



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

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**WEDNESDAY, September 7, 2016  
NEWMARKET TOWN HALL COUNCIL CHAMBERS**

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**6:00 P.M. Non-Public – Pursuant to RSA 91-A: 3 II – Personnel**

1. Pledge of Allegiance
2. Public Forum *(Public Forum is an opportunity for the public to address the Town Council. All comments should be addressed to the Chair of the Council. No person will be allowed to speak longer than five (5) minutes.)*
3. Public Hearing – None
4. Town Council to Consider Acceptance of Minutes
  - a. August 17, 2016 Non-Public Meeting Minutes
5. Report of the Town Administrator
  - a. Chris Hawkins, Town Moderator – Discuss State Primary Schedule, September 13, 2016
6. Committee Reports
7. Old Business
  - a. Resolutions/Ordinances in the 2<sup>nd</sup> Reading
    - i. Resolution 2016/2017-02 – Resolution regarding the Increase of Sewer Rates
  - b. Resolutions/Ordinances in the 3<sup>rd</sup> 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 1<sup>st</sup> Reading**

- i. **Resolution #2016/2017-03** – *Relating to the Relocation and Replacement of Water and Sewer Utilities within the State Right of Way as part of the NHDOT Bike Lane Project.*
- ii. **Resolution #2016/2017-04** – *Relating to Accepting Gifts for the Christian Shoppmeyer Park*
- iii. **Resolution #2016/2017-05** – *Relating to Paving Improvements for 2016-2017*

**c. Correspondence to the Town Council**

**d. Closing Comments by Town Councilors**

**e. Next Council Meeting – September 21, 2016**

**9. Adjournment**



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

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

**August 17, 2016     7:00 PM**

**TOWN COUNCIL CHAMBERS**

**PRESENT:** Council Chairman Gary Levy, Council Vice Chairman Phil Nazzaro, Councilor Dale Pike, Councilor Amy Thompson, Councilor Toni Weinstein, Councilor Kyle Bowden, Councilor Amy Burns

**ALSO PRESENT:** Town Administrator Steve Fournier, Town Planner Diane Hardy, Mr. Phil MacDonald of Underwood Engineers

**AGENDA**

Chairman Gary Levy welcomed everyone to the August 17, 2016 Newmarket Town Council Meeting and called the meeting to order at 7:01 pm, followed by the Pledge of Allegiance.

**PUBLIC FORUM**

Chairman Levy opened the Public Forum at 7:02 pm.

Mr. Larry Pickering addressed the Council. He said he had come to the meeting to thank all of the Councilors for their Town service and he also wanted to thank the Police Department, Fire & Rescue, and the Department of Public Works crew. He said they were all lucky to be residents of such a caring community.

Mr. Pickering also brought up the issue of political signs placed in right-of-ways, and said he noticed there were a lot of signs out there and asked if the policy was the same. Town Administrator Fournier said that the law regarding political signs was that no signs were allowed on Town property, although State Law did allow political signs in right-of-ways and signs could not be removed from State roads.

Chairman Levy closed the Public Forum at 7:07 pm.

**PUBLIC HEARING – None**

**TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES**

**Acceptance of the Minutes of the Non-Public Meeting of July 20, 2016**

Vice Chair Nazzaro made a motion to approve the minutes of the Non-Public Meeting of July 20, 2016, which was seconded by Councilor Weinstein.

As there were no corrections or changes to the minutes, Town Administrator Fournier polled the Council and the minutes of the Non-Public Meeting of July 20, 2016 were approved by a vote of 6-0, with 1 abstention.

**Acceptance of the Minutes of the Regular Meeting of July 20, 2016**

Councilor Pike made a motion to approve the minutes of the Regular Meeting of July 20, 2016 which was seconded by Councilor Bowden.

Councilor Pike requested a clarification in the last paragraph under Committee Reports on page 4, specifically to clearly designate the EDC Committee as separate from the Economic Recovery Zone. The paragraph was rewritten for clarification of the issue.

Councilor Thompson requested a change one page 2 of the minutes to correct the date of the next Town Council meeting to August 17, 2016.

Town Administrator Fournier polled the Council and the minutes of the Regular Meeting of July 20, 2016 were approved as amended by a vote of 6-0, with 1 abstention.

**REPORT OF THE TOWN ADMINSTRATOR**

**Road Study**

Town Administrator Steve Fournier stated that he had provided the Town Council with a copy of the 6-year Road Maintenance Plan, completed in conjunction with the UNH T<sup>2</sup> program and the Strafford regional Planning Commission. He said they intended to fund the plan to about \$300,000 annually using the general fund and future contributions to the Capital Reserve Fund. He said the next step would be to solicit proposals for asphalt and road reconstruction for the current year. When bids were received, they could either adjust the project to meet the funds available or only expend what was needed. He stated that the Plan recommended the reconstruction of Ash Swamp Road from Route 108 to 1 mile from Route 152, and also recommended the topcoat paving of Grant Road. The total estimated cost would be \$321,359 with any paving done in the fall. He said they would receive an updated plan next year and felt it would be a good idea to take stock of the roads every 5 years.

**Organizational Study**



Town Administrator Fournier stated that he had also provided the Council with a copy of the draft Organizational Study from Municipal Resources Inc. (MRI). He said the next step would be for the Town Council to review the document on their own and then schedule a meeting with MRI to finalize it. He said for Personnel issues it would be better to meet with them in a Non-Public session. He said he intended to schedule the Non-Public meeting for 5:30 pm to be held before the next Town Council meeting, or have the meeting on an off week. He said they could address this matter first and then use the recommendations for the goal-setting session.

Discussion: Vice Chair Nazzaro was concerned that having the session before a meeting created an artificial ceiling which forced them to make quick decisions. He felt it made more sense to hold the meeting on an off week. Chairman Levy suggested asking MRI how long they thought the session would take. Town Administrator Fournier said that would also depend on how much the Council agreed or disagreed with the report. Councilor Thompson agreed that scheduling the session on an off night might be best. Councilor Pike felt the document was positive and highly complementary of the Town, but that it was worth going through and getting the sense of the Council after the considerable investment in the process. Town Administrator Fournier said he would aim to hold the Non-Public session on September 14, 2016 and asked for input from the Councilors within a week.

#### **Regional Dispatch**

Town Administrator Fournier stated that the Council had asked him to speak with the Town Attorney to see if the Town would have a viable claim against Rockingham County regarding the apportionment of expenses associated with Regional Dispatch. He said they were told by the County Commissioner that the Town could not join the Regional Dispatch due to their inability to handle the calls. He said this seemed unfair and possibly illegal as they were paying for the service and not receiving it. He stated that the Town Attorney concluded that the Town had a legitimate concern but that they might not be successful in litigation. He said the attorney did not, however, feel it was frivolous as it might open up discussions, especially as other communities were in the same situation. He said he would have more information at the next meeting, and the next step would be to possibly file suit against the County.

Discussion: Chairman Levy felt the legal opinion was a roller-coaster ride of pros and cons, and asked if rates would go up if they joined. Town Administrator Fournier said the County would have to rebuild their system to take on Newmarket and that would mean an increase in County taxes for all communities in the system. He said that based on the County Budget of \$1.641 million for dispatch, divided by the Town's contribution to the County of 1.68%, Newmarket paid approximately \$27,000 annually to the County for dispatch. He said that the municipalities that have dispatch were subsidizing those who do not, paying 62% of the County Dispatch budget. He explained that the County used the assessed value of the community and the tax revenues coming in to come up with a percentage for each municipality. Vice Chair Nazzaro felt they should not be subsidizing other communities, and asked who the representatives at the County level were that they could contact.

Town Administrator Fournier said there were the State Representatives and the County Commission. He said he met with the County Commission last year but all meetings with municipalities for this year had been cancelled. Councilor Thompson asked if strength in numbers would make a point to the County Commissioners, if other towns went along with them. Councilor Pike felt it would be particularly irritating

128 if the County did upgrade their system and still would not let Newmarket take part. Town Administrator  
129 Fournier said he would speak with his counterparts and probably have a resolution at the next meeting  
130 to go forward with the attorney. Vice Chair Nazzaro asked if the Town Attorney could expand on a  
131 legislative alternative instead of just the legal one.

132  
133 **Grant Road Sidewalk**

134 Town Administrator Fournier said the Department of Public Works was presented with a petition of  
135 residents of Piscassic River Village to install a sidewalk from Briallia Circle to Durrell Drive to South Main  
136 Street. He said though this was a good idea, there was no money designated in the FY2017 budget for  
137 sidewalks. He said he would ask the Highway Safety Committee to reconvene and update the 2010  
138 Sidewalk Report for Newmarket.

139  
140 **New Website**

141 Town Administrator Fournier stated that the New Town Website had gone live. He said everything was on  
142 the front page and they had tried to make it easier for users to find information and easier for use on  
143 mobile devices.

144  
145 **FY2017 Operating Budget**

146 Town Administrator Fournier stated that with one month of the fiscal year completed, the Town was on  
147 track with 7% of the budget expended like last year.

148  
149 **Chief Cyr**

150 Town Administrator Fournier said he wanted to take the opportunity to publicly thank Police Chief Kevin  
151 Cyr, who was retiring on August 31, 2016. He stated that he had done a great job for the Police  
152 Department, and there was very little turnover in staff as a result of his leadership. He said he would  
153 personally miss his counsel and his friendship.

154  
155 **Route 108 Bike Path Project**

156 Town Administrator Fournier said this was the follow-up to the discussions at the Town Council Meeting  
157 held May 4<sup>th</sup> at which Mr. Bill Watson of the New Hampshire Department of Transportation (NHDOT) met  
158 with the Council to discuss concerns associated with the estimated cost of the Route 108 Bike Path Project  
159 and any potential liabilities. This had come about as a result of the increase of the estimated cost of the  
160 project to \$1.2 million, with only \$809,292 in funding guaranteed by the Federal Highway Administration  
161 and NHDOT toll credits. Mr. Watson stated that if the project did not go forward, the current DOT policy  
162 required that the funds spent for the engineering study (\$37,600) be reimbursed. Town Administrator  
163 Fournier said they had discussed ways to possibly scale back the project to fit the budget.

164  
165 Mr. Watson noted that there were still a few components of the engineering study that needed to be  
166 completed, including further documentation of the National Environmental Policy Act (NEPA) and a  
167 budget analysis of the project. It was agreed at the meeting that Underwood Engineers would follow up  
168 on those items and resubmit the engineering study to NHDOT for approval and that the Town Council  
169 would hold a future meeting to determine an appropriate course of action. Town Administrator Fournier  
170 stated that the revised engineering study was submitted on May 23<sup>rd</sup>, and on July 14<sup>th</sup> the NHDOT  
171 responded that the revised engineering study was satisfactory with a few minor changes. The cost



estimate for the revised project included \$133,500 (including the \$37,600 paid for the engineering study) for the Design Phase, \$16,000 for Right-of-way Acquisition, and \$679,700 for the Construction Phase for a total project estimate of \$809,200.

Town Administrator Fournier said that the State had advised the Town to submit a detailed scope-and-fee for all remaining services, with the Town expected to contribute 20% of any additional costs. He asked the Town Council to make a policy decision as to whether to move forward with the project to the next phase for preliminary design or to cancel the project at this point and risk having to repay costs incurred to date (\$37,600) to the State.

Discussion: Chairman Levy felt the \$809,200 figure was a lot of money for a lot of unknowns. Councilor Weinstein said she felt strongly that the project should be done but was concerned they would find a real shortfall. Vice Chair Nazzaro said that if DOT required the \$37,600 to be paid back, and the DRA (Department of Revenue Administration) said we could not use tax dollars, was there any way to get the 2 agencies together to figure this out. Town Administrator Fournier replied that agencies do not tend to get together, and suggested waiting to see what DOT did. Vice Chair Nazzaro said though he was a fan of the project, he did not feel it was worth pursuing at this point. Councilor Pike felt that sooner or later the State would need to do something with Route 108, and though he was in favor of the bike path, he felt the mechanism to get there was problematic.

Mr. Phil MacDonald of Underwood Engineers pointed out that the agreement for the project, signed by the prior administration, did not specify that the Town would incur 20% of additional costs and that DOT had set a project limit of \$809,200. Town Administrator Fournier said DOT had basically set a ceiling and they did not know what would happen if they went over that and he was trying to get guidance from the Council. Town Planner Diane Hardy said it was presented at a 2014 workshop that communities would be expected to pay back any DOT funds for projects that did not go forward. Councilor Thompson said she was done with the whole conversation and the discussion and requested a vote be held now. Councilor Bowden felt it did not make sense to move forward with the project given all the unknowns brought up relative to additional costs to the Town. Councilor Burns said she agreed that it was not a good plan at this point, but felt it was unfortunate that it had taken so long. Chairman Levy asked Town Administrator Fournier to speak with DOT to make a good faith effort.

Vice Chair Nazzaro made a motion to authorize the Town Administrator to notify the NHDOT that the Town of Newmarket was no longer interested in the Route 108 Bike Path Project, which was seconded by Councilor Thompson.

Town Administrator Fournier polled the Council and the motion passed unanimously by a vote of 7-0.

#### COMMITTEE REPORTS

Councilor Pike reported on the *Joint Town Council/School Board Sub-Committee* meeting held in late July with Town Administrator Fournier and School Superintendent Nadeau. He said that between that meeting and the MRI Report there was a lot of context for further discussions of efficiencies. Councilor Weinstein said that the Sub-Committee would be meeting with the School Board next week, and would be at the

next School Board meeting in case of questions. Councilor Pike said the Sub-Committee would also be present at the next Town Council meeting and they would then further develop the proposals being put together by the Town Administrator and the School Superintendent. He said a full meeting of the School Board and the Town Council would be held in October or November. Vice Chair Nazzaro said a meeting in October or November would be post-budget, which meant any combined efficiencies would not happen in FY2018 but in the FY2019 budget. Town Administrator Fournier said that if they filled the position being discussed, they would be on board before the budget was submitted, and if they were on board they could always change the budget.

Councilor Burns stated that there had been a very short *Planning Board* meeting, and that the Master Plan Chapter would be filed with the Town Clerk. She said the Town Planner Diane Hardy was getting ready to draft some zoning ordinances. Councilor Pike said they had ratified the committee that was already in place. Chairman Levy said that theoretically the committee would make recommendations to the Planning Board for discussion.

Vice Chair Nazzaro said there had been a *Conservation Commission* meeting but that he was travelling and had not had time to review the tape.

#### **OLD BUSINESS**

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

##### **Resolution #2016-2017-01 Resolution Relating to Hazardous Household Waste Collection**

Vice Chair Nazzaro made a motion to approve *Resolution #2016-2017-01 Resolution Relating to Hazardous Household Waste Collection*, which was seconded by Councilor Weinstein.

Town Administrator Fournier polled the Council and *Resolution #2016-2017-01 Resolution Relating to Hazardous Household Waste Collection* was approved by a vote of 7-0.

#### **ORDINANCES AND RESOLUTIONS IN THE 3<sup>RD</sup> 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**

##### **Library Trustee**

Candidate: Amy Nicholson, Term to Expire March 2019



Councilor Burns made a motion to appoint *Amy Nicholson* as a *Library Trustee*, with *Term to Expire 2019*, which was seconded by Councilor Thompson.

Town Administrator Fournier polled the Council and the motion to appoint *Amy Nicholson* as a *Library Trustee* was approved by a vote of 7-0.

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

##### **Resolution #2016-2017-02 Resolution Regarding the Increase of Sewer Rates**

Chairman Levy read *Resolution #2016-2017-02 Resolution Regarding the Increase of Sewer Rates* in full.

#### **CORRESPONDENCE**

Chairman Levy stated that he had received a correspondence with regard to a constituent who had an issue and had forwarded it to Town Administrator Fournier.

#### **CLOSING COMMENTS**

Town Administrator Fournier asked the Council if there were any objections to his sharing the draft MRI report with Department Heads at this point in time. There were no objections from the Council.

Councilor Weinstein said she had spoken with some business owners regarding the Downtown Improvement Project and the concern that not as many people were going downtown due to the construction. She said there was plenty of parking and asked the public to go downtown and support the local businesses.

Councilor Burns announced that the Splash & Dash Kayak Event would be held Saturday August 20<sup>th</sup> and participants could register in advance through the Recreation Department and on the day of the event. She said there would be raffle prizes and that they were looking for a judge for the Kayak Parade if anyone was interested.

#### **NEXT MEETING**

The next meeting of the Town Council is scheduled for September 7, 2016.

#### **ADJOURNMENT**

Vice Chair Nazzaro made a motion to adjourn the meeting, which was seconded by Councilor Thompson. The meeting was adjourned at 8:29 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary



TOWN OF NEWMARKET, NEW HAMPSHIRE  
OFFICE of the TOWN ADMINISTRATOR

**REPORT OF THE TOWN ADMINISTRATOR**  
**September 7, 2016**

**Shared Town/School Finance Director:** We have been discussing for some time sharing services with the School District. After the joint meeting of the Town Council and School Board earlier this summer, that group appointed a subcommittee to work with the Superintendent and me to look at efficiencies. This group visited Cape Elizabeth, Maine which operates under the "One Town" concept. This concept is stated as the following:

*In order to preserve services at the least cost, a One-Town Concept operates to reduce the budget for both the School Department and non-school departments. For example, the school business manager and payroll clerk also perform those services for non-school departments. The Facilities Department is responsible for all town buildings, including the school campus, and is funded from both the school department and non-school department budgets.*

While the committee was exploring this, the Superintendent and I looked at positions that we could possibly share. Currently, the School has a vacancy in their Business Administrator position and we have been using a contracted Finance Director. We agreed, and worked with the committee, that this position should be shared. We agreed that the position would be an employee of the School District, but supervised by the Superintendent and Town Administrator. The Superintendent has placed an ad looking for a new Business Administrator, with a background in Town services as well. I will be serving on any interview committee.

While the school will have the person on as an employee with them shortly, we will be transitioning from the contracted Finance Director to the new position. This is due to the fact that we will be in the middle of the Town budget process and it is not a good time to transfer over. We anticipate transferring over after deliberative session.

I have attached a copy of the job description to this report.

The second position would be a Director of Facilities to manage all buildings in the community as well as the employees that are under buildings and grounds for both entities. It is the intention to have this position become a town position. We are working on this still and should have a final job description and funding sources in October.

**Water and Sewer Capacity:** With the Macintosh Well coming online shortly, it is my intention to update the studies we have completed in the past as to our water needs for the next few years. This will address our current output and what types of development we can handle with the current wells. In addition, it



should address what additional sources of water we will need in the future.

I intend on doing the same with the sewer system.

**Downtown Pedestrian Improvement Project:** We have had some significant delays on the project due to approvals by the NHDOT. We were being held up on a change order by the state. We had a small field change on a drain, installing a trench drain in place of a traditional drain. The State has requested a study to make sure a trench drain would handle a 10-year peak discharge in the area, including impacts on the tributary. We have submitted the drawings and are waiting for the state. In addition, they are questioning the alignment of the crosswalk in the area of the Jade Garden/Pet Groomers. They are asking for more information on this. The crews have returned to the field to complete as much of the remaining work as possible. This has been very frustrating, as they have had the plans for months and did not comment until they made a surprise inspection, shortly after the last Town Council meeting. We are still on track to finish the project by Columbus Day, but the one-way traffic will be in place slightly longer than anticipated.

**State Forms:** I have two state forms that the Town Council needs to sign. First is a copy of the report of actual appropriations approved by the voters in March. Second is the State Audit form.

**FY2016 End of Year Numbers:** The Finance Department has closed the books for FY2016. We saw roughly \$411,000 in revenues over estimates, and returned roughly \$114,000 in appropriations. Our unassigned fund balance is now \$2,469,919 or 9% of our total appropriations (school, town and county.) This has us in compliance with our fund balance policy.

As in the years past, we used \$575,000 from fund balance in the FY17 budget for Capital Projects and tax rate reductions. The \$525,000 will replenish this amount.

**Town Moderator:** The Town Moderator will be attending to discuss the September 13, State Primary.

In March a new law came into being. This allows the Town Council to appoint Councilors Pro Tem to serve as election officials if they cannot be present for the election.

## **ONGOING PROJECTS**

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\*\*\*This will be a new section in my monthly reports. I will not orally report this to the Town Council at the meeting, but will use this as a chance to update on any developments in ongoing projects. \*\*\*

**Organizational Study:** Reminder that the Town Council will be meeting in non-public session on September 14 with MRI to review the document.

**ICMA Conference:** I will be out of the state September 24 – 30 attending the International City Managers Association Conference in Kansas City, Missouri. I will be available by email and cellphone. Matt Angell will be in that week to address any issues that may arise.

**Rt. 108 South Bike Lane Project:** I have sent a letter to the NHDOT thanking them for their efforts, but the Town is no longer interested in managing the project. I have received no response from the State.

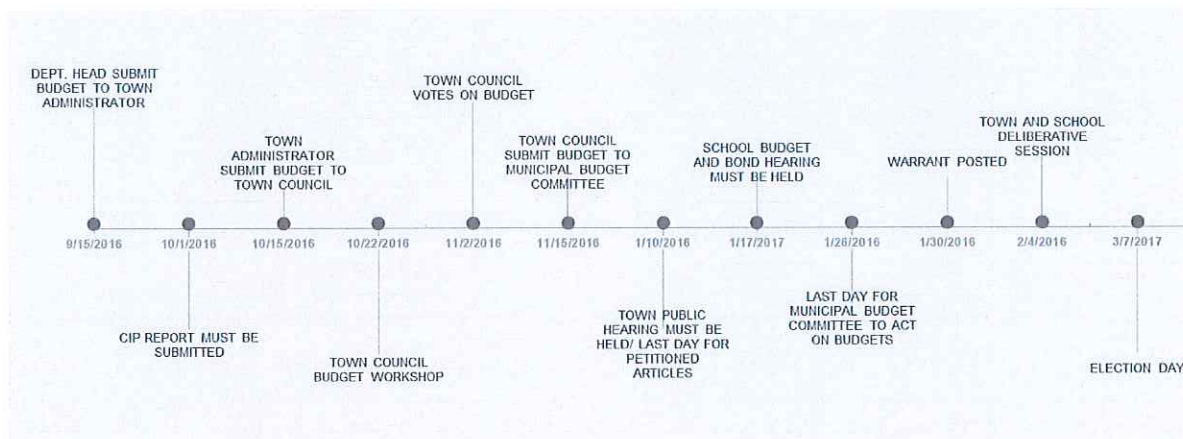
**Solid Waste Services:** The Towns of Newfields, Newmarket and Stratham have issued an RFP for solid waste services. They are due on September 19 and we will review and interview after that. I should have a resolution before the Town Council at the second meeting in October for a first reading.

**Shared Services:** See above.

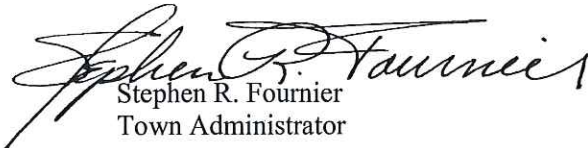
**Police Chief Recruitment:** We have reviewed the resumes and will be conducting interviews soon. I should have an appointment for the Town Council's approval shortly.

**Recreation Director Recruitment:** The Recreation Director and I are currently updating the job description to make sure it reflects the actual job that is being done. I intend on advertising in the fall and have someone on board in the beginning of the year.

**FY18 Budget:** We have begun the FY18 budget process. Department Heads are working with the Finance Director to have their budgets into me by September 15. Non-profit agencies are submitting their requests for funding, along with their audited financial statements. The Capital Improvement Committee has distributed the forms to departments for capital improvements over the next 6 years, and met last week. Here is a timeline for this year's Town meeting:



Respectfully Submitted,

  
Stephen R. Fournier  
Town Administrator



CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution #2016/2017-02**  
**Increase of Sewer Rates**

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

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

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

**NOW, THEREFORE, LET IT BE RESOLVED**, the Town Council does hereby approve the following sewer rates to be effective November 1, 2016:

Sewer users will be billed \$9.74 per 100 cubic feet of water consumed. The water and sewer system charge will remain have no increase, but will be billed quarterly \$6.00 for each water and sewer per unit.

*First Reading:*                      *August 17, 2016*

*Second Reading:*                *September 7, 2016*

*Approval:*

Approved: \_\_\_\_\_

Gary Levy, Chairman Newmarket Town Council

A True Copy Attest: \_\_\_\_\_



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:** September 1, 2016

**TITLE:** Resolution #2016/2017-02 - Sewer Rate Increases

**PREPARED BY:** Sean T. Greig Superintendent Water/Sewer

### **TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:**

In 2013, the Town Council agreed to have a constant and level sewer rates increases to offset the cost of the \$14.1m waste water treatment facility upgrade. The passage of the resolution would result in an 8% increase in the current rate. This resolution would continue that practice. I recommend passage of this resolution.

**BACKGROUND:** The Town Council chose level sewer rate increases in 2013 to meet loan obligations and the increase in operations and maintenance costs due to the construction of the Wastewater Treatment Plant Improvements to meet an 8 mg/L Total Nitrogen Discharge limit.

### **DISCUSSION:**

In a presentation on February 19, 2013, "Town of Newmarket Warrant Article for the Purpose of Upgrading the Wastewater Treatment Facility", I presented a "One Time Rate Increase" and "Yearly Rate Increase" option to meet the loan obligations and the increase in operations and maintenance costs due to the construction of the Wastewater Treatment Plant (WWTP) improvements to meet an 8.0 Total Nitrogen limit. The projected sewer rate slide in the presentation illustrated the "One Time Rate Increase" would need to be \$9.56. The increase would result in a sewer rate of \$16.26 for 750 gallons of water consumed. The "Yearly Increase" option would require \$1.04 increases for eight years, and a couple of smaller increases for the next two years. The Town's people and the Town Council supported the "Yearly Increase" option.

A short time after February 19, 2013 presentation, the Town received grants from New Hampshire Department of Environmental Services State Revolving Loan Program and the United States Rural Development. The grants reduced the yearly increases from \$1.04 to \$0.76. The chart below illustrates the yearly rate changes for the "Yearly Increase" option. The \$0.76 increase will increase the average sewer user's bill by approximately \$44.00 per year.

STAFF REPORT



Year	Sewer Rate
2012	\$6.70
2013	\$7.46
2014	\$8.22
2015	\$8.98
2016	\$9.74
2017	\$10.50

Year	Sewer Rate
2018	\$11.26
2019	\$12.02
2020	\$12.72
2021	\$13.42
2022	\$13.57
2023	\$13.72

The Town Council can continue with the level increase plan that was selected in 2013, or develop a new plan to meet the loan obligations and operation and maintenance costs associated with the Wastewater Treatment Plant improvements.

**FISCAL IMPACT:** The rate would increase 8%. This would increase the average users bill by \$44 annually. The cost of the engineering and construction of the project is \$14.1 million.

**RECOMMENDATION:** I recommend that the Town council approve the resolution and continue with the level sewer rate increase plan to meet its obligations that are associated with the Wastewater Treatment Plant Improvement Project.

***ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.***



To: Steve Fournier, Town Administrator  
From: Sean T. Greig, Supt. Water/Sewer  
Date: August 5, 2016  
Re: Sewer Rate Increase

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Recommend the sewer rate increase from \$8.22 for 750 gallons to \$8.98 for 750 gallons of water consumption.

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2022	\$13.57
2023	\$13.72



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  
Second Reading: July 20, 2016  
Approval:

Approved: \_\_\_\_\_  
Gary Levy, Town Council Chairman

A True Copy Attest \_\_\_\_\_  
Terri J. Littlefield, Town Clerk

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution #2016/2017 - 03**

**Relating to the Relocation and Replacement of Water and Sewer Utilities within the State  
Right of Way as Part of the NHDOT Bike Lane Project.**

**WHEREAS;** the State of New Hampshire Department of Transportation is installing 4 foot bike lanes on North Main Street as part of their project numbered 13080-B, and

**WHEREAS,** the State will relocate water and replace sewer main facilities in the project area at a cost not to exceed \$527,947, and

**WHEREAS,** the Town has been planning for this project, naming it a high priority and currently has \$600,000 in the sewer capital reserve fund to address this, and

**WHEREAS;** the State of New Hampshire Department of Transportation wishes to enter into a utility agreement with the Town to conduct this project.

**NOW THEREFORE BE IT RESOLVED,** that the Newmarket Town Council does authorize the Town Administrator to enter into an agreement with the State of New Hampshire Department of Transportation for an amount not to exceed \$530,000.



*First Reading:*        *September 7, 2016*

*Second Reading:*

*Approval:*

Approved: \_\_\_\_\_  
              Gary Levy, Chairman

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:** August 30, 2016

**TITLE:** Resolution #2016/2017 – 03: Relating to the Relocation and Replacement of Water and Sewer Utilities within the State Right of Way as Part of the NHDOT Bike Lane Project.

**PREPARED BY:** Sean Greig, Supt. Water/Sewer

**TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:**

This project has been a high priority of the Town Council for many years. The Town has been placing fund into a Capital Reserve Fund to address this. Currently the fund has \$600,000 available. Working with the State to complete this project while they are constructing the bike paths on North Main Street is beneficial. The Town Attorney has reviewed all documents and has approved them I recommend passage of this resolution.

**BACKGROUND:** A couple of years ago the Town was informed that the NHDOT would be making improvements to Route 108 on North Main Street. The improvements include the widening of the shoulders, sidewalks, drainage, and full road reconstruction. The Town was informed that it needed to relocate its water and sewer mains to make room for the drainage improvements. The Town Council approved Wright-Pierce to engineer the new water and sewer mains. The water main was replaced in 2015 with a larger water main that meets current and future water demands. The Town does need to move the water main that connects the North Main Street water main to Pulaski Drive water main to allow for the new drainage improvements. The Town has videoed the sewer lines and found that they are in poor condition. Wright-Pierce has completed the engineering work and cost estimates. The Town has set aside \$600,000.00 in Capital Reserves to complete this sewer project.

**DISCUSSION:** The Town was informed a couple of years ago that its North Main Street water and sewer mains needed to be relocated to allow for drainage improvements. The Town Council had already identified the North Main Street Water Main Replacement as a high priority project, and it was relocated and replaced in 2015. The Town Council approved Wright-Pierce to perform the engineering for the sewer relocation. The current sewer main was found to be in poor condition, and needed to be replaced. The Sewer Capital Reserve Plan has \$600,000.00 for the sewer relocation.

**FISCAL IMPACT:** The Sewer Capital Improvement Plan has \$600,000.00 for the relocation and replacement of the North Main Street Sewer. The cost estimate for the project below includes \$15,000.00 to move the Pulaski water main connection. The remaining balance in the North Main Street Water Main Project is \$39,463.38. So there are funds available to move the Pulaski water main connection. I have included in the budget 15% for contingency and engineering. I have added the contingency to cover



unforeseen costs that come up during construction. I have added the engineering to cover changes in design and inspection services.

North Main Street Sewer Budget Estimate	
Construction Costs	\$392,500
NHDOT Construction Admin. Estimate 6%	23,550
NHDOT Overhead 10%	41,605
Subtotal	457,655
Trench and Backfill Credit	47,458
Contingency 15%	58,875
Engineering 15%	58,875
Total Budget	527,947

Sewer Capital Reserve Fund	
Sewer Capital Reserve Balance	\$1,167,990
North Main Street Sewer	\$600,000
Pump Station Improvements High Priority	\$320,400
Sewer Trucks Replacement	\$157,000
Undedicated Capital Reserve	\$90,590

**RECOMMENDATION:** The sewer main is in poor condition. The Town has planned for this project. I recommend that the Town Council approve the passage of this resolution.

***ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.***

DURHAM-NEWMARKET  
X-A001(261)  
13080-B  
(NH 108; Reconstruct Roadway and Construct  
Bike Shoulders on NH Route 108)  
(Sewer Main Relocation, Adjust Water and Sewer Facilities)

UTILITY AGREEMENT

This Agreement is made in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the STATE OF NEW HAMPSHIRE, by its Department of Transportation, party of the first part, hereinafter called the "State", and Town of Newmarket (Vendor # 177449), a municipality, party of the second part, hereinafter called the "Town".

WITNESSETH:

WHEREAS, the State has the approval of the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), for a Federal-Aid Transportation Improvement Project (Organization Code 3054), DURHAM-NEWMARKET, X-A001(261), 13080-B, for the widening and constructing 4' shoulders along NH 108, in the Towns of Newmarket and Durham, County of Strafford and Rockingham, New Hampshire, which construction necessitates the relocation of water and sewer main and adjustment of water and sewer facilities to the extent required to permit construction of the Project, and,

WHEREAS, the COMMISSIONER of the New Hampshire Department of Transportation (NHDOT), hereinafter called the "Commissioner", has prepared plans and specifications for such Project marked DURHAM-NEWMARKET, X-A001(261), 13080-B, which plans and specifications meet with the approval of the Town and will be on file in the permanent records of said Department of Transportation, Concord, New Hampshire, and,

WHEREAS, the State is obligated to reimburse the Town for certain costs in accordance with RSA 228:22 (trench, backfill, and book value), and,

WHEREAS, the Town desires the water and sewer relocation work and water and sewer facility adjustment work to be included as part of the Highway Contract, and,

WHEREAS, the Town desires the assistance of the State in the relocation of the aforementioned facilities,

NOW THEREFORE, in consideration thereof, the parties hereto mutually agree as follows:

1. The State agrees to provide labor, materials, and equipment in the Contract for the non-participating relocation of sewer main facilities at the following approximate locations:



**NH 108**

<b>Station and Offset</b>	<b>Station and Offset</b>
511+08 Rt. 8' to	529+67 Rt. 12'

2. The State agrees to provide labor, materials, and equipment in the Contract for the non-participating relocation of water main facilities at the following approximate locations:

**NH 108**

<b>Station</b>	<b>Offset</b>
516+91	Rt. 25'
529+97	Rt. 18'

3. The State agrees to provide labor, materials, and equipment in the Contract for the non-participating removal of asbestos pipe facilities at the following approximate locations:

**NH 108**

<b>Station</b>	<b>Offset</b>	<b>Station</b>	<b>Offset</b>
521+87	Rt. 11'	526+78	Lt. 15'
523+10	Lt. 15'	528+35	Lt. 15'
524+33	Lt. 15'	529+65	Rt. 15'
525+90	Lt. 15'		

4. The State agrees to provide labor, materials, and equipment in the Contract for the non-participating fill of abandoned pipe facilities at the following approximate locations:

**NH 108**

<b>Station and Offset</b>	<b>Station and Offset</b>
522+00 Rt. 16' To	529+68 Rt. 16'

5. The State agrees to provide labor, materials, and equipment in the Contract for the non-participating adjustment of water gates and shutoffs at the following approximate locations:

**NH 108**

<b>Station</b>	<b>Offset</b>	<b>Station</b>	<b>Offset</b>
501+29	Lt. 19'	519+71	Lt. 5'
502+14	Lt. 6'	522+19	Lt. 3'
507+83	Lt. 5'	522+57	Lt. 25'
512+17	Lt. 5'	527+10	Lt. 9'
513+69	Rt. 19'	527+21	Lt. 4'

513+82	Lt. 9'	529+93	Lt. 4'
516+96	Lt. 7'		

6. The State agrees to provide labor, materials, and equipment in the Contract for the non-participating adjustment of sewer manhole frames and covers at the following approximate locations:

**NH 108**

<b>Station</b>	<b>Offset</b>	<b>Station</b>	<b>Offset</b>
503+69	Rt. 17'	507+07	Rt. 10'
504+62	Rt. 12'		

**Method of Payment for Described Work:**

Work will be paid for at Actual Cost estimated at \$410,197.00 (Work Class Code 2250) as shown in the attached estimate:

Estimated Non-Participating Items	<b>\$392,500.00</b>
Construction Engineering (estimated at 6%)	<b><u>\$23,550.00</u></b>
Subtotal	<b>\$416,050.00</b>
10% Department Overheads	<b><u>\$41,605.00</u></b>
Estimated Total Actual Cost	<b>\$457,655.00</b>
Less Reimbursement for RSA 228:22	<b><u>\$47,458.00</u></b>
Total Actual Cost due from Town	<b>\$410,197.00</b>

7. The work described in Paragraphs 1 through 6 above is shown in greater detail on the approved plans and in the attached plans and estimates being made a part of this Agreement.
8. The work described in Paragraphs 1 through 6 above will be accomplished under the Highway Contract, in accordance with the plans and specifications for same. The Town agrees to reimburse the State for the actual costs (plus 6% construction engineering and 10% overhead expenses), and also agrees to accept the operation, use, and maintenance of the facilities, as constructed.
9. In order to assure a proper installation, the Town shall assist the State in the inspection of the Contractor's work described in Paragraphs 1 through 6 as required by the Project. Any issue shall be brought to the attention of the State's Contract Administrator immediately and he/she shall resolve it. The Contract Administrator will require the Contractor to take corrective action as necessary to provide an acceptable installation, relocation, and/or adjustment.



10. Federal and State participation in the cost of the work done under this Agreement shall be computed on the basis of the provisions and regulations of 23 CFR, Part 645, Subpart A and/or Subpart B. The subject regulation, including all current amendments and/or revisions, is hereby made a part of this Agreement.
11. The Town agrees to remit payment to the Treasurer, State of New Hampshire, through:

Leonard Russell, Financial Reporting Administrator  
Bureau of Finance and Contracts  
New Hampshire Department of Transportation  
7 Hazen Drive, PO Box 483  
Concord, NH 03302-0483

in the amount of the bid item totals, plus construction engineering estimated at 6% and 10% for overhead expenses, minus the reimbursement amount, for the non-participating water and sewer main relocation work and adjustment of water and sewer facilities work described in Paragraphs 1 through 6 prior to the award of the Contract. The actual payment total required will be determined at the time of receipt of bids for the Project. Should the funds (approximately \$410,197.00) not be provided, the non-participating water and sewer main relocation work in excess of that length required to be relocated due to construction conflicts will be deleted from the Contract; and the Town will be billed for the costs of the required relocated length, minus State reimbursement.

12. During the final audit of the work, the State will compute the final costs based on the actual quantities of items related to water and sewer main relocation work and adjustment of water and sewer facilities, along with any additional required water and sewer relocations needed to resolve construction conflicts, plus a percentage for construction engineering based upon actual costs and 10% for overhead expenses. If these costs exceed the amount paid, the State will bill the Town for the balance due. If they are less, the State will forward a check in the amount of the balance to the Town.
13. The State agrees to reimburse the Town the amount of \$47,458.00 for trench and backfill. Said payment is computed per the attached estimate. The Town agrees that these amounts, deducted from the payments described above, fulfill the State's obligation of RSA 228:22 (trench, backfill, and book value).
14. All cost records of the Town pertaining to the Project will be subject at any time to inspection and audit by representatives of the State and the Federal Government for a period of not less than three (3) years from the date final payment is received by the Town.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

THE STATE OF NEW HAMPSHIRE  
Department of Transportation

Town of Newmarket

By: \_\_\_\_\_  
Peter E. Stamnas, P.E.  
Director of Project Development

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Typed or Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_ JAM

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DURHAM-NEWMARKET

X-A001(261)

13080-B

(NH 108; Construct 4' Bike Shoulders from Oyster River

Bridge to Durham / Newmarket T/L and Hamel Brook

Bridge to Sanborn Avenue)

[UTILITY AGREEMENT COVER LETTER – WATER & SEWER RELOCATION  
& FACILITY ADJUSTMENT WORK]

Bureau of Highway Design

Room 200

Tel. (603) 271-2171

Fax (603) 271-7025

August 15, 2016

Sean Greig

Water and Sewer Superintendent

Newmarket Public Works Department

186 Main Street

Newmarket, NH 03857

Dear Mr. Greig:

The Department has received the estimate dated August 11, 2016 by the Town's Consultant Wright-Pierce Engineering for the relocation and adjustment of water and sewer facilities on the above noted State project in Durham and Newmarket, New Hampshire. The estimate has been reviewed by this office and it appears to be acceptable in the amount of \$457,655.00.

Enclosed is the original Utility Agreement in duplicate, executed by the State. If this Agreement is satisfactory, please have both signed and dated for the Municipality and return one (1) to Lennart D. Suther, P.E., Utilities Engineer, New Hampshire Department of Transportation, 7 Hazen Drive, PO Box 483, Concord, NH, 03302-0483. The second Agreement is for your records.

Please encumber funds (which includes 6% construction engineering and 10% overhead expenses minus applicable reimbursement) in the amount of \$410,197.00. Request for payment to the Treasurer, State of New Hampshire will be sent upon receipt of the Bids and determination of the lowest responsible bidder. Should funds not be provided, the water and sewer main relocation work and water and sewer facility adjustment work will be deleted from the contract.

By copy of this letter Consultant Design is requested to revise the project estimate showing an income of \$410,197.00 (\$457,655.00 less \$47,458.00 reimbursement for trench, backfill) from the Municipality for non-participating water and sewer relocations and water and sewer facility adjustment work included in the above referenced project.



Upon receipt of the signed, executed Agreement by the Department, we will notify you in writing of completion of the Agreement process with the payment request for the work to be performed by the State's Contractor to follow upon determination of the lowest responsible bidder. **If you have any questions, please contact Brett McCrea of this office at 271-1988.**

Sincerely,

Melodie A. Esterberg, P.E.  
Chief of Design Services

MAE/LDS/BSM/bsm

Enclosures

cc: Ron Grandmaison, Construction, Consultant Design, Finance & Contracts - George Poulin,  
Wright-Pierce Engineering

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CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution #2016/2017-04**

**Relating to Accepting Gifts for the Christian Shoppmeyer Park**

**WHEREAS**, Chris Shoppmeyer, a Newmarket resident, was a member of the Newmarket Conservation Commission, a co-founder of the Newmarket Fishing Derby, and was a key member on creating three conservation parks, and

**WHEREAS**, family, friends, and residents of Newmarket desire to leave a legacy in his name with monetary gifts, and

**WHEREAS**, the purpose of the gifts is to purchase land that will be conserved and used for a public park.

**NOW THEREFORE BE IT RESOLVED**, the Town Council of the Town of Newmarket hereby authorizes the receipt of gifts for the purpose of the Christian Schoppmeyer Park.

*First Reading:*                      *September 7, 2016*

*Second Reading:*

*Approval:*

Approved: \_\_\_\_\_  
                    Gary Levy, Chairman

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:** August 31, 2016

**TITLE:** Resolution # 2016/2017-04 - Accepting Gifts for the Christian Shoppmeyer Park

**PREPARED BY:** Matthew Angell, Finance Director

**TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:**

I have reviewed this and in order to comply with State Law, I recommend its passage.

**BACKGROUND:** Several Town residents desire to purchase land and create a park in the memory of Christian Shoppmeyer. There are several checks in the safe waiting for approval related to this purchase, exceeding \$50,000.

**Process:** Under RSA 31:95-e, the Town Council must hold a public hearing on the proposed acceptance of gifts that have a value over \$5,000. Afterwards, the Town Council would act on whether to accept the gifts.

**Results:** Acceptance of the gifts will allow the funds to be deposited and used towards their intended purpose, which is to purchase property for a park.

**DISCUSSION:** This is a project with good intentions. The Town has mechanisms to accomplish the task of collecting, monitoring, and disbursing the funds according the purpose of the gift.

**FISCAL IMPACT:** Other than normal administrative tasks, there is no fiscal impact to the Town.

**RECOMMENDATION:** I recommend the Town Council approve the receipt of the funds for the purpose of purchasing land for a park.

***ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.***



August 2, 2016

To: Gary Levy, Newmarket Town Council Chairperson  
Subject: Christian Schoppmeyer Park Fund Raising

Dear Mr. Levy and fellow councilors,

As most, if not all of you know Christian Schoppmeyer passed away this past February. Mr. Schoppmeyer was an active and well respected member of our community spending most of his life through many roles devoted to the protection of our natural resources and the involvement of our youth in outdoors recreation. A few months ago the Conservation Commission was approached by several members of the community with the hopes of our assistance in the creation of a park in Mr. Schoppmeyer's memory. They were also armed with a pledge of a significant monetary donation of seed money to get the process started and a future matching donation. The idea was welcomed whole heartedly by the full commission with two of us volunteering our time to a subcommittee formed to oversee the process. We hope that the council will become part of this process by accepting donations on behalf of the Conservation Commission to be set aside for the sole purpose of purchasing a parcel of land and the creation of Christian Schoppmeyer Park for generations to enjoy.

Respectfully,

Jeffrey Goldknopf, Newmarket Conservation Commission Chairperson

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution #2016/2017-05**

**Relating to Paving Improvements 2016-2017**

**WHEREAS,** The Town of Newmarket's paving improvements for 2016-2017 are an overlay of Ash Swamp Road and Grant Road, and

**WHEREAS,** the Town selected Bell and Flynn, Inc. from the following vendors:

Vendor	Amount Available
Bell & Flynn, Inc.	\$340,505
Pike Industries	No Bid
Bourassa Construction	No Bid

**WHEREAS,** the Town has the following funds available for paving with the amount requested:

Funding Source	Amount Available	Amount Requested
Operating budget	\$155,000	\$155,000
Roadway Improvement Capital Reserve Fund (as of June 30, 2016)	250,260	185,505
Total Funds Available	\$405,260	\$340,505

**NOW THEREFORE BE IT RESOLVED,** that the Newmarket Town Council does authorize the Town Administrator to enter into any agreements related to this project and does hereby authorize the withdrawal of \$185,505 from the Roadway Improvement Capital Reserve Fund.

*First Reading:*            *September 7, 2016*

*Second Reading:*

*Approval:*

Approved: \_\_\_\_\_  
Gary Levy, Chairman

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:** August 31, 2016

**TITLE:** Resolution # 2018/2017-05 - Paving Improvements 2016-17

**PREPARED BY:** Rick Malasky, Public Works Director

**TOWN ADMINISTRATOR'S COMMENTS – RECOMMENDATION:**

While I recommend passage of this resolution, I would suggest that the Town Council has an option. The Road Management Plan recommends an expenditure of approximately \$321,000. The difference is Bell and Flynn is recommending a 1.25" coat vs. 1" as the report recommends. If the Town Council wishes, reducing the cover to 1" would save \$19,000.

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

**Process:** I called four contractors to request proposals.

**Results:** We received back one proposal from Bell & Flynn, INC. and Continental Paving provide an email stating they were unable to provide a proposal because of their work load. Pike Industries and Bourassa Construction did not return any phone calls.

**DISCUSSION:** The town was waiting for the updated Road Management and Maintenance Plan to be completed before doing any work this year. Because it is late summer most contractors have all their work booked up for this season therefore we experienced a low response to our request. Now that we have an updated Road Maintenance Plan for the next several years we will bid this work in the winter months. I have no concerns with the fact that we only have one proposal because it is from Bell & Flynn INC. 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. The roads schedule for this year really need attention before this winter. There high priority roads with high traffic volumes and in very poor condition.

**FISCAL IMPACT:** The Town budgeted \$155,000 towards this expenditure in the operating budget and the capital reserve has \$250,234. Between the two accounts the Town currently has \$405,234 available for paving projects. The budget for this work in the road plan was \$321,359. The proposal from Bell and Flynn INC is \$340,505. The increase is because Grant Road calls for a 1" overlay in the plan but I have recommend a 1 ¼" overlay because it is going to give the road a better looking finish once completed.

Because of the roads conditions a 1" overlay will result in some imperfection in the finish course in some areas. This ¼ inch overlay adds \$19,430 to the budget. If you did a 1" overlay the proposal from Bell & Flynn would be \$321,075.

**RECOMMENDATION:** I recommend the Town award the contract to Bell & Flynn INC. for the amount of there proposal for \$340,505. \$155,000 coming from the operating budget and \$185,505 coming from the capital reserve.

***ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.***