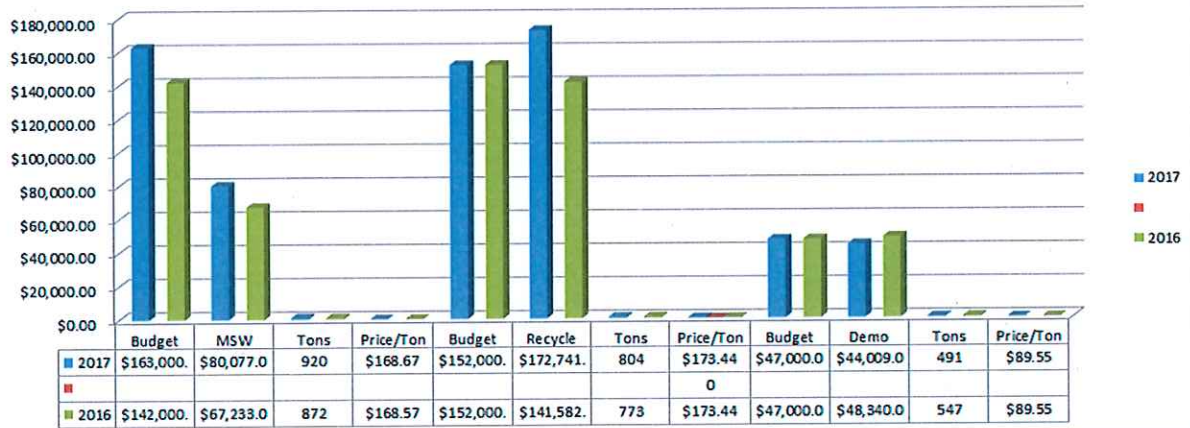
Public Works Department YTD Gas/Diesel



Public Works Department YTD Overtime/Contract Services



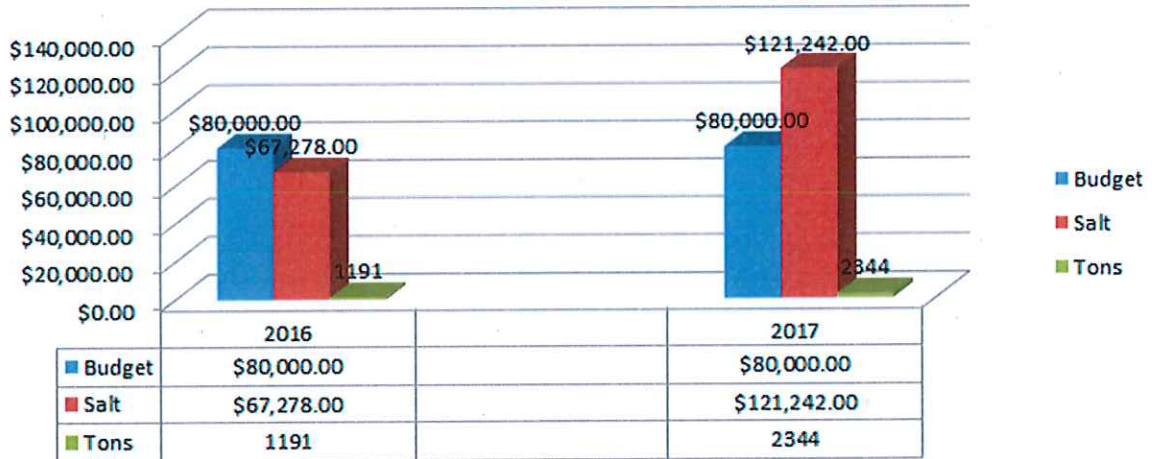
**Public Works Department
YTD Solid Waste**



**Public Works Department
YTD Equipment/Vehicle Maintenance**



Public Works Department YTD Salt



Environmental Services Department System Report

Sewer Warrants			
	2015-2016	2016-2017	Delta
July	\$98,339	\$0	-\$98,339
August	\$272,817	\$384,266	\$111,449
September	\$120,486	\$0	-\$120,486
October	\$127,163	\$0	-\$127,163
November	\$127,895	\$399,886	\$271,991
December	\$129,479	\$0	-\$129,479
January	\$116,641	\$0	-\$116,641
February	\$145,029	\$399,315	\$254,287
March	\$108,513	\$0	-\$108,513
April	\$116,214	\$0	-\$116,214
May	\$122,305	\$380,016	\$257,711
June	\$0	\$0	\$0

1,484,880 1,563,484 78,604

Wastewater Treatment Plant Flows			
	2015-2016	2016-2017	Delta
July	13,084,000	12,434,000	-650,000
August	12,915,000	12,449,000	-466,000
September	11,413,000	13,327,000	1,914,000
October	11,894,000	14,859,000	2,965,000
November	14,339,000	14,039,000	-300,000
December	18,113,000	15,826,000	-2,287,000
January	19,018,000	17,730,000	-1,288,000
February	20,150,000	15,854,000	-4,296,000
March	22,800,000	19,050,000	-3,750,000
April	19,649,000	24,200,900	4,551,900
May	15,790,000	17,667,000	1,877,000
June	13,283,000		

16,037,333 25,347,986 -1,729,100

Creighton Street Generator

The Creighton Street Pumping Station receives a hundred percent of the Town's wastewater and then

pumps the wastewater up to the wastewater treatment plant for treatment. It was found that the Creighton Street generator had a cracked casing. We attempted to weld it for a temporary fix, but we were unsuccessful. We have installed a temporary generator that will remain in place until the generator can be fixed and put back into service. It is estimated that the generator will be back in service in 3-4 weeks for an estimated cost of \$12,000 to \$13,000. The estimate includes generator rental, parts, and labor.

Collection System

The Department has received the Vac-truck back from its reconditioning. We have gone out and removed roots from South Main Street and Central Street. Below is a root ball in the South Main Street gravity sewer that we found with our sewer camera. The Vac-truck with a root cutter nozzle was used to remove the roots. The camera was used to verify that the root ball was removed and the gravity main was clean.



Wastewater Treatment Facility Construction

Primary Digester:

The Environmental Services Department continues to work on emptying the primary digester. We were able to remove approximately 110,000 out of the 120,000 gallons before it became too thick to remove. Department personnel have repaired a mixing pump and have added water to the digester in an attempt to dilute and mix the solids so they can be processed.

Construction:

The project completion date is July 30, 2017. The treatment process should start-up by July. The process start-up will require some seed material from another activated sludge plant. It will also take a significant effort to test and calibrate the pumps, probes, and monitoring equipment. Town personnel has and will continue to receive training on the new process and equipment.

Monthly Operations Report														
Newmarket WPCF														
Permit # NH00100196														
May-2017														
Primary Operator Sean Greig														
	Inf. Flow	Eff. Flow MGD			BOD		TSS		Total	PH		Fecal	Enter	Chlorine Residual
	MGD	Min	Max	Total	Inf.	Eff.	Inf.	Eff.	Nitrogen	Inf.	Eff.	Colif.	ococci	Max / Min
1	.5970	.20	1.7	.5220						7.8	7.1	3	3	0.00 0.00
2	.6540	.20	3.0	.6930		34		35	36	7.7	7.1	6	44	2.68 0.00
3	.5820	.20	2.8	.5870		41		36	40	7.7	7.1	3	7	0.00 0.00
4	.5400	.20	1.5	.5080						7.8	7.1	<2	18	0.00 0.00
5	.6520	.28	1.8	.6170						7.7	7.0	<2	22	0.00 0.00
6	.7380	.28	2.1	.7279						7.4	7.1	<2	12	0.00 0.00
7	.6960	.25	1.8	.6860						7.5	7.0	3	6	0.00 0.00
8	.5970	.20	1.7	.6910						7.3	7.0	<2	2	0.00 0.00
9	.6080	.20	1.6	.5630		29		30	41	7.8	7.2	<2	56	0.00 0.00
10	.5440	.20	1.5	.5260		33			30	7.7	7.2	<2	18	0.00 0.00
11	.4980	.20	1.5	.5050						7.7	7.1	<2	6	0.00 0.00
12	.5050	.10	1.4	.4820						7.8	7.1	<2	9	0.00 0.09
13	.5800	.20	1.7	.4810						7.6	7.1	<2	17	0.00 0.06
14	.9650	.40	2.2	.9049						7.4	7.3	8	548	0.00 0.00
15	.7730	.30	2.0	.8119						7.4	6.9	3	51	0.00 0.00
16	.6960	.20	2.1	.6820		25		25	22	7.6	7.0	4	93	0.00 0.00
17	.6070	.10	1.8	.5890		28		26	31	6.9	6.8	5	93	0.00 0.00
18	.5830	.10	1.9	.5050						7.7	7.0	2	50	0.16 0.00
19	.5340	.10	1.7	.5130						7.7	6.9	<2	75	0.00 0.00
20	.5560	.15	1.5	.4900						7.4	7.0	3	22	0.00 0.00
21	.5370	.16	1.5	.4950						7.7	7.1	5	58	0.00 0.00
22	.4740	.16	1.3	.4660						7.6	7.1	7	93	0.00 0.00
23	.4940	.10	1.5	.4840	248	28	266	21	43	7.8	7.2	31	260	0.00 0.00
24	.5060	.10	1.6	.4670	261	33	236	24	42	7.8	7.1	23	178	0.09 0.00
25	.5580	.15	1.9	.4590						7.9	7.2	8	249	0.00 0.00
26	.6270	.20	1.8	.6760						7.5	7.2	6	457	0.00 0.00
27	.5540	.20	1.6	.5480						7.6	7.0	<2	69	0.00 0.00
28	.5120	.05	1.6	.5060						7.5	7.1	<2	67	0.00 0.00
29	.5320	.10	1.5	.5240						7.7	7.2	51	79	0.94 0.00
30	.5000	.20	1.4	.4900						7.7	7.1	<2	110	0.00 0.00
31	.4870	.10	1.4	.4670		29		22	36	7.6	7.1	10	84	0.00 0.00

Average Wastewater Flow Discharged: 0.5699 Million Gallons/Day

Biochemical Oxygen Demand (BOD) Removal: 88%

Total Suspended Solids (TSS) Removal: 90%

Total Nitrogen (TN) Average Discharge: 35.7 mg/L

Water Warrants			
	2015-2016	2016-2017	
July	\$50,978	\$0	-\$50,978
August	\$167,770	\$213,115	\$45,345
September	\$76,398	\$0	-\$76,398
October	\$77,996	\$0	-\$77,996
November	\$72,058	\$218,662	\$146,604
December	\$69,813	\$0	-\$69,813
January	\$62,745	\$0	-\$62,745
February	\$75,535	\$197,059	\$121,523
March	\$57,998	\$0	-\$57,998
April	\$62,158	\$0	-\$62,158
May	\$65,315	\$187,140	\$121,825
June	\$0	\$0	\$0

838,764 815,975 -\$22,789

Water Pumped from Wells			
	2015-2016	2016-2017	
July	12,948,650	13,546,800	598,150
August	12,753,450	13,142,700	389,250
September	11,204,000	11,273,100	69,100
October	10,771,304	10,416,000	-355,304
November	10,317,296	10,059,904	-257,392
December	10,042,000	10,059,904	17,904
January	11,442,500	10,689,914	-752,586
February	10,907,900	9,467,106	-1,440,794
March	12,103,900	10,768,291	-1,335,609
April	12,375,300	10,144,255	-2,231,045
May	13,355,420	10,862,343	-2,493,077
June	12,761,960		

140,983,680 120,430,317 -7,791,403

The next water and sewer billing will include April, May, and June. Based on the reduced pumping in April and May, the Water and Sewer Department revenues could decrease as much as \$25,000 and \$60,000 respectively for April, May, and June billing cycle.

May 2017 Pumping Totals for Newmarket Wells

Date	Bennett		Sewall		Mac Well		
	Hrs	Gallons	Hrs	Gallons	Hrs	Gallons	Total
5/1/2017	7.9	66,031	7.9	99,154	7.5	139,900	305,085
5/2/2017	9.1	75,907	9.1	113,778	8.3	158,900	348,585
5/3/2017	10.3	86,045	10.3	128,992	8.5	124,600	339,637
5/4/2017	8.5	71,116	8.5	106,635	6.1	133,900	311,651
5/5/2017	8.1	68,040	8	102,060	7.3	132,900	303,000
5/6/2017	9.5	79,800	9.5	119,700	9.2	167,500	367,000
5/7/2017	10.6	88,478	10.6	132,490	10.1	182,600	403,568
5/8/2017	8.2	68,232	8.2	102,281	8	144,500	315,013
5/9/2017	8	44,958	8	100,721	9	165,000	310,679
5/10/2017	9.2	76,333	9.2	144,444	7.9	142,500	363,277
5/11/2017	9.2	77,280	9.2	115,920	8.8	161,200	354,400
5/12/2017	9.3	78,120	9.3	117,180	9	163,300	358,600
5/13/2017	10.4	87,360	10.4	131,040	7.2	130,900	349,300
5/14/2017	8.7	72,282	8.7	108,574	8.5	153,500	334,356

5/15/2017	9.6	79,697	9.6	119,387	9.2	168,600	367,684
5/16/2017	8.3	69,064	8.3	103,664	8.1	146,300	319,028
5/17/2017	9.8	81,796	9.8	122,447	9.5	172,900	377,143
5/18/2017	10.2	85,033	10.1	126,116	9.9	180,300	391,449
5/19/2017	9.8	81,718	9.8	122,892	9.5	172,200	376,810
5/20/2017	9.1	75,990	9.1	113,961	8.9	161,000	350,951
5/21/2017	10.2	85,231	10.2	127,595	9.9	181,100	393,926
5/22/2017	8.2	68,472	8.2	102,990	7.9	144,000	315,462
5/23/2017	9.5	79,598	9.5	118,921	9.3	167,900	366,419
5/24/2017	9.6	80,394	9.6	120,651	9.3	169,900	370,945
5/25/2017	8.3	69,432	8.3	103,547	8	146,000	318,979
5/26/2017	9.5	79,597	9.6	119,518	9.3	169,000	368,115
5/27/2017	8.5	71,254	8.5	106,274	9	150,000	327,528
5/28/2017	10.2	69,495	10.2	104,304	8.2	147,100	320,899
5/29/2017	11.4	95,614	11.4	143,068	10.4	189,000	427,682
5/30/2017	8	67,016	8	100,276	7.8	141,700	308,992
5/31/2017	10.3	85,997	10.3	128,983	9.9	181,200	396,180
Total	288	2,365,380	288	3,607,563	270	4,889,400	10,862,343

Average Day	9.27	76,303	9.27	116,373	8.69	157,723	350,398
		21.78%		33.21%		45.01%	100%

The Bennett and Sewall Well ground water levels have recovered to their normal operating levels. The Bennett and Sewall wells are currently pumping 140 and 210 gallons per minute (gpm) respectively. The MacIntosh well is pumping at 300 gpm. The 300 gpm from the MacIntosh well is blended with 250 gpm from the Bennett and Sewall wells for an approximate 54.45% blend. We have received water taste and smells different complaints since we increased the blend from approximately 50% to the 54.45% blend. The water operator has sampled the home's water to demonstrate the the water meets safe drinking water standards. The plan is to operate the MacIntosh Blending Facility at a 60% blend. Due to the water concern calls, I plan on staying at the 54.45% blend to let the consumers get used to the new water before any additional changes are made.

WATER

<u>FISCAL YEAR 2017</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
932,813.00	46,754.30	774,107.33	158,705.67	83%	

<u>FISCAL YEAR 2016</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
947,051.00	43,418.56	783,116.40	163,934.60	83%	

SEWER

<u>FISCAL YEAR 2017</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
1,177,968.00	89,877.60	946,010.17	231,957.83	80%	

<u>FISCAL YEAR 2016</u>					
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent	
1,101,437.00	58,139.38	882,942.15	218,494.85	80%	

Information Technology

1. I want to roll out a new document management system after the start of the new fiscal year and combine this with the destruction of paperwork that the law permits us to do. The new document management system will only be as good as the buy-in that we get from each department.
2. In a meeting with Steve and Town Planner Diane Hardy, we examined a new online mapping solution for the Town. Although it was impressive in some areas, it was much more costly than

our current system, and we felt the newer features didn't justify that increased cost.

3. We continue to make excellent use of GSuite including an online "internal" landing page full of documentation and forms that employees need. I have created a newer "friendlier" URL for people to use which lead to even more increased usage. Department Heads continue to submit forms and requests for additional items to be posted.
4. The new mesh WiFi system at Rec is doing so good, Steve has asked for a similar solution at Town Hall. I have started speccing out locations and security settings to get this going.
5. Our contract with Skillsoft who provides online training for employees is up for renewal and Lisa and I want to sit down and go over how much usage the system has had and whether it is worth it to renew. There are some great classes but a lot of people don't have the time to do them during their workday.
6. We continue to plan on the rollout of a new Accounting system. Munismart has clarified their position in regards to our current system saying "there are no plans to end support for Munismart". However, when I asked if they could provide a "two year notice" for when the support would end, they would not do that. Lisa and the Finance department are going to create an RFP so we can see what other better systems are out there and begin to move forward.
7. As the opening of the new Wastewater Plant comes forward, we now need to do a bunch of things and do them quickly, while not impacting the old building. This includes getting a new SCADA line, removing a utility pole and all the utilities on it and transferring them to a new pole. We also need to find a way to link the old and new building together, as both will have phones and at least one PC.
8. Replaced the main battery backup at Town Hall so now we should be less impacted and less frequently. Sometimes less is better. Also rewired both Finance desks with the arrival of new furniture and left with whole big box of unneeded items. And made sure each desk was on a separate electrical circuit so we don't get any more tripped breakers in that area.
9. With some of the server consolidation I have completed, it may be more expedient and cost effective to run two virtualized setups. In this way, if one ever went down, the other one just takes over. Recovery is almost instant, and the costs should actually be less since I would purchase less hardware. This is still in the early phase, but I feel like it is something we can achieve in the near future.
10. I am tracking a strange issue where a PC that we use to transmit Fire Alarm signals to employees cell phones seems to fail without notice. There are no noticeable reasons for the failure, and the unit then requires a hard reboot requiring someone on site. I have contacted a few vendors to see if there isn't an easier way to accomplish the same thing.

IT

<u>FISCAL YEAR 2017</u>				
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
135,558.00	10,121.11	127,324.18	8,233.82	94%

<u>FISCAL YEAR 2016</u>				
Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent

131,752.00	9,544.71	117,084.08	14,667.92	89%
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Office of Building Safety, Health and Zoning Compliance

Previous Month Activities

Permits Issued		Revenue	Notes
Building	11	\$5800	
Electrical	8	\$505	1 Paid With Building Permits
Plumbing	8	\$170	5 Paid With Building Permits
Mechanical	6	\$240	2 Paid With Building Permits
Total	22	\$4792	

Additional Activities

- Construction activity is strong. We continue to have more homes under construction at any given point in time than we have had in an entire year. Due to Chinburg Builders' commitment to Energy Star Compliance, better than 90% of new homes are Energy Star rated. We also have a number of either net zero or near net zero homes built each year.
- Conducted 28 regular construction inspections
- Investigated and achieved compliance on one zoning complaint and one trash complaint
- Attended Strafford Metropolitan Planning Organization Technical Advisory Committee Meeting. This group focuses on long range transportation planning needs.
- Worked with Conservation Commission on restoration plan for Boulder Heights Subdivision minor violation
- Met with Conservation Commission regarding erosion and retaining wall failure at Schanda Park and Boat Ramp
- Assisted the Newmarket Recreation /Newmarket Business Association RecConnect awards program
- Created new way-finding signage for Heron Point Sanctuary which Newmarket Public Works will soon install
- In light of recent Supreme Court ruling and the discovery of some inadvertent conditions in our sign provisions contained in our sign regulations, we presented updated Sign Regulations to the Planning Board (which were approved as presented).
- Worked with local graphic designer on street light banners for the historic downtown

**BUILDING
INSPECTION**

FISCAL YEAR 2017

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
69,755.00	5,816.94	63,259.41	6,495.59	91%

FISCAL YEAR 2015

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
67,253.00	5,434.76	63,129.94	4,123.06	94%

Town Clerk - Tax Collector

TAXES

Total Committed 2016	\$18,454,468	Tax 1 & Tax 2
Total Collected thru 4/30/17	\$18,530,446	Principal & Interest

TAX LIENS

	2016 Liens	2015 Liens	2014 Liens
	<u>(Deed 2019)</u>	<u>(Deed 2018)</u>	<u>(Deed 2017)</u>
Property Tax Amount Liened	209,621	196,946	209,291
W/S Amount Liened	0	66,195	71,925
# Properties Liened	69	93	111
Uncollected thru 4/30/17	180,328	139,905	46,502

WATER & SEWER (1/1 THRU 4/30/17)

	<u>2017</u>	<u>2016</u>
Water Billed	199,134	259,518
Sewer Billed	402,286	487,647
Uncollected thru 4/30/17	53,609	105,445

TOWN CLERK REVENUE (7/1/16 thru 4/30/17)

	<u>Year End</u> <u>6/30/17</u>	<u>Year End</u> <u>6/30/16</u>	
Motor Vehicle (MV)	1,211,710	1,151,553	5.22% increase
Town "non-MV"	105,640	105,734	0.09% decrease
State NH (MV, Vitals, Boats, Dogs)	419,069	424,020	1.17% decrease

- Motor vehicles still on the upswing
- Daily activity steady
- Dog Licenses Due April 30th
 - Approx 1300 dogs total; 757 licensed as of April 30th
- 2016 Lien Date: April 6, 2017
- 2014 Deed Date: June 8, 2017
 - Impending deed notices mailed April 27th (12 properties)

**TOWN
CLERK**

FISCAL YEAR 2017

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
176,442.00	13,787.51	152,119.99	24,322.01	86%

FISCAL YEAR 2015

Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
162,270.00	15,355.07	148,469.81	13,800.19	91%

Planning Department

Planning Board Activities

Status of approved applications of the Planning Board:

Rockingham Golf, LLC (a.k.a. Chinburg Builders, Inc.) is developing a residential open space design subdivision, involving 52 house lots, at the site of the Rockingham Country Club at 200 Exeter Road. The development, "Rockingham Green", envisions the existing golf course, to remain open to the public, and the adjacent wetlands to be preserved as open space. Construction activity has moved along expeditiously at the site. Road construction is nearly complete with only the overlay to be completed. A performance guarantee has been posted in the amount of \$106,000 to assure final completion of the road and all related infrastructure improvements. The developer has received Certificates of Occupancy (COs) for thirty-four (34) homes in the development. Nine (9) homes have building permits open and are currently under construction. The subdivision is over 65% built-out.

Newmarket Industrial Park Lot 6, LLC/Shearwater Investment Corporation – The owners of the Industrial Park have recently purchased parcels which front on Route 108 in order to create two new industrial sites. The conceptual plan includes a revision to the site plan which was previously approved by the Planning Board at 2 Forbes Road. Instead of a 24,000 square foot addition, they are proposing a 12,000 square foot expansion. Also, the plan involves the development of two new industrial buildings and associated parking. As part of this project, the intersection of Forbes Road and Route 108 will be improved with a right turn lane and larger turning radii which will be coordinated with the NH Department of Transportation (DOT). The project is still under final review by the NH DOT, however, agreement has been reached between the Developer and State with respect to widening the Route 108 roadway which should appreciably improve safety at the intersection. The project received conditional approval at the November 15, 2016 Planning Board meeting. The Planning Board on May 9, 2017 agreed to extend the time frame for complying with the conditions of approval for another six (6) months. Although the project has received conceptual approval from the NH DOT, the formal Driveway Permit has yet to be issued.

Hayden Place - Residential Open Space Development at 74 Bald Hill Road being developed by Chinburg Builders, Inc. The Planning Board approved a special use permit for this project in 2014. The project involves the construction of ten (10) single family homes and 650 feet of roadway at the foot of Bald Hill with the adjacent lands preserved in perpetuity as open space. The twenty-one (21) acre open space tract has been conveyed to the Southeast Land Trust (SELT) which will maintain and act as stewards of the conservation land. Road construction has proceeded expeditiously with only the final overlay to be completed. A performance guarantee has been posted to assure the completion of road work to allow the issuance of

building permits for the remaining houses. Certificates of occupancy for the first six (6) homes have been issued and a building permit has been issued for another home in the development which are under construction. The subdivision is over 60% built-out.

Jarib M. Sanderson – Robin Realty Newmarket Trust/Tuck Realty Corporation filed an application for a Special Use Permit for a residential open space design subdivision involving 11 lots at 36 Dame Road, Tax Map U2, Lot 297, and Bay Road, Tax Map U2, Lot 320, both in the R1 Zone. The special use permit was conditionally approved by the Planning Board at its July 12, 2016 meeting following a site walk and review by the Technical Review Committee (TRC) of the Planning Board. A more detailed subdivision application was submitted in the August and was conditionally approved at the November 15, 2016 Planning Board meeting. The staff has completed negotiations regarding the development agreement. The plans were signed, pre-construction conference and construction was started during the week of April 10, 2017. The project is slightly behind schedule, as all work was to be completed by June 2, 2017. Blasting and ledge removal work which was to be done by mid-May has been extended until June 9. The site has been cleared and grubbed as of this point. Silt fencing has been satisfactorily installed yet the construction entrance remains inadequate and while the RCP culvert has been installed, the inlet has not been found. The contractor is working to address these items.

Zoning Board of Adjustment – There were no Zoning Board of Adjustment applications in May 2017.

Future Land Use Plan and Zoning Changes – At its November 15, 2016 meeting, the Planning Board prioritized action items for implementing the recommendations of the Future Land Use Chapter. The top priority is to bring forward zoning changes for both the Continuing Care Retirement Community (CCRC) and Assisted Living Overlay District (ALO) that have been recommended by the Economic Development Committee (EDC). The Planning Board subcommittee met on December 7, 2016, January 4, February 3, and April 6, 2017 and to review reference materials related these housing concepts and other zoning changes. A hearing was scheduled on May 9 on changes for economic development involving a new assisted housing overlay district and signage regulations. The public hearing on the assisted housing overlay district was continued to the June 13, 2017 Planning Board meeting. The signage regulations were advanced to the Town Council for consideration and adoption. The Town Council will have a second reading and public hearing on the signage regulations at its meeting on June 21, 2017, hopefully will be adopted thereafter.

FEMA Floodplain Maps and Ordinances- The Federal Emergency Management Agency (FEMA) has sent the Town new Flood Insurance Rate Maps (FIRM). Whenever new maps are produced, communities, such as Newmarket, which are participating in the National Flood Insurance Program, are required to have ordinances in place which are compliant with federal

regulations. The NH Office of Energy and Planning (OEP) has conducted a compliance review of our regulations and forwarded recommendations for updating our regulations. The Planning Board will need to make amendments to the zoning, subdivision and site review regulations to assure Newmarket's continued eligibility in the program. We have received word from the NH OEP that there has been an appeal regarding the new flood plain maps. The deadline for adopting new maps and revising ordinances has been postponed until sometime in 2017. Copies of the new floodplain maps are available for public viewing in the Planning Office and have been posted on the Town's website. The Planning Board has set up a subcommittee to work with the Town Planner on these amendments for consideration at a future Planning Board meeting.

Special Projects

Route 108 Pedestrian Crossings: At its May 4, 2016 meeting the Town Council authorized the Town Administrator to enter into a contract with Target Construction to complete the Downtown Pedestrian Crossing Improvement project. A copy of the engineering report and the most recent plans can be viewed electronically on the Town's website at www.newmarketnh.gov. The RRFB (Rapid Reflecting Flashing Beacons) at the crosswalks for improved pedestrian safety have been installed. Milling and paving work is complete and other pedestrian signs have been installed. As of December 9, 2016 the project was "substantially complete". There is a final checklist of items, which will be addressed during the early summer of 2017. Remaining items include the placement of 12 inch permanent pavement markers along the crosswalks and the replacement of epoxy for pavers, where necessary. The contractor has been called back several times to correct settling issues related to the crosswalks. The NH DOT and Town has been waiting for some items to be addressed by the contractor regarding subcontractor payments, submission of a construction schedule, and payroll certifications before the contractor can proceed with the completion of work. A construction coordination meeting will held on Wednesday, June 14, 2017 with the NH DOT to discuss contractor delays and decide on a plan of corrective action.

Macallen Dam Feasibility Study: At the 2015 Town Meeting, funding in the amount in \$50,000, was approved for the Macallen Dam Capital Reserve Fund. The Town issued a Request for Proposal (RFP) for engineering services which will look at the current stability of the dam as well as the option of raising the abutments in order to meet requirements to pass the 100 year flood. Engineering proposals from three (3) firms were received on October 2015. Awarding the contract for the stability analysis was placed on hold, while follow-up work on the hydraulic calculations was completed. The Town's consultant, Gomez and Sullivan (G&S), put together a technical memorandum regarding the design flows associated with increasing the capacity of the dam, which is one of the outstanding items in the NH DES Letter of Deficiency. The Town now has a more refined model in place to evaluate various dam

modifications and repairs including increasing the height of the abutment walls to meet the required design flows. With the new model, the 100 year design flow is 9,824 cfs, with a water surface elevation of 33.61 feet at the dam with the gates closed.

At a June meeting with NH DES, it was clarified that if the Town just focuses on improvements to the abutment walls, a stability analysis would only have to be completed on that aspect of the dam and not the entire dam structure which would result in reduced costs for the Town. Also, the breach analysis would not have to be re-done. The final draft of the summary report, including an updated model, was submitted by G & S to the Committee in July and has been approved by the New Hampshire Department of Environmental Services.

The Macallen Dam Study Committee had sought to clarify this issue before issuing a new Request for Proposals (RFP) for engineering services. The new RFP will have a more narrow focus than what was originally proposed to address raising the abutment walls adjacent to the Dam, as potential solution to the design capacity issue. The NH Dam Bureau has recommended that the new stability analysis look at multi wall heights in the event a higher wall will be needed in the future and that the condition of the right abutment wall be studied if any walls or earthened structures are going to be placed on them. The Committee met on June 8, 2017 to interview the three (3) firms which presented proposals. The Committee has ranked the proposals and interviews of the three (3) firms and selected the highest ranking consultant with whom to negotiate a contract. It is anticipated this contract will be brought to the Town Council at its June 21, 2017 meeting for a first reading and that the Town Administrator will be authorized to enter into a contract with the consultant at the July 19, 2017 Town Council meeting.

MS4 Program - Planning staff continues to monitor progress with respect to the MS4 program by attending the Seacoast Stormwater Coalition Meetings. The Coalition has organized a program to assist communities in the region with meeting the minimum NPDES permit requirements to help minimize costs and prevent the duplication of services at the local level for work tasks such as outreach, the bulk purchase of water quality monitoring equipment and shared contracting for laboratory work. Newmarket will be participating in this effort to help prepare the Town for the MS4 program. On January 18, 2017 EPA authorized the much-debated and highly anticipated General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) for New Hampshire. The effective date of the permits is July 1, 2018, which gives Newmarket more time than expected for setting up the program and for budget planning. Meanwhile, at the Town Council meeting on May 3, the Town Council vote unanimously to join the efforts of the NH Stormwater Coalition to appeal the MS4 permit that was issued by the Environmental Protection Agency (EPA).

Groundwater Modeling Project - There will be a special presentation by the Strafford Regional Planning Commission (SRPC) at the June 13, 2017 Planning Board meeting on the results of a recently completed modeling study conducted in conjunction with the University of

New Hampshire. The study is designed to identify existing and potential future location where public water systems may be vulnerable to sea-level rise impacts. The report also describes strategies to avoid and lessen the impacts of sea-level rise by increasing resiliency and educating the public about these measures.

MRI Efficiency Report—The Town Planner has been working with the Town Administrator toward implementing the recommendations of the report that pertain to Planning. These include looking at the feasibility of upgrading the Town's GIS technology, the updating and review of job descriptions in the Planning and Building Office, and possible expansion of staff and the shifting job responsibilities within the Department.

PLANNING

	Budget	MTD Transactions	<u>FISCAL YEAR 2017</u>	Balance Year	% Spent
			YTD Transactions		
	122,676.00	8,285.41	107,040.05	15,635.95	87%

	Budget	MTD Transactions	<u>FISCAL YEAR 2016</u>	Balance Year	% Spent
			YTD Transactions		
	129,153.00	8,738.15	102,218.13	26,934.87	79%

Finance Department

Department's primary function:

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

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

Projects:

- Proposals from Kennebunk Savings bank for collateralization has been reviewed and is being finalized. An increase in the letter of credit to pledge an additional \$3M is in process.
- Finalized student scholarship balances with the Trustees of the Trust. A significant increase (\$8.7K) over prior years based on the closing of a Trust and other adjustments. Worked out process with Citizens bank to expedite payments out of private trust funds where the bank will issue checks based on new Trustee "withdrawal transmittal" template and provide to the Finance Office for distribution and tracking.
- Meeting held with Library Director and Trustees to review fund balances. Investment account balances held by Library only will be provided monthly to the Finance Office in order to provide a total comprehensive view of the Library fund balance.
- A review of town employee benefits and collective bargaining agreements is ongoing. Looking for future efficiencies in service providers. Adjustments have been made to premium notices for Life and disability to match benefits offered.

Economic Indicators

Final water and sewer bills are an indicator of real estate sales. The following are final water and sewer

Month	FY 17	FY 16	Increase/ (decrease)	% Increase/ (decrease)	FY 15	Increase/ (decrease)	% Increase/ (decrease)
July	17	22	(5)	-22.73%	15	7	46.67%
August	10	11	(1)	-9.09%	10	1	10.00%
September	8	12	(4)	-33.33%	12	-	0.00%
October	17	11	6	54.55%	10	1	10.00%
November	14	12	2	16.67%	3	9	300.00%
December	6	8	(2)	-25.00%	9	(1)	-11.11%
January	8	16	(8)	-50.00%	5	11	220.00%
February	7	10	(3)	-30.00%	7	3	42.86%
March	6	10	(4)	-40.00%	7	3	42.86%
April	9	7	2	28.57%	8	(1)	-12.50%
May	12	12	-	0.00%	14	(2)	-14.29%
June		17			19	(2)	-10.53%
Total	114	148	(17)	-11.49%	119	29	24.37%

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areas of improvement for the Finance Office with current updates follows:

1. "Paperless decentralized purchasing and invoice payment should continue to be a goal for the near future."

Update:

Met with internal team of stakeholders to begin planning for software implementation. A "go-live" deadline was determined of July 1, 2018, Various RFP examples have been gathered and will go out to bid July 2017. Web-based software system desired.

2. "Consolidation of the Town and School finance/business operations. In the absence of a successful consolidation the outsourcing of the payroll function should be considered."

Update:

In process-balancing priorities between school and town. A backup plan for the payroll function in-house will be created.

FINANCE

Budget	MTD Transactions	<u>FISCAL YEAR 2017</u>		Balance Year	% Spent
		YTD Transactions			
206,844.00	10,456.68	174,602.65		32,241.35	84%

Budget	MTD Transactions	<u>FISCAL YEAR 2016</u>		Balance Year	% Spent
		YTD Transactions			
200,975.00	19,264.75	159,646.69		41,328.31	79%

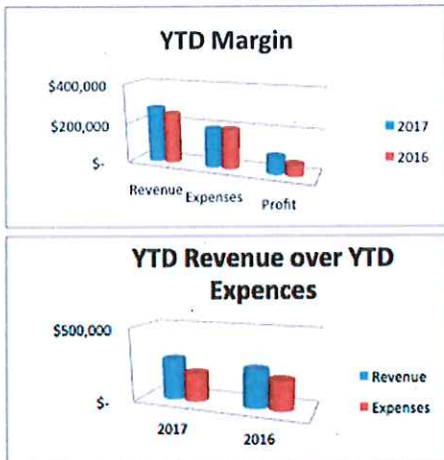
HUMAN RESOURCES

Budget	MTD Transactions	<u>FISCAL YEAR 2017</u>		Balance Year	% Spent
		YTD Transactions			
1,515,143.00	130,312.72	1,320,982.20		194,160.80	87%

Budget	MTD Transactions	<u>FISCAL YEAR 2016</u>		Balance Year	% Spent
		YTD Transactions			
1,371,879.00	90,858.01	1,238,240.42		133,638.58	90%

Recreation Department

2017 June Recreation Report to the Newmarket Town Council and the Town Administrator



Recreation Fiscal Business Report:

To date our *Revolving Account Revenue* is at **\$276,644** collected which equates to **114%** of our forecasted revenue budget. We are ahead of last year in revenue by **\$25,153** which was at **\$251,591**. Approximately \$19,000 of this increase is a result of the additional campers we took on this summer. It's important to note that the revenue generated for these additional campers will be recorded in the current fiscal year, whereas, the majority of expenses (i.e. general expenses, payroll, bus transportation, etc...) that will be incurred by adding these campers will be expended in next year's fiscal budget.

Revolving Account Expenditures: To date we have currently expended **79%** of our \$243,433 budget, as compared to **98%** spent of last year's budget of \$199,670 at this same time. Please understand that many of our typical Summer Camp expenses have not been processed as of this report. Therefore, they will show up in the monthly expenditure report. **General Fund Expenses** are **LOWER** YTD as compared to last year by **\$33,093**. This is a result of not having a full time position filled for several months.

Personnel Report:

As of June 8th, we are happy to announce that we have a new Assistant Recreation Director on board. Her name is Anna Visciano, originally from Dover, she recently moved back to the area from San Diego, CA. She comes with a tremendous amount of management experience in addition to many years in creative arts, theatre, and travel/entertainment industry programming. She is excited to begin the programming process of our NEW **Get R.E.A.L Relax Enrich, And Learn** - adult education classroom that we have been working on. On a sad note, we also recently said good-bye and good luck to Brittney Redlick, our Specialty Recreation part-time programmer, who contributed a great deal to the department even though she had only been with us a year.

We are still finalizing our summer camp staff and actually had to begin recruiting again. It's not uncommon for us to hire college aged staff in the early spring and then when it gets closer to the start date, they unfortunately have to pull out as they cannot find housing in the area – this typically happens with UNH students. Training for our summer camp staff starts

the last week of June.

Recreation Community Events Report:

We held two big events in the month of May. First came our *Annual Mommy and Me Tea*, an annual favorite that we have been running for 5 years. This year we spiced things and added a fairies houses & fashion to the program event. The other big event we held was our Annual Rec Connect May Recognition Mixer which we host in collaboration with the NBA and the Millspace. We are pleased to report that we had record numbers attend this year. Thank you for all that attended. It truly is a great opportunity to network with all the community leaders from all facets in Newmarket (i.e. Board Members, Event Planners, Department Heads, and Business Owners), as well as RECOgnize those community members who went above and beyond for our town. If you did not already hear, this year's awards were presented to the following:

- Community Leader of the Year Melani Tallion for her efforts with *End 68 Hours of Hunger*

- Community Program/Event went to The New Market Historical Society for their *2016 50th Anniversary year of Events*.

- Community NBA Business of the Year Award went to Cheney Properties for their support of community programs/parks.

The next community event for the year will be our 28th Annual Fishing Derby. For the first time in 28 years we shortened the length of the event by 2 hours. It will now be held from 7am – 10:30 (awards given after). In the last few year participants were leaving before it ended and nobody other than the awards winners stayed until the end. This decision will also cut payroll hours of staff that usually needs to be there for the full event. July 11th is the first Tuesday night of our *Annual Arts in the Park Summer Concert Series*, now in it 3rd year. Posters and banners will soon be hung around town with all the information on whom is playing on what dates. The Rec FB page already has event pages for each night. A community support "Shout Out" goes to Kennebunk Savings and the NBA (along with their members) for being signature sponsors of this summer's concert series. The Rec is excited to be directly involved in August 12th Newmarket's Night Out which Chief True mentioned in his report. The month of August will mark our *2nd Annual Lamprey River Splash & Dash* 3K & ½K Canoe, Kayak and Paddle Board Race which will be held on August 19th at Schanda Park! There is a themed Paddle Parade Palooza at this event as well – this year's theme is *It's a Jungle Out there – Take a Paddle on the Wild Side!*

Recreation Programming Report:

Our spring sports line up (T-ball, Spring Combine Flag Football, Mountain Biking), is wrapping up for the summer. It was very exciting to have the UNH Football Coach along with a few football players volunteer at the first 2 Combine Football classes of this program. We

graduated close to 18 preschoolers this past week and even played Pomp and Circumstance to the delight of all the parents at the graduation ceremony. Summer Camp which takes up the majority of our time in the summer starts next month. We are currently in the final stages of its organization before it starts

July 3rd and runs through August 18th. We are officially sold out and anyone else trying to get in has put on a waiting list. It should be noted that on June 1st all camp installment balances needed to be paid off and the first 4 weeks of Field Trips opened up for purchase. The reason we pointed this out is to let you know there will see the final spike in revenue due to these factors in the last monthly report of the fiscal year.

Sunrise Sunset Center Report:

The quarterly newsletter was published this month with the summer line-up of new trips and events. The Breeze is sent out to over 200 recipients from Newmarket and other nearby communities. Some receive a paper copy and others prefer the electronic mailing. We have a few seniors who are using the online registration process but most prefer to sign up at the Sunrise Center or the Recreation Department.

In May we ventured to the Tilton Outlets for a lady's shopping day. The group enjoyed the scenic drive and the outlet stores with no sales tax. We also spent a full day in Concord, MA touring the Louisa May Alcott Home, the Concord History Museum and then a guided tour of the Sleepy Hollow Cemetery. The day was packed with historical facts of the Revolutionary War and then the famous writer's colony of Alcott, Emerson, Thoreau & Hawthorne. Although the day was extremely warm the group was fascinated with all that Concord had to offer. We ended the month with a day at the Danversport Yacht Club where we joined 800 other people for lunch and a show at this beautiful waterfront venue. We were thoroughly entertained by an internationally known Bee Gees tribute band.

The Spring Wii Bowling Tournament took place in May which consists of 4 weeks of competitive play among 3 teams. This is a fun addition to our regular Wii bowling and the teams are chosen according to average scores so that the competition is equally matched. At the end of the 4 weeks the group enjoys a special luncheon and some simple recognition awards. We had 12 people playing in this season's tournament. We are checking into the possibility of joining an online National Wii League where we would compete with other seniors through weekly score keeping.

We've been hard at work planting our vegetable and flower gardens. We'll have a nice variety of tomatoes, cucumbers, peas, squash, Brussels sprouts, beans, onions, lettuce and herbs. The seniors get very excited when we offer these fresh garden vegetables in July and August. We made great strides constructing our Memorial Garden this spring. Through Memorial Fund donations we were able to purchase a granite bench which is the focal point of this special garden space. We added a donated arbor over the bench, decorated and landscaped in time to present this meaningful garden on Memorial Day to our Sunrise members and special guests. It will continue to be a work in progress but our next phase will be to install a small engraved, brick walkway where our members and/or friends & family can purchase a brick in their loved

one's name.

Our Sunrise Sunset Community Cookbook fundraiser has been a great success. We have sold over 50 cookbooks and have received a positive response. We received 400 in donation sponsorships and the yard sale proceeds covered all other production costs so that each book we sell is now 100% profit for the center. These proceeds will benefit the Memorial Garden. The Random Acts of Art group is busy making crafts to sell at the Sunrise Craft Fair in October and they are currently working on a Father's Day luncheon project. Regular programming continues at the center with Bingo, Marimba, Wii Bowling, Chorus, Book Club, Trivia Tuesday, Breakfast Club, Bone Builders, Gardening Club and card games.

Respectfully Submitted

Aimee Gigandet - Recreation Director and the entire amazing, supportive, and committed team at the Newmarket Recreation Department

RECREATION

			<u>FISCAL YEAR 2017</u>		
	Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
	200,322.00	16,966.76	167,228.94	33,093.06	83%

			<u>FISCAL YEAR 2016</u>		
	Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
	210,407.00	15,940.27	194,792.61	15,614.39	93%

**RECREATION
REVOLVING**

			<u>FISCAL YEAR 2017</u>		
	Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
	243,433.00	10,264.91	191,802.79	51,630.21	79%

			<u>FISCAL YEAR 2016</u>		
	Budget	MTD Transactions	YTD Transactions	Balance Year	% Spent
	199,670.00	11,994.80	195,577.95	4,092.05	98%

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council

Resolution #2016/2017 - 33

Paving Improvements

- WHEREAS: Annually, the town issued an RFP to find and award a contractor to perform the town's paving program; and
- WHEREAS: the town received one (1) proposal from Bell & Flynn LLC, who have been competitively bidding the towns work for several years, and have been awarded the contract every year since 2001; and
- WHEREAS: the town budgeted \$155,000 towards this expenditure in the operating budget and an additional \$175,000 was budgeted in the capital reserve to fund the Road Management Plan that has been adopted and will have a balance of \$240,223 on July 1st; and
- WHEREAS: the proposal from Bell and Flynn LLC is \$229,862.50. This proposal is below the cost estimate in the Road Management Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Newmarket Town Council does hereby award the contract to Bell & Flynn LLC with a dollar amount not to exceed \$330,000 with \$155,000 coming from the operating budget and \$175,000 coming from the capital reserve on July 1, 2017.

First Reading: June 7, 2017

Second Reading: June 21, 2017

Approval:

Approved: _____
Dale Pike, Chairman Town Council

A True Copy Attest: _____
Terri Littlefield, Town Clerk



TOWN HALL
186 MAIN STREET
NEWMARKET, NH 03857

TEL: (603) 659-3617
FAX: (603) 659-8508

FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE

STAFF REPORT

DATE: May 31, 2017

TITLE: Paving Improvements 2017-2018-33

PREPARED BY: Rick Malasky, Public Works Director

TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:

I recommend passage of this resolution. These funds will be taken out of FY18 Budget.

BACKGROUND: Annually, the town issued an RFP to find and award a contractor to perform the town's paving program.

Process: An RFP was created and posted online, it was also sent out to several contractors.

Results: We received one proposal back and it was from Bell & Flynn LLC. Several contractors made inquiries about the work but did not submit a proposal.

DISCUSSION: I have no concerns with the fact that we only have one proposal because it is from Bell & Flynn LLC. They have been competitively bidding the towns work for several years and being awarded the contract every year since 2001. They're a local company, very dependable, and do great work.

FISCAL IMPACT: The Town budgeted \$155,000 towards this expenditure in the operating budget and an additional \$175,000 was budgeted in the capital reserve to fund the Road Management Plan that has been adopted. The capital reserve will have a balance of \$240,223 on July 1st. The proposal from Bell and Flynn LLC is \$229,862.50. This proposal is below the cost estimate in the Road Management Plan. The plan called out to complete 6,000 LF of New Road this year. I recommend we do an additional 2,900 LF of New Road which will be what was budgeted and expected to be spent on the roads this year. The cheaper than expected bid will allow us to do more paving at a lower cost.

RECOMMENDATION: I recommend the Town award the contract to Bell & Flynn LLC with a dollar amount not to exceed \$330,000 with \$155,000 coming from the operating budget and \$175,000 coming from the capital reserve on July 1st 2017. We will be paving Beech Street Extension and 8,900 LF of New Road.

ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.

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

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

Contact information:

Official Entity Name	<i>Bell & Flynn, LLC</i>	Warranty/Guarantee	<i>* see below</i>
Address	<i>69 Bunker Hill Ave</i>	FOB Information	<i>N.A.</i>
City, State, Zip	<i>Stratham, N.H. 03885</i>	Availability	
E-mail Address	<i>jtb@bellandflynn.com</i>	State of Incorporation	<i>N.H.</i>
Telephone Number	<i>(603) - 778 - 8511</i>	Price holds for	<i>- June, 2018</i>
Fax Number	<i>(603) - 772 - 4396</i>		

Suspension and Debarment Certificate:

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

The Town reserves the right to request Bidder's last Financial Statements. Certified audited statements, if available, prepared by an independent Certified Public Accountant, may be requested by Owner. If requested, such statements must be provided within five (5) business days or the bid proposal will be rejected. Internal statements may be used only if audited financial statements were not prepared.



Signature

May 10, 2017

Date

Vice - Pres / Treas

Title

** All materials guaranteed to be as specified.
All work to be completed in accordance with standard industry practices.*

PROPOSAL FORM

Roadway Paving

The contractor must bid on all of the following items. (Hourly rates are to be total cost).

Item	Proposed Price
Reclaimed Stabilized Base 8" Depth Price SY 13,350 SY.	\$ <u>1.75</u> <u>23,362.50</u>
2" Hot Bituminous Concrete Binder Course (19mm) By machine method price per ton 1,500 tons.	<u>\$ 67.00 / T</u> <u>\$ 100,500.00</u>
1" Hot Bituminous Concrete Surface Course (12.5mm) By machine method price per ton 750 tons	<u>\$ 70.00 / T</u> <u>52,500.00</u>
1" Hot Bituminous concrete Surface Course (9.5mm) By machine method price per ton 360 tons.	<u>\$ 75.00 / T</u> <u>27,000.00</u>
Install bituminous pavement by hand method price per ton 80 tons.	<u>125.00 / T</u> <u>10,000.00</u>
Cold plane existing asphalt pavement at limits of work area as required price per LF 1,000 LF.	<u>3.00 / LF</u> <u>3,000.00</u>
Installation of processed gravel shoulders following paving activities price CY 450 CY.	<u>30.00 / cy</u> <u>13,500.00</u>
Total	\$ <u>229,862.50</u>

REFERENCES

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

1. Town of Newfield
Brian Knipstein 580 1536
2. Town of Stratham
Colin Leventy 772-5550
3. Town of Exeter
Jay Perkins 773-6157

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council

Resolution #2016/2017 - 34

Paving Improvements Bay Road Municipal Parking Lot

- WHEREAS: the town has acquired the parking lot at the corner of Bay Road and Lamprey Street and the parking lot is deteriorated and needs to be fixed; and
- WHEREAS: the town is currently under contract with Bell and Flynn of Stratham for its paving projects and the Town Administrator requested a proposal to repair the parking lot; and
- WHEREAS: the town currently has \$273,223 in the Municipal Transportation Fund that can be utilized to fund this parking lot improvement and not have any effects to the road paving program; and
- WHEREAS: the total cost to repair the parking lot is \$14,700

NOW, THEREFORE, BE IT RESOLVED, that the Newmarket Town Council does hereby approve the withdrawal of funds in the amount of \$14,700 from the Municipal Transportation Fund for the repair of the Bay Road/Lamprey Street parking lot.

First Reading: June 7, 2017

Second Reading: June 21, 2017

Approval:

Approved: _____
Dale Pike, Chairman Town Council

A True Copy Attest: _____
Terri Littlefield, Town Clerk



TOWN HALL
186 MAIN STREET
NEWMARKET, NH 03857

TEL: (603) 659-3617
FAX: (603) 659-8508

FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE

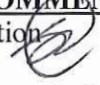
STAFF REPORT

DATE: May 31, 2017

TITLE: Paving Improvements Bay Road Municipal Parking Lot Resolution #2016/2017-34

PREPARED BY: Rick Malasky, Public Works Director

TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:

I recommend passage of this resolution 

BACKGROUND: The town has acquired the parking lot at the corner of Bay Road and Lamprey Street. This parking lot has deteriorated and needs to be fixed.

Process: The town is currently under contract with Bell and Flynn of Stratham for its paving projects. I requested a proposal to repair the parking lot.

DISCUSSION: This parking lot has just been being utilized for storage and over flow parking for the residents of Bay Road and Lamprey Street. The goal is to fix the parking lot and sell permits like the town currently does with other parking lots. This lot has the potential to have 20 parking spaces. We currently maintain and plow the parking lot. This parking lot is in very poor condition and really needs to be fixed. This parking lot is full of vehicles on a daily basis and could generate a lot of new revenues for the town.

FISCAL IMPACT: The Town currently has \$273,223 in the Municipal Transportation Fund that can be utilized to fund this parking lot improvement and not have any effects to the road paving program. This is funded from every vehicle that is registered in the Town with a \$5.00 fee from every registration.

RECOMMENDATION: I recommend the Town accept the proposal from Bell and Flynn for \$14,700 and repair the parking lot.

ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.

Proposal

BELL & FLYNN, LLC

Bunker Hill Avenue

Stratham, New Hampshire 03885

Phone 778-8511 Fax 772-4396

Town of Newmarket
Department of Public Works
Attn: Rick Malasky, Director
4 Young's Lane
Newmarket, NH 03857

659-3093

May 19, 2017

rmalasky@newmarketnh.gov

Pavement Improvements
Bay Rd/Lamprey Ct Parking Lot
Newmarket, NH

Area Involved: Approx. 700 SY

Work Involved:

- a) Furnish processed gravel/RAP as required
- b) Fine Grade and Compact
- c) Construct a 2 1/2" Bituminous Concrete Pavement in one course by machine method
- d) Install Bituminous Concrete Berm
- e) Layout and Grade Control

Price:

a) FOB	\$10.00/CY	
DEL	\$15.00/CY	<u>Estimated</u> Quantity: 100 CY
b) 1. Cat 140 Grader Rental	\$135.00/HR	<u>Estimated</u> Quantity: 8 HRS
2. Cat CB334 Vibratory Compactor Rental	\$90.00/HR	<u>Estimated</u> Quantity: 4 HRS
3. Labor Rental	\$40.00/HR	<u>Estimated</u> Quantity: 4 HRS
c)	\$105.00/T	<u>Estimated</u> Quantity: 100 T
d)	\$4.00/LF	<u>Estimated</u> Quantity: 275 LF
e)	\$75.00/HR	No Charge

a-e

Estimated total : \$14,700

Notes:

- 1) Applicable permits as required to be secured by owner
- 2) Traffic Control as required to be performed by others
- 3) Removal of existing asphalt pavement to be performed by others
- 4) Fine Grading and Compaction of areas inaccessible to Caterpillar 140 Grader to be performed by others
- 5) Restoration, i.e. Loaming and Seeding, of perimeter areas following construction activities to be performed by others
- 6) Pavement Marking to be performed by others
- 7) Unit pricing is reflective of 2017-2018 "Pavement Improvements" Agreement
- 8) Price of Bituminous Concrete Pavement is based upon May 15, 2017 NHDOT price of liquid asphalt. This price is subject to sudden fluctuation which may require price adjustment per NHDOT standard specifications.

We propose hereby to furnish material and labor-complete in accordance with above specifications Payment to be made as follows:

Net 30. A finance charge of 1-1/2% (18%APR) will be applied to the unpaid balance after 30 days. The purchaser agrees to pay all costs and expenses of collection including reasonable attorney fee.

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

Signature

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

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

Date of Acceptance:

Signature:

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council

Resolution # 2016/2017-35

Police Station Air Conditioning System Replacement

WHEREAS, the Air Conditioning (AC) Unit at the Police Department is twenty-three (23) years old and not repairable; and

WHEREAS, Thermo Dynamics is currently under contract with the town to maintain and repair all AC and Heating Units; and

WHEREAS, the AC Unit services the entire upstairs of the police station, and was evaluated by Thermo Dynamics who recommended replacing the AC Unit and all if its components; and

WHEREAS, there is currently \$199,638 in the Building Improvement Capital Reserve Account, and the cost of replacing the AC Unit is \$7,940.

NOW, THEREFORE BE IT RESOLVED that the Newmarket Town Council does hereby approve the withdrawal of funds not to exceed \$7,940 from the Building Improvement Capital Reserve Fund to replace the AC Unit at the Police Station.

First Reading: June 7, 2017

Second Reading: June 21, 2017

Approval:

Approved _____
Dale Pike, Chairman Town Council

A True Copy Attest: _____
Terri Littlefield, Town Clerk



TOWN HALL
186 MAIN STREET
NEWMARKET, NH 03857

TEL: (603) 659-3617
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FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE

STAFF REPORT

DATE: May 31, 2017

TITLE: Police Station AC System Resolution #2016/2017-35

PREPARED BY: Rick Malasky, Public Works Director

TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:

I recommend passage of this resolution.

BACKGROUND: The AC unit at the police station is 23 years old and not repairable; the unit needs to be replaced.

Process: Thermo Dynamics is currently under contract with the town to maintain and repair all AC and heating units.

DISCUSSION: The Police Station was built in 1995. The current AC unit is not repairable anymore. The unit was evaluated by Thermo Dynamics who recommended replacing the unit and all of its components. This unit services the entire upstairs of the police station which has a training room and office spaces that are utilized on a daily basis. With the hot days of summer fast approaching it's necessary to get this unit replaced.

FISCAL IMPACT: The building improvement capital reserve account currently has \$199,638 available in it. The cost of replacing the AC unit is \$7,940.

RECOMMENDATION: I recommend that \$7,940 to replace the AC unit be withdrawn from the building improvement capital reserve.

ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.

4/1/2017
CS

Trustee Acct#108200290884

Town of Newmarket
Capital Reserve
Buildings and Improvements
FY 16/17

	<u>Year Replace</u>	<u>Replace Cost</u>	<u>Balance 7/1/2016</u>	<u>FY 16/17 Additions</u>	<u>Resolution Number</u>	<u>Withdrawals FY 16/17 Resolutions</u>	<u>Remaining Balance</u>
<u>Buildings and Facilities</u>							
Heating Unit Replacements		80,000	124,590	50,000			174,590
Air Conditioning		100,000					0
Roof Replacement		125,000					0
Exterior Painting of Bldgs(to be considered exp next year)		40,000					0
Flooring		67,000					0
Pointing of Bricks		30,000					0
Town Hall Basement Renovations		50,000					0
Town Hall First Floor Bathrooms							0
Siding Police & Community Ctr					16/17-17	-11,800	-11,800
Windows Community Center							0
Interest			36,287	561			36,848
Total		492,000	160,877	50,561		-11,800	199,638



THERMO DYNAMICS INCORPORATED

"New England's #1 Chiller Service Group."

Pepperrell Green - Suite 203
74 State Road
Kittery, ME 03904

Phone: 207 439 5049
800 676 9979
Fax: 207 439 5063

Town of Newmarket
Rick Malasky
4 Young Lane
Newmarket, NH 03857

May 12th 2017

RE: Police Department

Dear Mr. Malasky,

We are pleased to provide you with pricing to replace your existing indoor and outdoor Bryant AC system serving the hallway and conference room as follows;

- Recover existing refrigerant
- Disconnect and dispose of existing condenser and evaporator coil
- Install one new Bryant 2ton condensing unit
- Install one new Bryant 2ton cased evaporator coil
- Install one new refrigerant line set
- Reconnect to existing electrical
- Pressure test and evacuate
- Charge with new R-410A refrigerant
- Start and test for correct operation

Price: \$7,940.00

If you have any questions regarding this proposal, please do not hesitate to contact our office at any time.

Sincerely,

Frank Fortunato
President
Thermo Dynamics, Inc.

FF/jlf

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council

Resolution 2015/2016-52

Authorizing the Designation of a portion of Rt. 152 as an Economic Recovery Zone

WHEREAS: NH RSA 162N allows for the creation of Economic Recover Zones in communities to encourage the redevelopment of certain land in exchange for state tax credits for the developer, and

WHEREAS: The Town desires to redevelop what is the B3 zone along Rt. 152, including the following lots on Town Tax Map R6 (updated April 2015):

Lots 1, 2, 3, 4-1, 4-2, 4-3, 5, 6, 7, 8, 9, 10, 11-1, 11-1A, 11-2, 12, 50, 50A, 50B, 50C, 50-1, 50-2, 50-3, 50-4, 50-4, 50-5, 50-6, 50-7, 50-8, 51 and 52.

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

The Town Council requests that the Commissioner of the Department of Resources and Economic Development declare this portion an Economic Recovery zone and authorizes the Town Administrator to execute any agreements.

First Reading: June 1, 2016

Tabled: June 1, 2016

Second Reading:

Approval:

Approved: _____

Dale Pike, Town Council Chairman

A True Copy Attest _____

Terri J. Littlefield, Town Clerk



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council

Resolution 2016/17 - 36

Authorizing the Town Administrator to Enter into an Agreement with GZA
GeoEnvironmental, Inc. to Conduct a Stability Analysis and Design Conceptual Plans for
Abutment Walls for the Macallen Dam

WHEREAS: the State of New Hampshire Department of Environmental Services has issued a Letter of Deficiency for the Town-owned Macallen Dam located in downtown Newmarket and the Town of Newmarket is required to address the issues identified in the Letter of Deficiency.

WHEREAS: The Town Council in August 20, 2014 formed the Macallen Dam Study Committee to examine options for addressing the Town's Letter of Deficiency and to report back to the Town Council with a recommended course of action related to the removal, preservation or other possibilities for the Macallen Dam.

WHEREAS: The Town has issued a Request for Qualifications and Proposals for professional engineering services for a stability analysis and conceptual design with a focus of raising the abutment walls on either side of the dam as a solution to addressing the Letter of Deficiency.

WHEREAS: The Macallen Dam Advisory Committee interviewed three firms to provide Stability Analysis and Conceptual Design of Abutment Walls services for the Macallen Dam, and

WHEREAS: GZA submitted a proposal and was selected as the top ranking consultant in accordance with the Town's procurement requirements.

WHEREAS: The GZA proposal involves the following components:

Base Bid	\$35,000 (including Emergency Action Plan and Operation, Maintenance & Response Form Update)
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Optional Services:	Automation Analysis	\$ 4,000
	Subsurface Exploration	5, 000

Underwater Investigation	1,500
Hydraulic Analysis	<u>1,500</u>
	\$12,000

WHEREAS: The committee recommends hiring GZA GeoEnvironmental Inc. of Bedford NH to conduct this service.

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

The Town Council authorizes the Town Administrator to enter into an agreement with GZA GeoEnvironmental Inc. to conduct a stability analysis and conceptual design for abutment walls for the Macallen Dam in an amount not to exceed \$47,000 and to withdraw said amount from the previously established Macallen Dam Capital Reserve Fund.

First Reading: June 21, 2017

Second Reading:

Approval:

Approved: _____
Dale Pike, Chair Town Council

A True Copy Attest: _____
Terri Littlefield, Town Clerk



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FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE

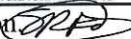
STAFF REPORT

DATE: June 14, 2017

TITLE: Resolution 2016/2017- 36

PREPARED BY: Diane Hardy, Director of Planning and Community Development

TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:

I recommend passage of this resolution 

BACKGROUND/DISCUSSION: The Town is required to address deficiencies related to the Macallen Dam, as the result of a Letter of Deficiency issued by the New Hampshire Department of Environmental Services. The Macallen Dam Study Committee has been exploring the feasibility of various options, one of which involves raising the abutment walls on either side of the dam to increase the design capacity of the dam. The Committee has issued a Request for Qualifications and Proposals to hire an engineering firm to assist in this evaluation. After receiving proposals and interviewing three (3) firms, the Committee is recommending the hiring of GZA GeoEnvironmental to conduct this work in an amount not to exceed \$47,000.

FISCAL IMPACT: The project will be funded by the Macallen Dam Capital Reserve Fund, which was set up in May 2007. The Town, through its Capital Improvement Process (CIP), has been setting aside funding annually since then specifically for the purpose of accumulating necessary funding for engineering and construction of improvements at the dam in order to satisfy the outstanding NH DES Letter of Deficiency. As of May 1, 2017, the capital reserve fund has a balance of \$126,341 dollars in order to finance these services. The result of this work will be conceptual design and cost estimates so the Town can proceed with final engineering, design and construction during the next FY 2018/2019 budget cycle.

RECOMMENDATION: Recommend that this be scheduled for a first reading on June 21, 2017 and approval following the second reading on July 19, 2017.

DOCUMENTS ATTACHED:

1. Agreement for Professional Engineering Services between the Town of Newmarket and GZA GeoEnvironmental, Inc. for work related to the Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls. (To be provided as part of the July 19 Council Package)

STAFF REPORT

2. Professional Engineering Services, Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls, Revised Qualification Statements, Scope of Work and Cost Proposals, 4/26/2017
3. Bid Tabulation Spreadsheet
4. Letter of Deficiency to the Town of Newmarket from the New Hampshire Department of Environmental Services, dated September 27, 2010.



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June 14, 2017
RFP File No. 01.P000565.16

Newmarket Town Hall
Town Council Chambers
186 Main Street
Newmarket, NH 03857

Re: Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls
Formal Scope, Budget and Contract Agreement
Newmarket, New Hampshire

Pursuant to the Macallen Dam Study Committee's notification that the Town of Newmarket (Town) has selected GZA GeoEnvironmental (GZA) to perform the work associated with Macallen Dam, we are pleased to present this formal scope of work, budget and contract agreement for engineering services and associated costs for the above-referenced project. As requested, and in addition to the base scope, our proposal includes possible contingency items for your consideration which may be required to support the work. The primary goal of the project is to conduct an analysis of the Macallen Dam to evaluate what modifications would be necessary for the dam to meet the New Hampshire Department of Environmental Services (NH DES) Dam Bureau's Discharge Capacity requirements under Section Env-Wr 303.12 of the New Hampshire Code of Administrative Rules. We will develop conceptual designs that enhance the safety of the dam, maintain the impoundment, and minimize aesthetic impacts of the proposed raising of abutment walls on adjacent property owners and the public at large.

PROJECT UNDERSTANDING

We understand that the Town of Newmarket is seeking the services of a qualified dam and environmental engineering consultant to conduct design, engineering, and coordination with the public and NHDES for the rehabilitation of Macallen Dam. The intent of the Project is to develop dam modification alternatives to bring the dam into compliance with NHDES Dam Bureau's Discharge Capacity requirements under Section Env-Wr 303.12 of the New Hampshire Code of Administrative Rules.

The Dam was constructed in 1887 to provide hydropower to operate the adjacent Mill buildings. It is a run-of-the-river dam consisting of a stone masonry spillway and concrete outlet works with earthen abutments confined by masonry training walls on both sides. Founded on bedrock, the dam is 150 ft. long with a maximum height of 27 ft. A fish ladder was added to the dam along the westerly bank of the river (river-right) in the late 1960's. A functional, but aging, gate system (circa 1925) exists on the north easterly side (river-left) of the Dam. It is the last dam (head-of-tide) on the Lamprey River before the river discharges into Great Bay. The water below the Dam is tidal and brackish. Industrial uses within the mills have ceased and they either have been or are in the process of being converted to commercial and residential uses. We understand all channels through the buildings that were designed to accommodate hydro-mechanical power generation have been removed or



blocked off. Although not considered a flood control dam, the gates are currently manually operated by Town of Newmarket personnel before and during flood events.

In September 2015, the Town requested and received three (3) proposals from professional engineering firms proposing to conduct an analysis of the Macallen Dam to evaluate modifications necessary to bring the dam into compliance with NH Dam Safety Regulations. During the interview process, questions related to accepted design flows and expectations from NHDES with respect to the stability analysis of the run-of-the-river spillway portion were raised and follow-up analyses were conducted by the Town to clarify hydraulic issues. This led to the Town clarifying and re-defining the scope of work in 2017 with a focus on the stability analysis of the existing abutments and training walls and conceptual design alternatives for raising the abutment walls on both sides of the dam to meet NHDES Dam Safety requirements for freeboard during the inflow design flood¹. NHDES has approved the inflow design flood at the dam of 9,284 cfs, equivalent to the 100-year flood, and the resulting water surface elevation at the dam is 33.6-ft (NAVD88). Therefore, the abutment walls must be designed to a minimum elevation of 34.6 ft to provide 1.0 feet of freeboard as required by the NH Dam Safety Regulations. As part of their award, the Town expects GZA to develop a minimum of three (3) design alternatives associated with raising the abutment walls.

We understand that significant work has been completed to evaluate the feasibility of restoring or removing of the dam, and potential impacts of various restoration/removal scenarios. GZA has reviewed the supporting documentation made available, including the 2017 RFP, the 2016 Design Flow Memorandum by Gomez and Sullivan, and the 2014 Final Feasibility Report by Gomez and Sullivan. We have further enhanced our understanding of the project since our initial proposal submittal in 2015 and subsequent interviews with the Town. We understand the intent of the award is **not to have an exhaustive review of all design alternatives** that have previously been determined to be infeasible or too costly. Therefore, our scope **excludes** evaluation/development of the following dam modification alternatives: 1) complete and partial removal of the dam structure, 2) modifications to the spillway, or 3) armoring and anchoring the dam. Additionally, **stability analysis of spillway portion of the dam to assess if the dam is safe against sliding, overturning and erosion in the event of overtopping during the design event is not requested** as part of this project. During telephone conversation with GZA on June 5, 2017, Jim Webber of NH Department of Environmental Services Dam Bureau confirmed that stability analysis of the spillway portion of the dam would not be required as long as modifications to the spillway were not proposed.

GZA will develop our design alternatives based on analysis performed to date, and expand upon ideas previously presented to and accepted by the Town. GZA's Project Team will work closely with the Town and other stakeholders to ensure that we meet their objectives for the project. This communication would be initiated during the Project Kick-Off Meeting and continued throughout the Project.

SCOPE OF WORK

Task 1. Project Kick-Off Meeting/Initial Consultation

Upon notice to proceed, GZA project team members will contact the Town to schedule a meeting to discuss various technical and project management issues including:

- Client's concerns, objectives, and preferences;

¹ The inflow design flood for Macallen Dam is equivalent to the 100-year peak discharge, following acceptance by NHDES in 2013, of results from an incremental dam failure analysis performed by Wright-Pierce on behalf of the Town of Newmarket. Subsequent analysis performed by Gomez and Sullivan in 2016 concluded that the 100-year design flow at Macallen Dam is 9,824 cfs. The inflow design flood (100-year design flood) of 9,284 cfs for Macallen Dam was approved by NHDES in May 2016.



- Pertinent existing data needs;
- Present overview of proposed engineering approach and methods;
- Provide overview of project schedule (i.e., key milestones, timing of deliverables, etc.);
- Engineering report formats and contents;
- Project liaison; and
- Project administration, invoicing procedures, etc.

Under this task, we develop an appropriate work plan to meet the Town's and NHDES Dam Safety's needs before initiating the analysis of options. In conjunction with the Kick-Off meeting, GZA will conduct reconnaissance at the dam site so that we may become more familiar with the dam and appurtenant facilities. Costs for the meeting with NHDES is included under Task 6.

Task 2. Engineering Services

GZA will perform engineering services to evaluate improvements which will increase the capacity of the dam in order to pass the 100-year flood flow, with one foot of freeboard without manual operations. This option will involve preliminary engineering and design for a minimum of three alternatives to increase the elevation walls (abutments) on the east and west side of the dam which would channel the 9,284 cfs flood flow over the 70-foot-wide spillway. The design alternatives will be developed with an understanding of the value and desire to maintain the impoundment, and therefore, concepts which may reduce or eliminate the impoundment will not be evaluated. The study will include data gathering and analysis to show that both the walls and the dam would support the hydraulic forces during the 100-year flood event.

Abutment and Flood Wall Stability Analysis

Under this analysis, GZA will conduct a stability analysis to determine whether the existing abutments and training walls would support the hydraulic forces during the 100-year design flood under proposed conditions (raised abutments). This analysis will provide additional information to be used in the development of alternatives for raising the abutments. Typically, as part of a dam rehabilitation project a stability analysis of the spillway's maximum section would also be performed, but we understand that Town has specifically excluded this analysis from the RFP. During the initial consultation meeting with NHDES, we will confirm the acceptability of this approach. Based on this information, it is GZA's understanding that the Town does not wish to pursue the dam modification alternative associated with Env-Wr 303.12, which allows a dam owner to submit a stability analysis to the Dam Safety Bureau to assess if the dam is safe against sliding, overturning and erosion in the event of overtopping during the design event.

GZA will utilize previously developed information for the configuration and composition of the Macallen Dam. This information will include surveys, drawings, and field measurements of the dam developed under previous study phases. We will also request any available information on foundation conditions and top of rock elevations at adjacent buildings. This information will be used to develop cross-sectional geometry of the dam for structural analysis and to estimate pertinent characteristics for use in the analysis.

For our base scope of work, GZA will rely on existing information and/or conservative assumptions based on our engineering judgment to select the input parameters for the stability analysis. No subsurface explorations or laboratory testing is included in the base scope (refer to Contingency Item 2 for optional boring/probe, test pit or similar subsurface scope item). Parameters such as material properties will be assumed based on typical values established from reference sources and/or engineering judgment. Other input parameters will include the dam cross section geometry, unit weights and friction angles for the masonry, upstream silt, and foundation bedrock. No cohesion at the masonry/foundation



interface will be assumed based on the lack of verifiable data and the age of the structure. GZA will assume full uplift pressure in stability analyses. A seepage analysis is not included as part of this scope of work.

GZA will utilize results of the previous hydrology and hydraulics analyses performed by others to establish headwater and tailwater elevations for use in the stability analysis. GZA was provided a copy of the hydraulic model developed in HEC-RAS format that was submitted to, and approved for use by, NHDES. This recent model was finalized by Gomez and Sullivan based on most recently collected data, and will serve as the basis for performing hydraulic alternative analyses based on the proposed conceptual designs. FERC guidance will be used to prorate tailwater pressures. In support of alternatives proposed to raise the abutment walls, GZA will perform two-dimensional stability analysis (limit equilibrium analysis) using the "Gravity Method" or other methods as deemed appropriate. In general, GZA's stability analyses will be conducted in accordance with NHDES requirements as supplemented in Chapter 3 and 4 of the FERC's Engineering Guidelines. This reference will be used guide methodology, to develop loading cases, and reference stability criteria.

Alternative Analysis

GZA will investigate improvements at the dam and abutments which will improve the ability of the dam/training wall system to contain the 100-year flood (including one foot of freeboard) given the current spillway configuration. The design alternatives will be based on an inflow design flow of 9,284 cfs and a maximum water surface elevation of 33.6 ft, as indicated in the RFP. The minimum target elevation including 1-foot of freeboard will be 34.6 ft. As indicated in the 2016 Design Flow Memorandum by Gomez and Sullivan, NHDES has approved model input of ineffective flow areas above both abutments, which will allow raising the abutment with no increase in upstream water surface elevations. This alternative will be considered in conjunction with the stability analysis and recommendations because the dam and any new/raised walls must continue to meet stability guidelines under full hydrostatic pressure.

GZA plans to evaluate combinations and/or variations of the following three (3) design alternatives: 1) Permanent Walls; 2) Permanent Walls with a combination of deployable Barriers and/or Stop Log Systems; and 3) Glass (or similar) Flood Walls. The preliminary alternatives are described below.

1) Permanent Walls

GZA will evaluate variations of permanent walls, which may include cast-in-place concrete flood walls, pre-cast flood walls, and architectural flood walls. GZA will perform a cost benefit analysis of using gravity walls, semi-gravity walls, or cantilever walls. The architectural flood walls will be designed to blend aesthetically with adjacent structures and architecture. Patterned concrete, stone face, and brick veneer options will be visually evaluated against surrounding buildings and walls, and discussed with the Town and the community. Permanent walls provide the benefit of limited staff operations during a flood event, but may include significant visual barriers.

2) Deployable Barriers and/or Stop Log Systems

GZA will evaluate the feasibility of supplementing permanent wall or glass-type wall systems using deployable barriers, such as temporary stop-log systems to allow use of non-permanent barriers that will not block views of the river during non-flood conditions. GZA expects that temporary stop log systems may be more acceptable to NHDES than deployable bladder barriers, but less acceptable than permanent walls, as proposed solutions at the dam. GZA will develop concepts using aluminum stop log systems that may be installed and removed by the Town Department of Public Works. Consideration for storage and transportation of stop log systems will be considered during the evaluation. Stop log systems limit visual barriers during non-flood conditions but require staff operations leading up to flood events.



3) Glass Flood Walls

GZA will investigate the use of installing glass flood walls that will provide permanent flood protection and will not limit visibility of the river. Glass flood walls provide visually acceptable solutions adjacent to the dam and will not require staff operations during flood events. However, a cost-benefit analysis of using these barriers should be investigated during the alternative analysis. Glass flood walls are an innovative solution to flooding that limits aesthetic disturbance and operation requirements.

The recommended final solution will likely include a combination of the alternatives described above. GZA anticipates that the Town may be interested in a combination of a low-level permanent wall with removable portions which increase the wall height to the necessary elevation in advance of flood events. GZA understands that storage, transportation and installation of temporary systems will require DPW staff support preceding and during flood events, and the potential difficulties of these operations must be considered during the evaluation of the recommended solution. GZA will evaluate the potential for installation of “shutter” or “locker” type systems, which allow the temporary stop logs to be stored onsite. These systems may allow secure storage of the stop logs internally or adjacent to the low level permanent portion of the flood walls, and could be deployed leading up to flood events with minimal transportation needs.

GZA’s alternative analysis will include conceptual level design schematics, 3-dimensional renderings, consideration of visual impacts, and methods to minimize the aesthetic impact of the wall. The analysis will evaluate access to the dam gates, fish ladder, adjacent properties and structures, underground facilities, and other infrastructure and appurtenances and take into consideration existing information developed by previous consultants concerning site access. The analysis will also preliminary cost estimates, and a cost-benefit analysis of the proposed solutions.

GZA will develop these concepts with understanding and recognition of the importance of sight lines. GZA is fully aware of the centrality and visual appeal of the dam under its current conditions. Any system that is proposed will be visually sympathetic to adjacent property owners and the general public. GZA will provide the 3-dimensional rendering services requested in the RFP. Having employed 3-dimensional renderings in the past on dam alternative analysis projects to help Clients visualize proposed solutions, GZA will provide the appropriate level of 3-dimensional rendering services to facilitate evaluation of the recommended alternative.

GZA will utilize Autodesk 3-Dimensional software modeling programs to develop the visualization renderings for the Project. GZA will likely use a combination of Infraworks and 3DS Max modeling software. These programs will be used to develop a 3-Dimensional model that will allow visualizations from different viewpoints within the surrounding area. The renderings will be used to provide existing and proposed conditions comparison at the Site. The software allows additions of cosmetic/landscape additions, proposed alternative wall alignments and heights, and different proposed materials. The renderings will provide accurate viewpoints based on real world data, and will allow for flexibility in evaluating different vantage points if needed. Typically, the renderings are provided as 11”x17” comparison drawings, but we can also develop poster boards and PowerPoint presentations to better engage stakeholders.

GZA will identify and provide preliminary design and engineering for each of the proposed alternatives, including a preliminary cost estimate for installation of each alternative. Final design drawings of the proposed alternatives are not proposed as part of this task. GZA will develop an alternatives analysis memorandum which summarizes each of the proposed alternatives identified and provides a recommendation for the most feasible and cost-effective method to bring the dam into compliance with NH Dam Safety Regulations. GZA will discuss the alternative analysis memorandum with the Town, and following determination of a preferred solution by the Town, GZA will develop a final conceptual design (and 3-D rendering as appropriate) for the recommended alternative.



Incremental Wall Height Analysis

The alternative analysis will include an evaluation of incremental increases in abutment/wall height to accommodate increases maximum water surface elevations resulting from watershed development, infrastructure projects or climate-change and increasing severity of precipitation events. The incremental wall height increases may provide additional benefit to account for changes in riverine hydraulics from the Longmarsh Road Culvert Modifications Project in Durham, which is planned in the future. GZA will participate in a meeting with the Town and NHDES to review the project alternatives.

Task 3. Submit Summary Report to Town and NHDES

GZA will further develop the alternatives analysis memorandum into an alternatives analysis summary report, which will include a discussion of the input parameter selection, the analysis approach, a summary of the results, and our conclusions. The report will include discussion of improvement options and cost. Copies of our calculation worksheets for each load case will be included as appendices to the report. The report will be submitted to NHDES for review and comment.

Task 4. Coordination with NHDES Dam Safety Bureau

In line with our project status reporting procedures we will check in periodically with the Dam Bureau throughout the stability analysis and conceptual design process for input and review to ensure all parties are in mutual understanding of the proposed approach. Following the analysis, GZA will meet with the Macallen Dam Study Committee and the NHDES Dam Safety Bureau to review the stability and alternative analyses results and discuss potential revisions or follow-up analyses that may be requested by the Committee of the Dam Bureau.

Task 5. Action Plan

Following the completion of the stability analysis and design alternative analyses, the follow-up meeting and after consultation with the Macallen Dam Study Committee, GZA will prepare an appropriate Action Plan on the Town's behalf of the selected alternative for submission to the NHDES Dam Safety Bureau. The plan will specify the actions to be taken to address the deficiencies and a proposed timeframe for undertaking the actions. The plan will provide justification for the proposed actions showing that it will bring the dam into compliance with applicable regulations, will not endanger life or property downstream, or cause environmental losses that are not reversible, and will also, provide a reasonable time frame for implementation. The plan will also identify necessary permits and the need for coordination with additional agencies.

Task 6. Coordination Meetings and Public Presentation

In support of the scope of work described herein for Tasks 1, 2 and 4, GZA will participate in at least three (3) joint coordination meetings with NHDES and Macallen Dam Study Committee. Additionally, GZA will attend a fourth meeting of a public presentation to the Newmarket Town Council, affected property owners, and stakeholders. If requested by the Town, GZA can take the lead to present the results of the stability analysis and conceptual design, cost estimates, and recommended next steps for the Town in implementing the results of the study, upon completion of the draft report. Following the meeting, GZA will finalize the draft summary report and Action Plan and incorporate appropriate responses to issues raised and any further recommendations to the Town. The final reports will address one round of comments from NHDES.



Task 7. Emergency Action Plan Update, Testing and Distribution

We understand from recent correspondence from you that the New Hampshire Department of Environmental Services (NHDES) Dam Bureau provided review/comment notes on the EAP on 5/6/2015 (EAP prepared by others). Email communication from NHDES states that the EAP was last updated in 2004 and last tested in 1997, and therefore the EAP is past due on being updated, reviewed, distributed and tested. GZA spoke directly with NHDES on June 5, 2017 and NHDES indicated that the EAP was actually updated in March 2015, but NHDES review comments were never incorporated. GZA proposes the following scope to address the NHDES' requirements concerning the EAP.

Task 7A – Update Emergency Action Plan

GZA will review and incorporate the NHDES's comments into an updated Emergency Action Plan for the dam using the EAP template on which the comments were provided. All contact information included in the EAP and Notification Flowchart will be checked and updated as needed. The current EAP on file with NDHES follows the NHDES EAP Template and major modifications to the EAP are not required. GZA assumes that the Town will provide a copy of the current EAP in electronic (Word document) format.

GZA will update the inundation maps prepared by Wright-Pierce (WP) in 2013 and upon which NHDES based their review comments. The Town will provide GZA with the 2013 Breach Analysis (including the HEC-RAS and other computer-based files) and Inundation Map files completed by WP during their 2013 work. GZA will add additional flood wave parameter information (timing, velocities and depths) to the Inundation Maps in "critical areas" in accordance with Env-Wr 503.01(c)(4)-(6) and NHDES comments. Our scope assumes 3 or 4 cross-sections downstream of the dam will be selected for this exercise and the appropriate data will be produced utilizing the existing model provided to GZA by the Town. Based on conversation with NHDES, GZA assumes that no modification to the HEC-RAS model will be required as part of the update.

Task 7B – Test Emergency Action Plan

Once the Draft updated EAP has been reviewed by NHDES and the Town, GZA will assist the Town in performing a test (i.e. communications drill) of the updated EAP. The test will be conducted in accordance with Env-Wr 507 and follow NHDES Notification Testing Procedures. The test itself will be performed by Town personnel involved in the operation and maintenance of the dam. The EAP test will follow the Notification Flowchart included in the updated EAP. GZA will assist the Town in documentation of the EAP test, which will be submitted to NHDES as required under Env-Wr 507. Documentation of EAP test results will be submitted to NHDES as a letter or the form included on the NHDES website. The EAP testing will include the following:

- Distribution of NHDES notification checklists to each individual or agency that will be contacted during the test;
- Perform EAP test, with Owner initiating test by following Notification Flowchart (via phone call notifications);
- Documenting the time for each individual and agency to make their notifications and whether miscommunications occurred;
- Collecting records of communication for each individual and agency, including time of contact and person contacted, if the notifications were not made within a 15-minute time period; and
- Informing NHDES of the results of the EAP test within 30 days of the test.



Task 7C – Produce and Provide Deliverables

At the conclusion of the Task 7 work herein, GZA will produce the following deliverables:

- Updated Emergency Action Plan: GZA will provide the Town with 4 hard copies of the updated EAP, including updated Inundation Maps. The updated EAP and Inundation Maps will be provided in a 3-ring binder for ease of updating. An electronic copy of the EAP and Inundation Maps will also be provided to the Town, as well as electronic copies of applicable sections of the EAP for future updating. Revised GIS datalayers which comprise the inundation map will also be made available to the Town at its request.
- Letter to NDHES: GZA will submit a letter and / or notification form to NDHES summarizing the EAP test results on behalf of the Town.

Task 8. Operations, Maintenance and Response (OMR) Form Update

We understand the Town last provided NDHES an updated OMR Form on March 3, 2015, and that NDHES has requested only that it be reviewed and updated as needed. GZA will coordinate with the Town to update the information on the form as necessary. GZA anticipates that updates will include operational changes to the dam and/or revising contact information. The deliverable under this Task will consist of an updated Operation, Maintenance and Response Form. GZA will provide the Town with an electronic copy of the updated OMR Form suitable for filing with the NDHES.

Contingency Item 1. Add-On Sub-Task - Gate System Automation Alternative

Under this optional task item, GZA, as part of the alternative analysis undertaken in Task 2, will also include an assessment of the feasibility and cost for automating the dam's gate system. This will include an evaluation of automatic system to open the existing slide gates which may be dependent on automatic water level sensors as opposed to manual operations.

Additionally, under this item, GZA will evaluate additional automation alternatives which would be installed/retrofitted within the limits of the existing gate structure to assess the potential of increasing the capacity of the spillway in order to both reduce upstream flooding and also to reduce flood-condition loading on the dam. GZA has previously designed a fuse gate solution for the Massachusetts Water Resource Authority (MWRA), and we are familiar with the system installed on Otter Brook Dam near Keene. As the impoundment fills, water flows over the crest of the Fuse Gate, and during flood events, water level in the reservoir reaches tipping point: water spills into inlet well. Also, previous communication with Dam Safety during the original RFP Phase of the Project, indicated that in lieu of raising the abutments, the Town is may be willing to consider retrofitting the existing gates structure with a fully automatic Obermeyer-type adjustable crest gate system to accommodate the passage of flood flows. NDHES indicated that an automated crest gate system would need to include a relief valve or an automatic open function if power is lost. Additionally, engineering and stability analysis will also need to include any existing portions of the dam that are to remain and/or be incorporated into either alternative, but focus on only what is necessary to meet safety standards with minimal modifications to the dam and hence cost to the Town. GZA will conceptually evaluate retrofitting the gate structure for these two options. In addition, because each (if employed) would result in increased hydraulic capacity when compared to the existing gate structure (a portion of which effectively blocks flows), our evaluation will include additional H&H analyses of conditions at the dam and assessment of what effect each may have on reducing the total height needed for the raised abutments.

Contingency Item 2. Subsurface Exploration Program

GZA will design and execute a one-day program of subsurface explorations consisting of 1 to 2 test borings and shallow hand-auger probes. The Town will be responsible for providing access, including coordination with property owners if needed. The soil borings will be performed by a drilling subcontractor hired by GZA, under supervision of a GZA geologist



or geotechnical engineer who will also log each hole. We envision one boring will be located near the right abutment, and a potential second boring will be located on or adjacent to the left abutment. It is anticipated that the borings will be extended 20 to 25 feet deep depending on soil conditions, or until bedrock is encountered, whichever is shallower. Borings will be advanced with drive/wash methods with casing, using a track-mounted drilling rig. Standard penetration tests with sample collection will be performed at five-foot intervals or less. In each boring, PVC observation wells/piezometers will be installed to obtain data on water levels and potential seepage gradients. The GZA geologist/engineer will also complete a series of shallow hand-auger probe explorations to assess the depth to refusal, and to recover shallow samples of soils from at least two locations on the left abutment and two locations on the right abutment of the existing dam. A detailed scope including the specific number and locations of borings and probes will be provided in advance of performing the subsurface investigation program.

Boring and hand-auger logs will be prepared by GZA with soil descriptions based on the modified Burmister Soil Classification system. In addition, up to three soil samples from the borings and two soil samples from the probes will be evaluated by our geotechnical testing subconsultant for grain size distribution using laboratory sieve analysis (ASTM D422). Logs of the borings and gradation test results will be included as appendices to the summary report produced under Task 3. No environmental testing (field or laboratory) of samples collected from the explorations is planned as part of this proposal. We also note that we do not anticipate the need for any permits in order to perform the work under this Task Item.

Contingency Item 3. Underwater Investigation of Abutments

Under this optional task item, GZA will perform an underwater investigation of the condition of the abutments. The Letter of Deficiency submitted by NHDES Dam Bureau on September 27, 2010 indicates that the Town must investigate and report to DES the condition of the right side upstream training wall's base, assess for possible undermining and overall condition of the wall. The Hydraulic Model Description developed by Gomez & Sullivan includes a photo of the right training wall and fish ladder taken during drawdown of the impoundment, which shows the wall to be in poor condition with missing stones. GZA can perform underwater Remote Operated Vehicle (ROV) or boom-mounted camera inspection to video inspect the condition of the wall, and also investigate the condition of the entrance to the now blocked penstock which runs beneath the book warehouse. Information collected during the underwater ROV inspection will provide additional information to assess the stability of the wall for use during the alternatives analysis phase of the project. GZA would perform the underwater ROV services in-house and submit a memorandum including still photos and a DVD of the inspection to the Town. To provide a safe working environment for the ROV, GZA would request the Town draw the impoundment one to two-feet and close the gates in advance of the inspection to reduce water velocity upstream of the dam.

SCHEDULE

GZA has developed a proposed schedule for the work proposed within this proposal and included the timeline as Appendix A. Please note that the provided schedule is based on receiving of Notice to Proceed by July 30, 2017.

COST PROPOSAL

Billings for the baseline scope of services described above in Tasks 1 through 8, will be at a Total Lump Sum (fixed price) fee of \$35,000 broken down as outlined in the Table below. This estimate is based on the anticipated scope of work outlined above which represents our best judgment at this time as to the efforts required to achieve the stated objectives. It must be recognized, however, that unforeseen conditions, beyond the scope stated herein, which become evident



during the course of the studies, may alter or increase the scope of work required. You will be notified of any conditions requiring an increase in baseline scope and budget for approval prior to GZA proceeding.

GZA SUMMARY OF COSTS
MACALLEN DAM: STABILITY ANALYSIS AND CONCEPTUAL DESIGN OF ABUTMENT WALLS
NEWMARKET, NEW HAMPSHIRE

TASK	DESCRIPTION	COST
1	Project Kickoff/Initial Consultations	\$2,500
2	Engineering Services	\$14,000
3	Submit Summary Report to NHDES	\$3,500
4	Coordination with NHDES Dam Bureau	\$1,500
5	Action Plan	\$2,500
6	Coordination Meetings and Public Presentation	\$8,000
7	Emergency Action Plan (EAP) Update, Distribution and Testing	\$2,500
8	Operations, Maintenance and Response (OMR) Form Update	\$500
	TOTAL COST – BASELINE SCOPE	\$35,000

The Table below includes a breakdown of the Contingency Items discussed herein. Any or or of these optional tasks would only be carried out if judged as adding benefit to the conceptual design by GZA and the Town, and then only at the request of the Town.

GZA SUMMARY OF POTENTIAL CONTINGENCY COSTS
MACALLEN DAM: STABILITY ANALYSIS AND CONCEPTUAL DESIGN OF ABUTMENT WALLS
NEWMARKET, NEW HAMPSHIRE

CONTINGENCY ITEM	DESCRIPTION	COST
1	Automation Alternatives Analysis	\$4,000
2	Subsurface Exploration Program	\$5,000
3	Underwater Investigation	\$3,000
	TOTAL COST – CONTINGENCY ITEMS	\$12,000



TERMS AND CONDITIONS

We have included an example of our standard Terms and Conditions for the Town's review and comment. If acceptable to the Town, this would be the basis of our agreement. Please note we are amenable to discuss mutually beneficial alterations to the terms with you if/as necessary. GZA has done work with the Town in the past and has come to mutually agreeable terms with Town requirements.

We look forward to working with the Town and the Dam Safety Committee on this interesting and challenging project. Should you have any questions, please contact us at your convenience.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

James P. Guarente, P.E.
Senior Project Manager

Chad W. Cox, P.E.
Principal-In-Charge

Todd Monson, P.E.
Project Manager

Peter H. Baril, P.E.
Consultant/Reviewer

Attachments: Appendix A – Schedule
Appendix B – Rate Schedule and Terms and Conditions (08/08 Edition /05-9010)

This Proposal for Services is hereby accepted and executed by a duly authorized signatory, who by execution hereof, warrants that he/she has full authority to act for, in the name of, and on behalf of the Town of Newmarket, New Hampshire.

TOWN OF NEWMARKET, NEW HAMPSHIRE

By: _____ Title: _____
for the Town of Newmarket, New Hampshire

Typed Name: _____ Date: _____

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APPENDIX A
SCHEDULE

GZA REVISED PROJECT SCHEDULE
Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls
Newmarket, New Hampshire

Task No.	Activity Description	Aug-17				Sep-17				Oct-17				Nov-17			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Project Kick-Off Meeting/Initial Consultation																
2	Engineering Services																
3	Submit Summary Report to Town and NHDES																
4	Coordination with NHDES Dam Safety Bureau																
5	Action Plan																
6	Coordination Meetings and Public Presentation																

Notice To Proceed: July 30, 2017.



APPENDIX B
TERMS AND CONDITIONS



TERMS AND CONDITIONS FOR PROFESSIONAL SERVICES
Including Site Investigation, Remediation,
Geotechnical, Construction, And Testing
© 2017 by GZA GeoEnvironmental, Inc.

Client ("You"): Town of Newmarket, New Hampshire

Proposal No: 01.P000565.16

Site: Macallen Dam, Newmarket, New Hampshire

These Terms and Conditions, together with GZA's Proposal, make up the Agreement between GZA and you, Client, named above.

BEFORE SIGNING THE PROPOSAL, BE SURE YOU READ AND UNDERSTAND THE PARAGRAPHS ENTITLED "INDEMNIFICATION" AND "LIMITATION OF REMEDIES" WHICH DEAL WITH THE ALLOCATION OF RISK BETWEEN YOU AND GZA.

1. Services. GZA will perform the services set forth in its Proposal and any amendments or change orders authorized by you. Any request or direction from you that would require extra work or additional time for performance or would result in an increase in GZA's costs will be the subject of a negotiated amendment or change order.

2. Standard of Care; Warranties.

- a. GZA will perform the services with the degree of skill and care ordinarily exercised by qualified professionals performing the same type of services at the same time under similar conditions in the same or similar locality.
- b. GZA warrants that its construction services will be of good quality, free of faults and defects and in conformance with the Proposal.
- c. **EXCEPT AS SET FORTH IN SUBSECTIONS 2a AND 2b, ABOVE, NO WARRANTY, EXPRESS OR IMPLIED, INCLUDING WARRANTY OF MARKETABILITY OR FITNESS FOR A PARTICULAR PURPOSE, IS MADE OR INTENDED BY GZA'S PROPOSAL OR BY ANY OF GZA'S ORAL OR WRITTEN REPORTS.**
- d. GZA assigns to you any manufacturers' warranties of equipment or materials purchased from others, to the extent they are assignable, and your sole recourse will be against the manufacturer. Full risk of loss of materials and equipment will pass to you upon delivery to the Site, and you will be responsible for insuring and otherwise protecting them against theft and damage.

3. Payment.

- a. Except as otherwise stated in the Proposal, you will compensate GZA for the services at the rates set forth in the applicable Proposal, amendment or change order; reimburse its expenses, which will include a communication fee calculated as a percentage of labor invoiced; and pay any sales or similar taxes thereon.
- b. Any retainer specified in GZA's Proposal shall be due prior to the start of services and will be applied to the final invoice for services.
- c. GZA will submit invoices periodically, and payment will be due within 20 days from invoice date. Overdue payments will bear interest at 1½ percent per month or, if lower, the maximum lawful rate. GZA may terminate its services upon 10 days' written notice anytime your payment is overdue on this or any other project and you will pay for all services through termination, plus termination costs. You will reimburse GZA's costs of collecting overdue invoices, including reasonable attorneys' fees.

4. Your Responsibilities.

- a. Except as otherwise agreed, you will secure the approvals, permits, licenses and consents necessary for performance of the services. If you are the owner or operator of the Site, you will provide GZA with all documents, plans, information concerning underground structures (including but not limited to utilities, conduits, pipes, and tanks), information related to hazardous materials or other environmental or geotechnical conditions at the Site and other information that may be pertinent to the services or, if you are not the owner or operator of the Site, you agree to make reasonable efforts to obtain these same documents and provide them to GZA. Unless otherwise indicated in writing, GZA will be entitled to rely on documents and information you provide.
- b. If you use the services of a construction manager at the Site, you agree to use best and reasonable efforts to include in your agreement(s) with the construction contractor provisions obligating the latter:
 - (i) to indemnify and hold harmless, to the fullest extent permitted by law, you and GZA, its officers, employees and principals, for or on account of any claims, liabilities, costs and expenses, including attorneys' fees, arising out of or relating to the design or implementation of construction means, methods, procedures, techniques, and sequences of construction, including safety precautions or programs, of the contractor, or any of its subcontractors or any engineer engaged by it;
 - (ii) to name you and GZA as additional insureds under general liability and builder's risk insurance coverages maintained by the contractor, or any of its subcontractors; and



- (iii) to require that all of its subcontractors agree and be bound to the obligations set forth in (i) and (ii) above.
- c. In the event that you are unable to secure such provisions in the agreement(s) with the construction contractor, you shall promptly notify GZA and GZA shall have the opportunity to negotiate with you reasonable substitute risk allocation and insurance indemnities and protections.
5. **Right of Entry; Site Restoration.** You grant GZA and its subcontractor(s) permission to enter the Site to perform the services. If you do not own the Site, you represent and warrant that the owner has granted permission for GZA to enter the Site and perform the services; you will provide reasonable verification on request; and you will indemnify GZA for any claims by the Site owner related to alleged trespass by GZA or its subcontractors. GZA will exercise reasonable care to limit damage to landscaping, paving, systems and structures at the Site that may occur and you agree to compensate GZA for any restoration it is asked to perform, unless otherwise indicated in the Proposal.
6. **Underground Facilities.** GZA's only responsibility under this Section will be to provide proper notification to the applicable state utility "Call-Before-You-Dig" program. You further agree to assume responsibility for and to defend, indemnify and hold harmless GZA with respect to personal injury and property damages due to GZA's interference with subterranean structures including but not limited to utilities, conduits, pipes, and tanks:
- (i) that are not correctly shown on any plans and information you or governmental authorities provide to GZA; or
 - (ii) that are not correctly marked by the appropriate utility.
7. **Reliance.** The services, information, and other data furnished by you shall be at your expense, and GZA may rely upon all information and data that you furnish, including the accuracy and completeness thereof. You acknowledge that the quality of the services provided by GZA is directly related to the accuracy and completeness of the information and data that you furnish to GZA. **GZA's REPORTS ARE PREPARED FOR AND MADE AVAILABLE FOR YOUR SOLE USE. YOU ACKNOWLEDGE AND AGREE THAT USE OF OR RELIANCE UPON THE REPORT OR THE FINDINGS IN THE REPORT BY ANY OTHER PARTY, OR FOR ANY OTHER PROJECT OR PURPOSE, SHALL BE AT YOUR OR SUCH OTHER PARTY'S SOLE RISK AND WITHOUT ANY LIABILITY TO GZA.**
8. **Lab Tests and Samples.** GZA is entitled to rely on the results of laboratory tests using generally accepted methodologies. GZA may dispose of samples in accordance with applicable laws 30 days after submitting test results to you unless you request in writing for them to be returned to you or to be held longer, in which case you will compensate GZA for storage and/or shipping beyond 30 days.
9. **GZA Professionals.** GZA employees or consultants may act as licensed, certified or registered professionals (including but not limited to Professional Engineers, Licensed Site or Environmental Professionals, or Certified Industrial Hygienists collectively referred to in this section as "GZA Professionals") whose duties may include the rendering of independent professional opinions. You acknowledge that a federal, state or local agency or other third party may audit the services of GZA or other contractor/consultant(s), which audit may require additional services, even though GZA and such GZA Professionals have each performed such services in accordance with the standard of care set forth herein. You agree to compensate GZA for all services performed in response to such an audit, or to meet additional requirements resulting from such an audit, at the rates set forth in the applicable Proposal, amendment or change order.
10. **Hazardous Materials; GZA "Not a Generator".** Before any hazardous or contaminated materials are removed from the Site, you will sign manifests naming you as the generator of the waste (or, if you are not the generator, you will arrange for the generator to sign). You will select the treatment or disposal facility to which any waste is taken. GZA will not be the generator or owner of, nor will it possess, take title to, or assume legal liability for any hazardous or contaminated materials at or removed from the Site. GZA will not have responsibility for or control of the Site or of operations or activities at the Site other than its own. GZA will not undertake, arrange for or control the handling, treatment, storage, removal, shipment, transportation or disposal of any hazardous or contaminated materials at or removed from the Site, other than any laboratory samples it collects or tests. You agree to defend, indemnify and hold GZA harmless for any costs or liability incurred by GZA in defense of or in payment for any legal actions in which it is alleged that GZA is the owner, generator, treater, storer or disposer of hazardous waste.
11. **Limits on GZA's Responsibility.** GZA will not be responsible for the acts or omissions of contractors or others at the Site, except for its own subcontractors and employees. GZA will not supervise, direct or assume control over or the authority to stop any contractor's work, nor shall GZA's professional activities nor the presence of GZA or its employees and subcontractors be construed to imply that GZA has authority over or responsibility for the means, methods, techniques, sequences or procedures of construction, for work site health or safety precautions or programs, or for any failure of contractors to comply with contracts, plans, specifications or laws. Any opinions by GZA of probable costs of labor, materials, equipment or services to be furnished by others are strictly estimates and are not a guarantee that actual costs will be consistent with the estimates.
12. **Changed Conditions.**
- a. You recognize the uncertainties related to environmental and geotechnical services, which often require a phased or exploratory approach, with the need for additional services becoming apparent during the initial services. You also recognize that actual conditions encountered



may vary significantly from those anticipated, that laws and regulations are subject to change, and that the requirements of regulatory authorities are often unpredictable.

- b. If changed or unanticipated conditions or delays make additional services necessary or result in additional costs or time for performance, GZA will notify you and the parties will negotiate appropriate changes to the scope of services, compensation and schedule.
- c. If no agreement can be reached, GZA will be entitled to terminate its services and to be equitably compensated for the services already performed. GZA will not be responsible for delays or failures to perform due to weather, labor disputes, intervention by or inability to get approvals from public authorities, acts or omissions on your part, or any other causes beyond GZA's reasonable control, and you will compensate GZA for any resulting increase in its costs.

13. Documents and Information. All documents, data, calculations and work papers prepared or furnished by GZA are instruments of service and will remain GZA's property. Designs, reports, data and other work product delivered to you are for your use only, for the limited purposes disclosed to GZA. Any delayed use, use at another site, use on another project, or use by a third party will be at the user's sole risk, and without any liability to GZA. Any technology, methodology or technical information learned or developed by GZA will remain its property. Provided GZA is not in default under this Agreement, GZA's designs will not be used to complete this project by others, except by written agreement relating to use, liability and compensation.

14. Electronic Media. In accepting and utilizing any drawings, reports and data on any form of electronic media generated by GZA, you covenant and agree that all such electronic files are instruments of service of GZA, who shall be deemed the author and shall retain all common law, statutory law and other rights, including copyrights. In the event of a conflict between the signed documents prepared by GZA and electronic files, the signed documents shall govern. You agree not to reuse these electronic files, in whole or in part, for any purpose or project other than the project that is the subject of this Agreement. Any transfer of these electronic files to others or reuse or modifications to such files by you without the prior written consent of GZA will be at the user's sole risk and without any liability to GZA.

15. Confidentiality; Subpoenas. Information about this Agreement and GZA's services and information you provide to GZA regarding your business and the Site, other than information available to the public and information acquired from third parties, will be maintained in confidence and will not be disclosed to others without your consent, except as GZA reasonably believes is necessary: (a) to perform its services; (b) to comply with professional standards to protect public health, safety and the environment; and (c) to comply with laws and court orders. GZA will make reasonable efforts to give you prior notice of any disclosure under (b) or (c) above. Information available to the public and information acquired from third parties will not be considered confidential. You will reimburse GZA for responding to any subpoena or governmental inquiry or audit related to the services, at the rates set forth in the applicable Proposal, amendment or change order.

16. Insurance. During performance of the services, GZA will maintain workers compensation, commercial general liability, automobile liability, and professional liability/contractor's pollution liability insurance. GZA will furnish you certificates of such insurance on request.

17. Indemnification. You agree to hold harmless, indemnify, and defend GZA and its affiliates and subcontractors and their employees, officers, directors and agents (collectively referred to in this paragraph as "GZA") against all claims, suits, fines and penalties, including mandated cleanup costs and attorneys' fees and other costs of settlement and defense, which claims, suits, fines, penalties or costs arise out of or are related to this Agreement or the services, except to the extent they are caused by GZA's negligence or willful misconduct.

18. Limitation of Remedies.

- a. To the fullest extent permitted by law and notwithstanding anything else in this Agreement to the contrary, the aggregate liability of GZA and its affiliates and subcontractors and their employees, officers, directors and agents (collectively referred to in this paragraph as "GZA") for all claims arising out of this Agreement or the services is limited to \$50,000 or, if greater, 10% of the compensation received by GZA under this Agreement.
- b. You may elect to increase the limit of liability by paying an additional fee, such fee to be negotiated prior to the execution of this Agreement.
- c. Any claim will be deemed waived unless received by GZA within one year of substantial completion of the services.
- d. GZA will not be liable for lost profits, loss of use of property, delays, or other special, indirect, incidental, consequential, punitive, exemplary, or multiple damages.
- e. GZA will not be liable to you or the Site owner for injuries or deaths suffered by GZA's or its subcontractors' employees.
- f. You will look solely to GZA for your remedy for any claim arising out of or relating to this Agreement, including any claim arising out of or relating to alleged negligence or errors or omissions of any GZA principal, officer, employee or agent.



19. Disputes.

- a. All disputes between you and GZA shall be subject to non-binding mediation.
- b. Either party may demand mediation by serving a written notice stating the essential nature of the dispute, the amount of time or money claimed, and requiring that the matter be mediated within forty-five (45) days of service of notice.
- c. The mediation shall be administered by the American Arbitration Association in accordance with its most recent Construction Mediation Rules, or by such other person or organization as the parties may agree upon.
- d. No action or suit may be commenced unless mediation has occurred but did not resolve the dispute, or unless a statute of limitation period would expire if suit were not filed prior to such forty-five (45) days after service of notice.

20. Miscellaneous.

- a. Massachusetts law shall govern this Agreement.
- b. The above terms and conditions regarding Limitation of Remedies and Indemnification shall survive the completion of the services under this Agreement and the termination of the contract for any cause.
- c. Any amendment to these Terms and Conditions must be in writing and signed by both parties.
- d. Having received these Terms and Conditions, your oral authorization to commence services, your actions, or your use of the Report or Work Product constitutes your acceptance of them.
- e. This Agreement supersedes any contract terms, purchase orders or other documents issued by you.
- f. Neither party may assign or transfer this Agreement or any rights or duties hereunder without the written consent of the other party.
- g. Your failure or the failure of your successors or assigns to receive payment or reimbursement from any other party for any reason whatsoever shall not absolve you, your successors or assigns of any obligation to pay any sum to GZA under this agreement.
- h. These Terms and Conditions shall govern over any inconsistent terms in GZA's Proposal.
- i. The provisions of this Agreement are severable; if any provision is unenforceable it shall be appropriately limited and given effect to the extent it is enforceable.
- j. The covenants and agreements contained in this Agreement shall apply to, inure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns.

PROFESSIONAL ENGINEERING SERVICES

Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls Newmarket, New Hampshire

Revised Qualification Statements, Scope of Work and Cost Proposals

A. Background

In September 2015, the Town of Newmarket, NH (Newmarket) requested Proposals from professional engineering firms to conduct an analysis of the Macallen Dam to determine what modifications are necessary for the dam to meet the New Hampshire Department of Environmental Services (NH DES) Dam Bureau's Discharge Capacity requirements under Section Env-Wr 303.12 of the New Hampshire Code of Administrative Rules. The Town received proposals from and interviewed three (3) firms in response to that request.

Through this initial process, there were several questions that were raised regarding the current hydraulic analysis and design flows and expectations from the NH DES with respect to their requirements for a stability analysis. Subsequently, the Town engaged an engineering firm to clarify these hydraulic issues before going forward with the award of a contract for the stability analysis.

As a result of this further study, the Town has re-defined the scope of work with a new focus on a stability analysis and conceptual design related to raising the abutment walls on either side of the dam. With new data and an updated hydraulic model in hand, the Town is asking the three (3) firms who submitted proposals in October 2015 to revise their scope of services and technical approach and update their cost proposals.

B. New Information

- 1) In 2010, the Town Meeting in Newmarket authorized work for a dam removal feasibility study. A dam removal feasibility study was conducted by Gomez and Sullivan (GSE) to assess the feasibility of dam removal and potential impacts on the Macallen Dam impoundment. As part of this study, an updated hydraulic model was developed.
- 2) In 2013, there was a shift in Town policy which set the Town on a new course to look at repairs to the existing dam structure to meet the spillway capacity requirements for the dam in order to meet the outstanding 2010 Letter of Deficiency.
- 3) A follow-up study was conducted in 2016 by GSE to further improve the Town's understanding of the Lamprey River and Macallen Dam's hydraulics. This resulted in a new lower design flood flow based on existing watershed conditions,

with a target flow at the dam of 9,824 cfs and a water surface elevation of 33.60 feet NAVD88. In addition, a refined HEC-RAS hydraulic model was developed. This new model was approved by the NH DES as the tool to be used to evaluate any proposed changes to the dam going forward. The approved version of this model will be made available to the three (3) proposers.

- 4) The Town of Newmarket wishes to continue to explore its options to meet dam safety criteria and wants to evaluate the feasibility of increasing the height of adjacent wall abutments as a solution to increasing the capacity of the dam in order to pass the 100 year flood flow, with one foot of freeboard without manual operations, in accordance with NH DES requirements.

C. Engineering Services Required

The professional engineering services anticipated to be required by the Town of Newmarket during the project, and addressed in this RFP, generally include but may not be limited to the scope of work outlined below.

Anticipated Tasks/ Scope of Work

While the Consultant is encouraged to develop a scope that is appropriate for addressing the Town's desires, we anticipate the following tasks will be included in any scope at a minimum.

Task 1. Project Kick-Off Meeting/Initial Consultation

The selected Consultant will meet with Macallen Dam Study Committee and the NH DES Dam Safety Bureau to review the project and develop an appropriate work plan to meet the Town's needs and those of the NH DES Dam Safety Bureau before initiating the analysis. (Meeting 1) The work plan will be prepared, reviewed and approved by the NH DES Dam Safety Bureau prior to the start of work.

Task 2. Engineering Services

A. Stability Analysis

The Consultant will conduct a stability analysis, including reviewing background material and assessing design parameters. The analysis must be performed in accordance with all applicable state and federal dam safety guidelines. The stability analysis shall also be based on the Final Design Flood Analysis Memo prepared by Gomez and Sullivan, dated August 23, 2016, which was approved by the NH DES. (Attached)

The stability analysis completed under this task will determine whether the existing abutments and training walls would support the hydraulic forces during the 100-year design flood. This analysis must also provide sufficient information to develop alternatives for raising the abutments. Stability analysis of spillway portion of the dam is not required except for those portions that are integrated into adjacent buildings or other structures.

B. Alternatives Analysis

The Town expects an analysis of a minimum of three (3) feasible options for purposes of comparing design alternatives and costs in order to meet Letter of Deficiency requirements. The intent of the RFP is to not have an exhaustive review of all options that have already been determined to be infeasible or too costly to implement. The following are not considered as options: complete and partial removal of the dam structure, modifications to the spillway, or armoring and anchoring the dam. The analysis will include conceptual level design schematics, preliminary cost estimates, consideration of access to the dam gates, fish ladder, adjacent properties and structures, underground facilities, and other infrastructure and appurtenances and impact analyses with respect to historic and visual consideration, including three dimensional renderings showing the visual impacts of each ways of minimizing the aesthetic impact of the wall, as that will likely be an issue of adjacent property owners and the public at large.

In addition, the analysis shall look at the incremental impact of raising the wall height by an additional one foot, commenting on the potential additional costs that the Town may incur in the future if the Longmarsh Road culvert modifications project in Durham proceeds, as planned, or to address climate change-driven increases in the 100-year design flood. There will be a joint meeting with NH DES and the Macallen Dam Study Committee to review project alternatives. (Meeting 2)

As part of the analysis, the consultant shall assess the feasibility and cost of automating the dam's gate system through hydraulic and other means as a possible alternative for lowering the height of the abutment walls, reducing costs, and minimizing visual impacts. The applicant shall provide the automation alternative as an "add on" task, breaking out the engineering cost in the cost proposal.

The Consultant shall identify and provide preliminary design and engineering and order-of-magnitude cost estimates for implementing each of the alternatives identified, with a recommendation for the most feasible and cost-effective method for achieving the desired results. A final conceptual design would be completed for the recommended alternative.

The engineering and stability analysis should include any existing portions of the wall structures to remain and/or be incorporated into the design but focus on only what is necessary to meet safety standards with minimal modifications to the dam and, hence cost to the Town.

Task 3. Submit a Summary Report to the NH DES

The Consultant will prepare a summary report that describes the findings of the stability analysis and alternatives analysis, including a detailed description of methods, assumptions, calculations and results. The consultant should identify various alternatives and methods for overcoming any deficiencies that would need to be addressed to meet the NH DES Dam Safety Bureau requirements.

Task 4. Coordination with NH DES Dam Bureau

The Consultant will be expected to periodically check in with the Dam Bureau throughout stability analysis and conceptual design process for input and review. There are outstanding items from the initial Letter of Deficiency (See attached September 27, 2010 Letter) that will need to be addressed as part of any final design solutions. Upon conclusion of the analysis, the Consultant will meet with the Macallen Dam Study Committee and the NH DES Dam Safety Bureau (Meeting 3) to review the study results and discuss any potential revisions and/or recommend any follow-up analyses that may be necessary to meet NH DES dam spillway discharge requirements.

Task 5. Action Plan

Following the completion of the analysis, the follow-up meeting and after consultation with the Macallen Dam Study Committee, the Consultant will prepare an Action Plan on the Town's behalf for submission to the NH DES Dam Safety Bureau. The plan will specify the actions to be taken to address the deficiencies as outlined in the September 27, 2010 Letter of Deficiency and a proposed timeframe for undertaking the actions. The plan shall also identify necessary permits and the need for coordination with other agencies, such as the New Hampshire Fish and Game Department and New Hampshire Division of Historic Resources. The plan will provide justification for the proposed actions showing that it will bring the dam into compliance with applicable regulations; will not endanger life or property downstream; or cause environmental losses that are not reversible, and provide a reasonable time frame for implementation.

Task 6. Coordination Meetings and Public Presentation

The Consultant will be expected to participate in at least three (3) joint coordination meetings with NH DES and the Macallen Dam Study Committee as identified under preceding tasks. In addition, there will be a public presentation (Meeting 4) to the Newmarket Town Council, to which affected property owners and stakeholders will be invited. The purpose of the meeting will be to present the results of the stability analysis and conceptual design, cost estimates, and recommended next steps for the Town in implementing the results of the study, upon completion of the draft report. The draft report shall be finalized following the public presentation and incorporate appropriate responses to issues raised and any further recommendations to the Town.

D. Consultant Selection

It is the Town's intent to select a Consultant based on the proposed scope of work, project team experience, and project costs. Consistent with the Town of Newmarket Purchasing Policy, adopted by the Newmarket Town Council on August 5, 2009, the procurement of these professional

services shall be negotiated by the affected departments (Public Works and Planning) in consultation with the Macallen Dam Study Committee on the basis of demonstrated competency, innovative ideas, technical approach, experience in doing similar projects and qualifications at fair and reasonable fees. The NH DES Dam Safety Bureau will be consulted to ensure that the proposed scope is adequate to satisfy dam safety regulations and requirements.

- 1) Proposals must be submitted in a separate sealed envelope plainly marked, **"Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls"**. Consultants are required to submit eight (8) original hard copies and one (1) electronic copy as a PDF will be submitted on CD. Double-sided copies are appreciated. The package shall include:
 - a. Technical Proposal, not to exceed ten (10) typed, single-spaced pages.
 - b. Statement of Qualifications and directly relevant work experience, not to exceed ten (10) pages. The consultant shall clearly identify a primary contact for their proposal and clearly provide that person's phone number and email address.
 - c. List of references who may be contacted on the consultant's qualifications and work experience, not to exceed one (1) page.
 - d. Curriculum vitae or resumes for project team members, not to exceed two (2) pages per team member; and not to exceed a total page limit of fifteen (15) pages for the entire project team. A lead project engineer shall be identified who will oversee all technical aspects of the work and who meets the requirements outlined in Env-Wr 403.03(a)(1).
 - e. Timeline to complete individual tasks outlined in the RFP. The timeline will be in GANTT format.
 - f. One cost proposal, presented as a lump sum for services, stating an amount not to exceed, shall be submitted, along with an hourly fee schedule for supplemental services.
- 2) Proposals will be opened at the Newmarket Town Hall in the Town Council Chambers located at 186 Main Street, Newmarket, NH 3 on **Tuesday, May 16, 2017 at 3:00 pm.**
- 3) The Macallen Dam Study Committee will evaluate the proposals based on the following criteria:
 - a. Experience of firm and assigned staff;
 - b. Water resource and structural engineering and design experience;

- c. Clarity, presentation and quality of proposal;
 - d. Experience and success in completing similar projects in New Hampshire;
 - e. Demonstration of implementing creative solutions to complex structural/dam engineering issues;
 - f. Availability of applicable insurance and bonding;
 - g. Financial capability;
 - h. Current and anticipated workload; and
 - i. Cost.
- 4) The Macallen Dam Study Committee will review the proposals and rank them according to the criteria outlined in Section 3 above. The Macallen Dam Study Committee will determine the top firm(s) based upon a review and ranking process. The top ranking firm(s) will be asked to interview with the Study Committee. Those firms invited to interview will ensure that the anticipated project managers, individuals responsible for public presentations, and sub-consultants (if applicable) for this project will be present during the interview.
 - 5) After the final ranking is completed, the Macallen Dam Study Committee will determine the top-ranking consultant and proceed with negotiations with that firm. If negotiations are unsuccessful, the Macallen Dam Study Committee will contact the second ranked consultant and proceed with contract negotiations with that firm, and so on.
 - 6) Once the Macallen Dam Study Committee completes negotiations, it will present its recommendations to the Town Council, which will authorize the signing of the contract with the selected consultant at the negotiated price.

E. Anticipated Schedule

The following schedule is planned for retaining engineering services:

Issue RFP:	April 26, 2017
Receive Proposals:	May 16, 2017
Interviews:	May 22 to May 24, 2017
Select Firm and Negotiations:	May 30 to June 9, 2017
Contract Award:	June 21, 2017 (Town Council)
Project Start meeting	July 1, 2017
Anticipated Project Completion	October 31, 2017

F. Other

This RFP does not commit the Town of Newmarket to pay any costs incurred by engineering firms in the submission or presentation of a qualifications package, or in making the necessary studies for the preparation thereof. By submitting to this RFP, you are authorizing the Town to request any relevant information or ask any questions in order to make an informed decision. You further agree to release the Town from any liability in the review of the firm's qualifications and references.

If the Macallen Dam Study Committee feels, at any time, that a firm's Proposal contains false or misleading statements, references, or any other matter which does not support a function, attribute, capability, or condition as stated by the firm or firms submitting, the submittal shall be rejected, regardless of the status or the phase of the selection process.

All work undertaken under this contract shall comply with applicable laws, regulations and standards as set forth by the State of New Hampshire Dam Safety Bureau and other Agencies.

G. Reservation of Rights

The Town reserves the right to undertake such investigations as it deems necessary to evaluate the qualifications of the firm and to evaluate the qualifications of individual team members submitted.

Firms may be requested to execute releases for information. Failure to provide a release upon request will result in disqualification.

The Town of Newmarket reserves the right to negotiate additional work including, but not limited to studies, design work, construction engineering services, and other related work.

The Town of Newmarket reserves the right to reject any or all statements of qualifications/proposals, to waive technical or legal deficiencies, and to accept any proposal that it may deem to be in the best interest of the Town and to negotiate the terms and conditions of any proposal leading to execution of a contract.

I. Questions

Town of Newmarket staff will not respond to telephone questions about the RFP. Questions concerning this RFP must be received in writing to the Town of Newmarket, 186 Main Street, Newmarket, NH by May 5, 2017. Questions may also be submitted via e-mail to Diane Hardy, dhardy@newmarketnh.gov (Subject Line: Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls RFP Questions) or by facsimile machine to (603) 659-8508 (Attention: Diane Hardy). The Town of Newmarket will post responses to all submitted questions at www.newmarketnh.gov.

H. Due Date

All proposals and costs must be titled " Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls" and received by **Tuesday, May 16, 2017 at 3:00 pm.**

Newmarket Town Hall
Town Council Chambers
186 Main Street
Newmarket, NH 03857

Any proposals received after this specified time will not be considered. There will be a scheduled proposal opening immediately following the submittal of proposals.

Request for Proposal 4262017 - DH

Macallen Dam: Stability Analysis and Conceptual Design of Abutment Walls

Tabulation of Cost Proposals

GZA	Base Bid	\$ 32,000.00
	EAP /OMRF	<u>\$ 3,000.00</u>
	Subtotal	\$ 35,000.00

Optional Services

Automation Analysis	\$ 4,000.00
Subsurface Exploration	\$ 5,000.00
Underwater Investigation	\$ 1,500.00
Hydraulic Analysis	<u>\$ 1,500.00</u>
Subtotal	\$ 12,000.00

Total **\$ 47,000.00**

Wright-Pierce

Base Bid*	\$ 44,467.00
EAP/OMRF	<u>\$ 5,275.00</u>
Subtotal	\$ 49,742.00

* Base Bid included \$5,000 in geotechnical services

Gate Automation \$ 1,450.00

Total **\$51,192.00**

Gomez Sullivan

Base Bid	\$ 44,200.00
EAP/OMRF	<u>\$ 5,000.00</u>
	\$ 49,200.00

Optional Services

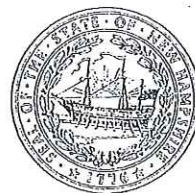
Gate Automation	\$ 3,950.00
Dam Spillway Analysis	????

Total **\$ 53,150.00**

Prepared by Diane Hardy
Newmarket Planning
14-Jun-17



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

Mr. Ed Wojnowski
Town of Newmarket
186 Main Street
Newmarket, NH 03857

September 27, 2010
Letter of Deficiency
DSP#10-076

RE: Macallen Dam #177.01, Newmarket

**NEW STATUTORY PENALTY PROVISIONS
PLEASE READ CAREFULLY**

Dear Mr. Wojnowski:

The Department of Environmental Services, Dam Bureau (DES) is responsible for ensuring the safety of dams in New Hampshire through its dam safety program. One of the many tools that helps us to reach this goal is our dam inspection program.

In accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on November 5, 2009. Based upon the results of that inspection, as well as upon additional investigation or analysis that may have been conducted, DES is issuing this Letter of Deficiency (LOD) to advise you that the following items constitute deficiencies that DES believes can be remedied in accordance with the deadlines indicated:

Continue to monitor and repair:

1. Seepage from downstream left side stone training wall, located at base of gate structure apron;
2. Concrete cracks and spalling on:
 - a. Upstream right side training wall vertical crack. See photo A;
 - b. Downstream right side of gate structure housing. See photo B;
 - c. Concrete piers on the upstream face of the of the gate structure housing. See photo C;

By March 1, 2011:

3. Submit an Operation, Maintenance and Response (OMR) plan to DES for review. See attached template;
4. Submit an updated Emergency Action Plan (EAP) in accordance with Env-Wr 500;

By September 1, 2011:

5. Fill, seed and mulch the right side earthen embankment in order to provide a level, hearty grass surface consistent across the complete surface. See photo D;
6. Remove deteriorated portions to a sound substrate, clean and structurally patch the following areas:
 - a. Gate structure housing's downstream left side interface with the downstream retaining wall. See photo E;
 - b. Left side upstream training wall, bricked portion. See photo F and G;
7. Investigate and report to DES the condition of the right side upstream training wall's base, assess for possible undermining and overall condition of the wall. This is the wall section below water line, below what was field evaluated on November 5-2010 by DES and Wright-Pierce engineers. See photos H, I and J;

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 • Fax: (603) 271-3504 • TDD Access: Relay NH 1-800-735-2964

8. Submit a permit application with appropriate plans and specifications to increase the discharge capacity of the dam to safely pass the design flow (2.5 Q100 or IDF) with one foot of freeboard with no operations and to address any other structural deficiency found as part of your consultant's detailed evaluation; and

By September 1, 2012:

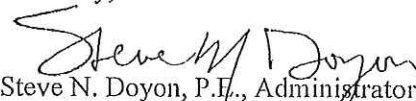
9. Complete the reconstruction and/or repair of the dam to meet the requirements of the permit issued in accordance with item #8.

Our intent in issuing this LOD is to make you aware of items that require your attention to ensure the continued safe operation of your dam. It is our hope that, through the return of the attached form and correction of the identified deficiencies, you will develop and maintain a commitment to keeping a safe and well-maintained dam.

Please note that effective January 1, 2009, significant changes to the penalty provisions of New Hampshire's dam safety statute (RSA 482) became effective. These changes require DES to commence proceedings to levy fines of up to \$2,000 per violation per day against a dam owner who does not respond within 45 days of receipt of a written order, directive, or any notice of needed maintenance, repair, or reconstruction issued by DES. To avoid proceedings under this provision, you **must respond** to this LOD. We believe the easiest way to respond is to sign and return the attached "Intent to Complete Repairs" form, either agreeing to correct the identified deficiencies by the dates indicated OR by proposing amendments to the listed work items or dates, which you may do by writing directly on the form. DES will evaluate and respond to any reasonable requests for proposed amendments in a timely manner. We have enclosed a self addressed stamped envelope for you to return this form. You may also scan and e-mail the completed form to damsafety@des.nh.gov or fax it to (603) 271-6120. **If you fail to return this form within 45 days or fail to otherwise respond in writing within 45 days indicating your intent to remedy the identified deficiencies, you will not have the benefit of the compliance deadlines indicated on the form and DES will commence a proceeding under RSA 482:89 to seek administrative fines for the identified deficiencies.** Please note that responding as required does not preclude DES from pursuing other appropriate action for the identified deficiencies, in accordance with the DES Compliance Assurance Response Policy, available on-line at <http://des.nh.gov/organization/commissioner/legal/carp/index.htm>.

If you have any questions or comments regarding this LOD or would like to be present at future inspections, please contact Chuck Corliss at 271-4130 or write to me at the address for the Water Division listed on the bottom of the previous page.

Sincerely,


Steve N. Doyon, P.E., Administrator
Dam Safety and Inspection

Attachments: Dam Report, Photos, Plan View Drawing, OMR form, DB13
cc: DES Legal Unit
Certified # 7007 3020 0060 5329 1391

SND/CAC/was/h:/damfiles/17701/LOD/20100927 17701

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



TOWN OF NEWMARKET, NEW HAMPSHIRE
By the Newmarket Town Council

Resolution 2016/2017 - 37

**Authorizing the Town Administrator to enter into a three -year agreement with First Light
for hosted PBX Telephone System Services**

WHEREAS: it has been determined that the current telephone system has come to the end of its useful life, and

WHEREAS: the Director of Information Technology requested proposals to replace the current system, and

WHEREAS: the Town currently pays \$3015.00 monthly for communication services, and

WHEREAS: the Director of IT and the Director of Facilities recommend that the Town enter into an agreement with First Light (formerly Bayring) for hosted PBX services.

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

The Town Council authorizes the Town Administrator to enter into a three-year agreement with First Light for hosted PBX Services for the cost of \$36,363.00 annually based on monthly costs of \$3030.25 inclusive of all fees and services.

First Reading: June 21, 2017

Second Reading:

Approval:

Approved: _____
Dale Pike, Chairman Town Council

A True Copy Attest: _____
Terri Littlefield, Town Clerk



Town Hall
186 Main Street
Newmarket, NH 03857

Tel: (603) 659-3617
Fax: (603) 659-8508

Founded December 15, 1727
Chartered January 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE

STAFF REPORT

DATE: June 14, 2017

TITLE: Phone system replacement

PREPARED BY: Greg Marles, Director of Facilities and Doug Poulin, Director of IT

TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:

I recommend passage of this resolution.

BACKGROUND: We currently utilize a Cisco Unified Call Manager system with a Cisco Unity voicemail system. Both systems are in-house managed, but requires us to contract out all maintenance and repairs at an additional cost. Our current systems are out of date and no longer supported by Cisco, leaving us without anyway of doing updates. We have recently had to deal with phone system failures that has demonstrated that we need to replace the system. Doug Poulin has researched an off site hosted solution which eliminates the need for the Town to provide servers, air conditioning systems, battery backup systems, and fee based maintenance. The plan is to put in place a “cloud based” system which is easier to maintain for the Town; it provides for free upgrades, free replacement phone set during the contract period, and requires less specialized technical service to program..

DISCUSSION: Given that the Town's phone system is a critical part of the Town's ability to conduct day to day operations, as well as emergency operations, it is imperative that the solution be robust, proven, supported, and backed by a company with excellent support skills. Further, since phones are starting to fail and the average age of a Town phone is 11 years, new phones are required as we can no longer purchase the older models. Support that is 24 hours a day is required for Police and Fire, and a proven track record with other municipalities would be beneficial. Upon researching four competing vendors, we have selected a hosted solution from FirstLight Communications out of Portsmouth, NH as providing the best level of options and service. The new system also takes from the Comcast connect to a fiber based system at a much high communication rate. This will allow for us to grow the system when and where necessary to keep up with the technology improvements and changes.

STAFF REPORT

FISCAL IMPACT: The proposed three year term comes out to approximately what we pay now for just long distance, internet, and dial tone. additionally, it eliminates our Comcast fees, removes long distance charges within the United States and Canada, and decreases our fees paid to Fairpoint.

We requested proposals from three companies, the following are the cost comparisons

Feature	RTM	Force 3	FirstLight
Upfront PBX Cost	\$20,640 or \$995 per month lease	\$33,000	\$0
New Phones	\$15,500	\$16,800	included
Long Distance Fees	\$1636	\$1636	included
Support/Maint (vendor)	\$0 year one, \$504 yearly after	\$412 yearly	included
Support/Maint (hardware vendor)	\$4,100 year	\$6,200 year	included
Setup Fees	Included	\$5,600	included
System Updates	extra	extra	included
Phone replacement	At cost	At cost	included
Bandwidth	\$350	\$350	\$350
Monthly Fees after 3 years	\$1636	\$1636	\$1383
Hold, Park, Transfer	Yes	Yes	Yes
Softphone for Android and IOS	No	Yes	Yes
Extension Anywhere	Yes (requires firewall changes)	Yes (requires firewall changes)	Yes
Visual Voicemail	Yes	Yes	Yes

Notes: The BayRing monthly fee includes Internet bandwidth at 50M up and 50M down. With either RTM or Force3 we would need to pay approximately \$350 a month for this service.

Also Note: The TSE solution the School uses requires us to purchase a PBX and phones, for 60 users the cost would be about \$16,000 up front.

RECOMMENDATION: We recommend to move forward with the 3 year agreement with First Light for a off-site hosted phone system.

ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.