TOWN OF NEWMARIET, NEW HAMPSHIIRE
TOWN COUNCIL AGENDA

## WEIDNESDAY, OCTOBER 4, 2017, 7:00PM <br> NEWMARIET TOWN HALL COUNCIL CHAMBERS

## 6:00PM NON-PUBLIC MEETING PURSUANT TO RSA 91-A:3,II(a) - 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. September 20, 2017 Non-Public Meeting Minutes
b. September 20, 2017 Regular Meeting Minutes
5. Report of the Town Administrator
a. Diane Hardy - Introduction to the CIP process and to present recommendations made by the CIP Committee.
6. Committee Reports
7. Old Business
a. Resolutions/Ordinances in the $2^{\text {nd }}$ Reading
i. Resolution \#2017/2018-15 - Resolution Authorizing the Town Administrator to enter into an agreement with Educational Building Consultants, Access A/V and Daniels Electric for Town Council Dais Improvements.
b. Resolutions/Ordinances in the $3^{\text {rd }}$ 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
i. NCDC-Carl Blackstone - Term Expires December 2019
ii. Energy \& Environment Advisory Committee - William Turner - Term Expires March 2020
iii. Energy \& Environment Advisory Committee - Daniel Smith - Term Expires March 2020
b. Resolutions/Ordinances in the $1^{\text {st }}$ Reading
i. Resolution 2017/2018-16 - Resolution Authorizing the Town Administrator enter into a Contract with Educational Building Consultants for Town Hall Office Improvements.
ii. $\quad$ Ordinance No. 1-2017/2018 - Amendments to Chapter 32 Zoning of the Newmarket Municipal Code regarding New Road Skilled Nursing Facility (SNF) District.
c. Correspondence to the Town Council
d. Closing Comments by Town Councilors
e. Next Council Meeting - October 18, 2017

## 9. Adjournment

# TOWN OF NEWMARKET, NEW HAMPSHIRE TOWN COUNCIL REGULAR MEETING September 20, 2017 7:00 PM TOWN COUNCIL CHAMBERS 

PRESENT: Council Chairman Dale Pike, Council Vice Chairman Toni Weinstein, Councilor Amy Thompson, Councilor Gretchen Kast, Councilor Kyle Bowden, Councilor Casey Finch

EXCUSED: Councilor Amy Burns

ALSO PRESENT: Town Administrator Steve Fournier, Facilities Director Greg Marles, Water \& Wastewater Superintendent Sean Greig, Public Works Director/Fire Chief Rick Malasky

## AGENDA

Chairman Dale Pike welcomed everyone to the September 20, 2017 Newmarket Town Council Meeting and called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance.

Chairman Pike stated that that Councilor Amy Burns was excused.

Vice-Chair Weinstein made a motion to seal the minutes of the Non-Public Session, which was seconded by Councilor Thompson. Town Administrator Fournier polled the Council and the motion to seal the minutes of the Non-Public Session was approved by a vote of 5-0 with 1 abstention.

## Tax Deeds for Map/Lots R5-165 and U2-108

Councilor Thompson made a motion to accept the Tax Deeds for Map/Lots R5-165 and U2-108, which was seconded by Councilor Kast. Town Administrator Fournier polled the Council and the motion to accept the Tax Deeds for Map/Lots R5-165 and U2-108 was approved by a vote of 5-0 with 1 abstention.

## PUBLIC FORUM

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

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Rose-Anne Kwaks, Chairman of the CIP Committee, stated she was interested in Resolution \#2017/201815 which was up for a first reading tonight, and Town Administrator Fournier said that they would not act on it until the second reading. Ms. Kwaks stated that she was very concerned about an issue that was brought up to her, and asked what the cost would be to fix the Town Council Dais. Town Administrator Fournier said the cost would be "not to exceed $\$ 10,000$ " for the complete rewiring and woodworking. Ms. Kwaks asked how necessary this was, and Town Administrator Fournier stated that they had been having wiring issues with the microphones for some time.

Ms. Kwaks asked what percent of the cost was for the wiring, and asked if that could be done without the rest of the updating. Town Administrator Fournier said he would discuss it with the Council at the next meeting. Ms. Kwaks said they needed $\$ 10,000$ to fix the Tiger Building. Town Administrator Fournier explained that the money for the wiring would come from the Cable Fund and money for the Tiger Building would come from the Building Improvements Capital Reserve Fund. He said the Facilities Director was now going through all the buildings and would have a report later this year. Vice-Chair Weinstein asked what the Tiger Building was, and Ms. Kwaks said it was a historical building which housed a historic artifact and was in complete disrepair. She said if $\$ 10,000$ could be found in the budget, she would like to see that done before anything else.

Chairman Pike closed the Public Forum at 7:02 pm

## PUBLIC HEARING - None

## TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES

## Acceptance of the Minutes of the Joint Town Council/School Board Meeting of August 30, 2017

Councilor Thompson made a motion to accept the minutes of the Joint Town Council/School Board Meeting of August 30, 2017, which was seconded by Vice-Chair Weinstein.

Town Administrator Fournier polled the Council and the minutes of the Joint Town Council/School Board Meeting of August 30, 2017 were approved by a vote of 5-0 with 1 abstention.

## Acceptance of the Minutes of the Regular Meeting of September 6, 2017

Vice-Chair Weinstein made a motion to approve the minutes of the Regular Meeting of September 6, 2017, which was seconded by Councilor Bowden.

Changes/Corrections: Chairman Pike corrected "GCA" to GZA on page 3 of the minutes, line 124.

Town Administrator Fournier polled the Council and the minutes of the Regular Meeting of September 6, 2017 were approved as amended by a vote of 6-0.

Acceptance of the Minutes of the Non-Public Session of September 6, 2017

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Vice-Chair Weinstein made a motion to approve the minutes of the Non-Public Session of September 6, 2017, which was seconded by Councilor Kast.

Town Administrator Fournier polled the Council and the minutes of the Non-Public Session of September 6,2017 were approved by a vote 6-0.

## REPORT OF THE TOWN ADMINSTRATOR

Town Administrator Steve Fournier stated that the Paving Projects for this year had begun last week with the start of the reclamation of New Road. He said Granite Street had been done and they were currently paving on the hill in Downtown, which they expected to complete in 3 weeks. He said they had gone out to RFP for the update of the Town Financial Software System and received 3 proposals, which were quite extensive and currently under review by a team composed of IT, Finance, the Town Clerk and other departments. He said they had the funding for the first-year lease payment in the Current Budget.

Town Administrator Fournier said there was nothing out of the ordinary with the FY2018 Budget at this time, and said the Revenue Budget would not be included until the Tax Rate was set in a few weeks. He said currently budget revenue estimates were zero, but said the Town was also doing well there. He stated that he received the lawsuit for NHDOT vs. the Town of Newmarket for the South Route 108 Widening Project. He said the State filed a Summary Judgement against the Town, and they would be filing their reply shortly.

Town Administrator Fournier announced a procedural change that would have all motions made by ViceChair Weinstein going forward to prevent confusion.

Discussion: Councilor Kast asked for the status on the joint community challenge to the MS4 situation, and Town Administrator Fournier said he had not yet received that information. Vice-Chair Weinstein commented that the Police Report statistics given for heroin-related overdoses and deaths had declined, which said a lot about the work of the Newmarket Police Department.

Chairman Pike had a question on the Facilities Report with regard to the Stormwater Integrated Pest Management Program. Facilities Director Marles explained that part of their Stormwater Program included looking at pests, fertilizers, herbicides and pesticides and creating a plan on how that worked as part of their Stormwater Compliance MS4 Program. Chairman Pike also pointed out a misprint under the CIP Report which should state that the CIP would submit their formal recommendations by October $1^{\text {st }}$.

## COMMITTEE REPORTS

Councilor Kast reported on the Capital Improvements Program (CIP) Committee. She first cleared up the issue of the amendment to their Rules and Procedures from the last meeting with regard to ex-officio members. She said Town departments had provided facilities tours to the Committee on September 11th, and that Department Heads had presented requests for CIP review for the School and the Town, on September $14^{\text {th }}$ and $18^{\text {th }}$ respectively. She said a common concern heard by Department Heads was proper

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support of asset maintenance. She said though it was not part of the CIP Process per se, it was key for protecting assets to insure the realization of full life value for those assets.

Councilor Kast said deliberations and preparations of CIP recommendations were scheduled for Monday September $25^{\text {th }}$, and Thursday September $28^{\text {th }}$ if more time was needed. She stated that she agreed that the Council should have more details of the CIP, particularly with long-range planning. Chairman Pike said the Town Council would hear directly from the CIP Committee at their first meeting in October, and would have time to talk about the process.

## OLD BUSINESS

ORDINANCES AND RESOLUTIONS IN THE $2^{\text {ND }}$ READING

## Resolution \#2017/2018-08 Authorization to Withdraw \$25,000 from the Sewer CIP for Pumping Station

 Improvements Preliminary EngineeringVice-Chair Weinstein made a motion to approve Resolution \#2017/2018-08 Authorization to withdraw $\$ 25,000$ from the Sewer CIP for Pumping Station Improvements Preliminary Engineering, which was seconded by Councilor Thompson.

Water \& Wastewater Superintendent Seam Greig stated that the Town had 6 pumping stations which pumped wastewater to the Wastewater Treatment Plant. He said they had started looking at the stations and performed some evaluations on what needed to be done, and planned to start a list of prioritized items. He said this resolution would provide engineering to figure out how to best do the work, and they would then get back to the Town Council to ask for any additional monies needed to move to the next step of the design and building of the work. He said the Sewer Capital Reserve Fund had approximately $\$ 580,000$ currently.

Discussion: Councilor Thompson pointed out that the resolution said funds were to come from the Sewer CIP, which should be the Sewer Capital Reserve Fund. She said the two were perpetually confused, and that the CIP was a plan which had nothing to do with funds or funding. Chairman Pike asked about the bid process, and Water \& Wastewater Superintendent Greig said they had gone through the process of getting an engineering firm that had provided costs. He said he was here because the amount being requested was over $\$ 10,000$.

Town Administrator Fournier polled the Council and Resolution \#2017/2018-08 Authorization to withdraw $\$ 25,000$ from the Sewer CIP for Pumping Station Improvements Preliminary Engineering was approved by a vote of 6-0.

## Resolution \#2017/2018-09 Operation of Keno Games in the Town of Newmarket

Vice-Chair Weinstein made a motion to approve Resolution \#2017/2018-09 Operation of Keno Games in the Town of Newmarket, which was seconded by Councilor Thompson.

Town Administrator Fournier explained that in order to fund some aspects of Full Day Kindergarten, the New Hampshire State Legislature had passed Bill 191 allowing Keno Games in certain establishments. He said as part of that bill, municipalities were required to vote on whether or not to authorize Keno in their communities. He explained that the vote tonight was whether or not to place the question on the Ballot in March, and said the Town Council would need to hold a Public Hearing on the issue.

Councilor Bowden asked how much of the money raised by Keno actually went to the Kindergarten Educational Trust Fund. Town Administrator Fournier said it was usually the amount raised minus the costs to run the program. Vice-Chair Weinstein said she had given the issue a lot of thought and wanted to express some of her concerns to the Council and the community. She said Newmarket had voted to fund full-day Kindergarten a few years ago because they valued education. She said she felt strongly that it was the responsibility of the State to fund education and fund it adequately in the State of New Hampshire. She said she did not think this policy did that, and said she could not in good faith support the resolution and would be voting against it tonight.

Councilor Thompson said she seconded everything Councilor Weinstein said and for the same reasons. She said this would put an unfair burden on towns like Newmarket, and she felt the positives did not outweigh the negatives and she would also be voting against it tonight. Councilor Kast said she also agreed but with the exception that it should be put to a vote to allow the townspeople to decide. Councilor Finch said he shared some of the same concerns with using Keno to fund Kindergarten but that he felt torn on whether or not the voters should be able to choose.

Town Administrator Fournier polled the Council and Resolution \#2017/2018-09 Operation of Keno Games in the Town of Newmarket was approved by a vote of 4-2.

## Resolution \#2017/2018-10 Authorizing the Town Administrator to Enter into a Contract with Educational Building Consultants for Door Replacement and Opener Addition at the Sunrise Center

Town Administrator Fournier stated that there was an error in this resolution and it should read: to withdraw up to $\$ 9,950$ from the Building Improvements Capital Reserve Fund, and said there was currently $\$ 249,747$ in the fund. He said he had found out that the Newmarket Housing Authority could provide up to $\$ 5,000$ towards the project, but said they would only withdraw the amount needed.

Vice-Chair Weinstein made a motion to amend Resolution \#2017/2018-10 to specify that funds would be withdrawn from the Building Improvements Capital Reserve Fund, which was seconded by Councilor Thompson. Town Administrator Fournier polled the Council and the motion to amend Resolution \#2017/2018-10 was approved by a vote of 6-0.

Facilities Director Marles stated that the resolution was to replace the 2 exterior side doors at the Sunrise Sunset Center, as they were rusted out. He said they would be replaced with 2 steel doors with steel frames, and an ADA opener at the main entrance (right side) to be in compliance with ADA access. He said the current front door was technically only an egress by code and not an entrance. Vice-Chair Weinstein asked about the up-coming installation of the access security system for the Town, and Facilities Director Marles said the system they were putting in would allow for that.

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Town Administrator Fournier polled the Council and Resolution \#2017/2018-10 Authorizing the Town Administrator to Enter into a Contract with Educational Building Consultants for Door Replacement and Opener Addition at the Sunrise Center was approved as amended by a vote of 6-0.

## Resolution \#2017/2018-11 Authorizing the Town Administrator to Enter into a Contract with Affinity Lighting for Town Street and Decorative Lighting Upgrades

Vice-Chair Weinstein made a motion to approve Resolution \#2017/2018-11 Authorizing the Town Administrator to enter into a Contract with Affinity Lighting for Town Street and Decorative Lighting Upgrades which was seconded by Councilor Bowden.

Town Administrator Fournier said the Town had been working on replacing the Downtown decorative lighting with LED lighting and replacing the cobra-head lighting throughout the Town. He said they had worked with Eversource to secure funding as a part of their Energy Rebate Program, and had applied to the Community Development Finance Authority (CDFA) for a $2.5 \%$ loan to fund the project and should know if their application had been approved in about 3 weeks. He said that this would replace every streetlight in Town with LED lighting, as well as the decorative lighting in the Downtown area. He explained that both types of lighting were billed differently, with streetlights billed on a flat basis and parking lots and Downtown lights City Metered.

Town Administrator Fournier said the initial proposal was from Affinity Lighting in Dover and they had received one other proposal from Energy Management Consultants. He said he was recommending Affinity Lighting due to their proximity, and said the company was also working with a number of other communities in the area. He stressed that the project would only go forward with approval of the CDFA Loan and would not be done without CDFA authorization, though Eversource was already committed.

Discussion: Councilor Thompson asked about the timeframe if the loan went through, and Town Administrator Fournier said the decorative lighting would be done by the end of this calendar year and the street lighting done early in 2018. Councilor Thompson asked why they needed to vote on this tonight if it was contingent on the loan. Town Administrator Fournier said he wanted the flexibility to be able to move forward when the loan was approved so they could begin manufacturing the cobra-head lighting. He said if the loan does not go through he would have to start over and obtain new prices to reapply.

Town Administrator Fournier polled the Council and Resolution \#2017/2018-11 Authorizing the Town Administrator to enter into a Contract with Affinity Lighting for Town Street and Decorative Lighting Upgrades was approved by a vote of 6-0.

## Resolution \#2017/2018-12 Increase of Sewer Rates

Vice-Chair Weinstein made a motion to approve Resolution \#2017/2018-12 Increase of Sewer Rates which was seconded by Councilor Bowden.

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Water \& Wastewater Superintendent Greig stated that when the Town started with the Wastewater Treatment Plant years ago he had come to the Council with several plans on how to pay for it. He said the Town Council at that time decided not to have a one-time increase but to increase over time by 76 cents/year on the Sewer Rate, and said he was before the Council to ask for the yearly increase. He said there would be a few more years of increases until they reached the projected $\$ 13.50 /$ cubic foot, adding that 100 cubic feet equaled 750 gallons.

Discussion: Councilor Thompson felt it was hard for her to know what to do as she was not on Town sewer or water. Water \& Wastewater Superintendent Greig said he created the numbers and the model which had been confirmed by Wright Pierce. He explained that if they stopped doing the yearly increases while starting to make payments on the Wastewater Treatment Plant, there would be a lack of funds at some point.

Town Administrator Fournier polled the Council and Resolution \#2017/2018-12 Increase of Sewer Rates was approved by a vote of 6-0.

## Resolution \#2017/2018-13 Increase of Water Rates

Vice Chair Weinstein made a motion to approve Resolution \#2017/2018-13 Increase of Water Rates which was seconded by Councilor Bowden.

Water \& Wastewater Superintendent Greig stated that Water Rates had not moved since 2010, and felt they needed to start moving rates up or they would be at a deficit. He said all the goals put forward for the Water Department by the Town Council in 2011 had been completed, which included the MacIntosh Well, the Tucker Well, and moving the water mains on North Main Street. He said they needed to start increasing water rates to keep up with the cost of chemicals, and said another problem in the past year was the drought.

Discussion: Councilor Kast asked if this was a one-time increase, and Water \& Wastewater Superintendent Greig said he would be coming back to the Council, as Asset Management had forecast a cost of $\$ 8$ million over the next 10 years for water main replacement. He said they also did not know the cost of treatment for the MacIntosh Well or the costs to bring the Tucker Well online, and said they would be coming back to the Council to begin a study to look into those costs and come up with a plan which had the least impact on water users.

Town Administrator Fournier polled the Council and Resolution \#2017/2018-13 Increase of Water Rates was approved by a vote of 6-0,

Resolution \#2017/2018-14 Authorizing the Town Administrator to Enter into a Contract with Securadyne for a Visual Surveillance and Controlled Access System

Vice-Chair Weinstein made a motion to approve Resolution \#2017/2018-14 Authorizing the Town Administrator to Enter into a Contract with Securadyne for a Visual Surveillance and Controlled Access System, which was seconded by Councilor Thompson.

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Town Administrator Fournier stated that he needed an amendment to the resolution to read: to withdraw up to $\$ 23,711.50$ from the Building Improvements Capital Reserve Fund and $\$ 23,711.50$ from the Dispatch/Police Equipment Capital Reserve Fund. He said the Building Improvement Fund had a balance of $\$ 249,747$ and the Police Equipment Fund had a balance of $\$ 182,842$.

Vice-Chair Weinstein made a motion to approve the above amendment to Resolution \#2017/2018-14, which was seconded by Councilor Thompson. Town Administrator Fournier polled the Council and the amendment was approved by a vote of 5-0 (Councilor Finch was out of the room during the vote).

Town Administrator Fournier polled the Council and Resolution \#2017/2018-14 Authorizing the Town Administrator to Enter into a Contract with Securadyne for a Visual Surveillance and Controlled Access System was approved as amended by a vote of 6-0.

## ORDINANCES AND RESOLUTIONS IN THE $3^{\text {RD }}$ 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.)

Resolution \#2017/2018-07 Resolution Authorizing the Town Administrator to enter into an Agreement with Industrial Protection Services to Purchase a 2017 Zodiac MilPro ERB 400 Rescue Boat, and withdraw $\$ 19,550$ from the previously-established Fire Rescue Capital Reserve Fund. (This Resolution is tabled from the September 6, 2017 Council Meeting.) (Town Administrator requests this item be taken off the Table for action.)

Vice-Chair Weinstein made a motion to remove Resolution \#2017/2018-07 from the Table, which was seconded by Councilor Bowden and approved by the Council with a vote of 6-0.

Fire Chief Rick Malasky said he had provided the calls for service and all of the quotes as requested by the Council.

Discussion: Vice-Chair Weinstein asked for an explanation of the difference between the current boat and what the new boat would provide. Fire Chief Malasky said they currently had an aluminum fishing boat which was easily tipped over, and that the new Zodiac MilPro ERB 400 Rescue Boat was a militaryapproved inflatable craft. Councilor Thompson asked if use would increase with the new boat. Fire Chief Malasky said not all communities had boats but he did not see calls for service increasing. Councilor Thompson asked if Town personnel would go with the boat if a call came through, and Fire Chief Malasky said only their personnel would take out the boat.

Councilor Kast asked about maintenance costs, and Fire Chief Malasky said there would be no maintenance, and said it was a military-approved boat which would reach the end of is useful life after 20 years. He said the boat they currently had was a huge liability, and said that training would be needed on

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the new boat. Chairman Pike asked if the Fire Department would sell the old boat, and Fire Chief Malasky said he was not sure as the boat was purchased by the Police Department. Town Administrator Fournier said they would need to look at the grant used to purchase the boat as there might be Federal rules they needed to follow.

Town Administrator Fournier polled the Council and Resolution \#2017/2018-07 Resolution Authorizing the Town Administrator to enter into an Agreement with Industrial Protection Services to Purchase a 2017 Zodiac MilPro ERB 400 Rescue Boat, and withdraw $\$ 19,550$ from the previously-established Fire Rescue Capital Reserve Fund was approved by a vote of 6-0.

## NEW BUSINESS /CORRESPONDENCE

## TOWN COUNCIL TO CONSIDER NOMINATIONS, APPOINTMENTS AND ELECTIONS

## Energy \& Environment Advisory Committee

Candidate: Donald Sanders - Term Expires March 2020
Vice-Chair Weinstein made a motion to approve the nomination of Donald Sanders as a member of the Energy \& Environment Advisory Committee - Term Expiring March 2020, which was seconded by Councilor Kast.

Town Administrator Fournier polled the Council and the nomination of Donald Sanders as a member of the Energy \& Environment Advisory Committee was approved by a vote of 6-0.

## Capital Improvement Program (CIP) Committee

Candidate: Russell Simon- Term Expires March 2020
Vice-Chair Weinstein made a motion to approve the nomination of Russell Simon as a member of the CIP Committee - Term Expiring March 2020, which was seconded by Councilor Bowden.

Town Administrator Fournier polled the Council and the nomination of Russell Simon as a member of the CIP Committee was approved by a vote of 6-0.

## ORDINANCES AND RESOLUTIONS IN THE $1^{\text {ST }}$ READING

## Resolution \#2017/2018-15 Resolution Authorizing the Town Administrator to Enter into an Agreement

 with Educational Building Consultants, Access TV, and Daniels Electric for Town Council Dais ImprovementsChairman Pike read Resolution \#2017/2018-15 Resolution Authorizing the Town Administrator to Enter into an Agreement with Educational Building Consultants, Access TV, and Daniels Electric for Town Council Dais Improvements in full.

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CORRESPONDENCE - None
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## CLOSING COMMENTS

Council Representative to the Energy \& Environment Advisory Committee
Vice-Chair Weinstein reminded the Council that they needed to appoint a Town Council Representative to the Energy \& Environment Advisory Committee, and said she volunteered for the position.

Councilor Thompson made a motion to appoint Vice-Chair Weinstein as Council Representative to the Energy \& Environment Advisory Committee which was seconded by Councilor Kast.

Town Administrator Fournier polled the Council and the appointment of Vice-Chair Weinstein as Council Representative to the Energy \& Environment Advisory Committee was approved by a vote of 6-0.

NEXT MEETING: Next regular Town Council Meeting is scheduled for October 4, 2017.

## ADJOURNMENT

Chairman Pike adjourned the meeting at 8:08 pm.

Respectfully submitted,
Patricia Denmark, Recording Secretary

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

## REPORT OF THE TOWN ADMINISTRATOR October 4, 2017

Dispatch Service: The Chiefs and I have begun meeting with representatives from the Town of Newfields to provide dispatch services to the community once again. I will keep the Council posted.

Downtown Project: Dubois King, the Town's contracted engineer has reviewed the punch list of items for the downtown project and feels that the project is complete. NHDOT will come on site to provide us with a certificate of completion after a walk through within the next few weeks.

NHMA Annual Conference: The NHMA's annual conference will be held November 15 and 16 in Manchester NH. I am attaching copies of the schedule overview and some of the preliminary programming that they will have. If you are interested in attending, please let me know and we can register you.

Capital Improvement Plan: The Community Development Director will be attending the meeting to present to the Town Council the Capital Improvement Plan. Please note that this is an overview and the detail discussion will be held during our budget workshop on October 28.

## 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.
Emergency Management: Waiting for the grant award.
LED Lighting: Waiting for approval from CDFA.
NHDOT v Town of Newmarket: The Town has answered the State's request for summary judgement; we are waiting for the judge to rule.

Out of Office: I will be out of the office at the ICMA conference in San Antonio October 19-27.


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The New Hampshire Municipal Association (NHMA) is pleased to announce its 76th Annual Conference, with the theme The Challenge of Change! This is New Hampshire's premier conference for municipal officials, featuring over 50 educational sessions on timely and relevant topics, as well as ample opportunities to meet and greet with exhibitors ready to offer you the latest products and services.

Registration Information will be available end of September. Please frequent our website at www.nhmunicipal.org/annualconference to find the most up to date information.


## Conference Schedule

Wednesday, November 15, 2017
$\begin{array}{ll}\text { 7:30a.m. } & \text { Registration Opens } \\ & \text { Outside of Exhibit Hall }\end{array}$
8-9a.m. Opening Breakfast Buffet Armory

9-10a.m. Keynote Speaker Salon A

10a.m. Exhibit Hall Opens
10-10:45a.m. Morning Break-Expo Hall
10:45-12p.m. Concurrent Sessions
12-1:15p.m. Exhibit Hall Luncheon

1:30-2:45p.m. Concurrent Sessions

2:45-3:15p.m. Afternoon Break-Expo Hall
3:15-4:30p.m. Concurrent Sessions
4:30-5:30p.m. Exhibit Hall Reception

Thursday, November 16, 2017
7:30a.m. Registration Opens
Exhibit Hall Opens
8-9a.m. Opening Breakfast Exhibit Hall

9-10:15a.m. Concurrent Sessions

10:15-10:45a.m. Morning Break Exhibit Hall

10:45-12p.m. Concurrent Sessions

12-1:15p.m. Municipal Advocate of the Year Award Luncheon Armory

1:30-2:45p.m. Concurrent Sessions
2:45-3:15p.m. Afternoon Break Exhibit Hall

3:15-4:30pm Concurrent Sessions

## Two new tracks are being offered this year:

- Law Enforcement Track
- Public Works Track


## Session Topics

- Legislative Update
- Right-to-Know Law
- ACA-New Regulation
- Conflicts of Interest
- Appropriate Municipal Management of Street Wastes
- Police Liability \& Qualified Immunity
- The conference will offer sessions in Assessing, Employment, Welfare and much more!


## Conference Information

## Exhibit Hall

Visit the Exhibit Hall on Wednesday and Thursday to meet representatives from more than 100 private firms, nonprofit organizations and government agencies providing products and services catering to local government. Break times offer ample opportunity to explore booths and talk with vendors. From accounting services to wastewater management systems, you'll find it all in the Exhibit Hall!

## Parking

A parking garage is located adjacent to the Radisson Hotel.
With validation, parking fees are $\$ 6$ per vehicle. Attendees staying at the hotel may park overnight for $\$ 12$.

## Conference Registration

You must be NHMA Member (employee/representative), or a member of an NHMA Affiliate Group to attend.

|  | Registration Fees |  |
| :--- | :---: | :---: |
| Member Rate | by 10/13/17 | after 10/13/17 |
| One Day | $\$ 75$ | $\$ 100$ |
| Two Days | $\$ 125$ | $\$ 150$ |
| Non Members |  |  |
| One Day | $\$ 135$ |  |
| Two Days | $\$ 195$ |  |
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2017 NHMA Conference Session Descriptions

## Wednesday, November 15, 2017

10:45 a.m. Sessions

A Toolkit for Local Regulation of Agriculture
Conflicts surrounding farms are on the rise-be it neighbors challenging farmers, farmers engaging in activities that stretch or exceed what constitutes agriculture, or entrenched attitudes about property rights. In this session, attendees will receive the new agriculture "Toolkit," designed to guide farmers and municipal decision-makers to develop farm-friendly regulatory environments. The Toolkit will (1) identify and provide a flow chart of state laws governing farming and agricultural activities; (2) provides a checklist for assessing the farm friendliness of local regulations and policies; (3) discuss the relationship between state laws and town laws; and (4) share resources for assistance for farmers and municipalities to address conflicts.
Amy Manzelli, Managing Attorney, BCM Environmental \& Land Law, PLLC
Theresa Walker, Consultant Environmental Planner, Rockingham Planing Commission
Hosted by: NH Municipal Association
Track: Land Use \& Environment

## Accessory Dwelling Units

This lecture explores the passage of Senate Bill 146 and the adoption of RSA's $674: 72$ \& :73, which preempts local regulation of accessory dwelling units. Join Ben Frost of New Hampshire Housing to learn how this recent legal development impacts your community, your land use ordinances, and quite possibly your property tax assessments.
Ben Frost, Attorney, Director, Public \& Legal Affairs, New Hampshire
Hosted by: New Hampshire Association of Assessing Officers
Track: Assessing

## Building Stronger Voter Support for Your Budget

Do you want strong voter approval for town plans and budgets, transparency in government operations, more effective delivery of services, and sustained high voter satisfaction with town officials and their work? Join this experienced panel of speakers to learn how strategic governance can help your municipality achieve these results, using the Town of Amherst as a model. The panelists will also discuss how strategic governance can increase your success with master planning and capital improvements planning. Ample time will be reserved for questions.
Mike Akillian, Director \& Senior Strategist, The Center for Strategic Governance
Sarah Marchant, Senior Strategist, The Center for Strategic Governance
Dwight Brew, Chair, Board of Selectmen, Town of Amherst
Jim O'Mara, Town Administrator, Town of Amherst
Hosted by: NH Municipal Association
Track: Legal \& Governance

## Cooperative Procurement for NH Towns and Cities

Collaborative purchasing efforts are underway throughout the state. Join presenters Doug Ross (Purchasing Manager, Concord), Ann Legere (Purchasing Agent, Dover) and Jeff Titus (Purchasing \& Contract Services Manager, Keene) who will discuss the good, the bad, and the ugly regarding municipal procurement.
Doug Ross, Purchasing Manager, City of Concord
Ann Legere, Purchasing Agent, City of Dover
Jeff Titus, Purchasing \& Contract Services Manager, City of Keene
Hosted by: NH Government Finance Officers Association
Track: Finance \& Taxation
Get Energized: Financing for Energy Efficiency and Capital Improvement Projects Energy efficiency saves money and the environment in the long term-but costs money in the short term. Presenters in this session will provide information about available grants and financing mechanisms for energy efficiency and capital projects. Attendees will also hear how municipal officials have used grants and other available programs to overcome the challenges associated with capital appropriations.
Scott Maslansky, NHCDFA
Heather Gronlund, Business Program Specialist, USDA REAP-Grants and Loans Butch Burbank, Town Manager, Town of Lincoln
Hosted by: NHSaves
Track: Emerald and Energy

## Public Sector Pensions: A National Perspective and Effective Use as a Recruitment Tool

This session, hosted by the National League of Cities, will focus on public sector retirement as a tool for recruitment and retention of quality public servants. NLC staff will lead the conversation with an overview of national and state retirement initiatives, followed by a detailed discussion by leading experts on retirement administration and policy. This session will delve into the key issues municipal leaders should consider when using benefits as a recruitment tool for public employees to balance both human resource/workforce needs and fiscal responsibility, with a specific focus on developing a compensation package to attract young talent.
Anita Yadavalli, Director of City Fiscal Policy, National League of Cities
Jean-Pierre Aubry, Director of State and Local Research, Center for Retirement Research at Boston College
Ron Smith, Director of Actuarial Services, ICMA-RC
Hosted by: National League of Cities
Track: Employment and Finance \& Taxation

## Role and Responsibilities of Elected Officials

Elected bodies are charged with making decisions and taking action in the best interests of the communities they represent, which often involves balancing competing interests. Newly elected officials are expected to properly and lawfully discharge their responsibilities, despite being given little prior guidance. This program will focus on elected officials' fiduciary obligations to their communities, specifically addressing confidentiality and ethical obligations, the role of the elected official when acting in his or her individual capacity, and effective relations between elected officials and municipal employees.
Mark Broth, Shareholder, Drummond Woodsum \& MacMahon
Anna Cole, Attorney, Drummond Woodsum
Hosted by: NH Municipal Association
Track: Employment

## Working Together: Sharing Services between the Town and the School

The Town of Newmarket and the Newmarket School District are undertaking a "one town" philosophy, in which the town and the school will share services, including a shared finance director and facilities director and combined IT and HR departments. In this session, Town Administrator Steve Fournier and Superintendent of Schools Meredith Nadeau will discuss how the town and school were able to accomplish service sharing, how they implement the shared services,
and issues they face now and in the future. This is a great session for municipal officials involved in service sharing or who are considering service sharing with another municipality or school district.
Steve Fournier, Town Administrator, Town of Newmarket
Meredith Nadeau, Superintendent of Schools, Newmarket School District
Hosted by: NH Municipal Association
Track: Legal \& Governance

## 1:30 p.m. Sessions

## Creative Approaches to Tax Collection for Manufactured Housing

Dealing with delinquent property taxes on manufactured housing is one of the most perplexing problems that tax collectors and governing bodies face. The law does not work to the municipality's advantage, and efforts to find a legislative solution have failed repeatedly. But some municipalities have found ways to work with manufactured housing park owners to achieve solutions that work for all parties-or at least allow them to minimize their losses. Local officials and a representative of manufactured park owners will talk about what has worked for them and offer ideas for others.
Dawn Enwright, Tax Collector, Town of Derry
Tara Reardon, Director, ROC-NH
Michael Jache, Tax Collector, City of Concord
Hosted by: NH Municipal Association
Track: Finance \& Taxation

## "Dark Store" Tax Fight - The Dilemma of Big Box Retail Appeals

In a controversial method known as the "dark store loophole". big box retailers are lowering their property tax assessments by having their new stores compared to sales of older, closed buildings. This lecture discusses this method and the effects it is having on communities where the lowered assessments are having an impact. Peter Korpacz, MAI, CRE, FRICS, Founder \& President, Korpacz Realty Advisors, Inc.

## Hosted by: Hampshire Association of Assessing Officals

Track: Assessing

## Energy Challenges: Finding Financial Savings for Energy Efficiency Projects

This session features a panel of municipal officials who have navigated the challenges of identifying and implementing energy efficiency projects. They will share their real-world stories and provide guidance for attendees on how to identify projects and gauge the actual energy and maintenance benefits that will be realized.

Butch Burbank, Town Manager, Town of Lincoln
Timothy Ball, Business Administrator, SAU 88 (Lebanon)
Matthew Wilson
Hosted by: NHSaves
Track: Emerald and Energy

## GASB 74/75 and Making Good Decisions

The session will address the transition from GASB $43 / 45$ to GASB 74/75 and real world implications. The GASB 74 transition presents a good time for public sector employers to re-evaluate their contribution policy and understand better the longterm impact of their OPEB Trust. The presentation will also include benchmarking data on what others are doing.
Randy Gomez, Principal, Nyhart

## Hosted by: NH Government Finance Officers Association

Track: Finance \& Taxation

## Healthcare Reform Update

This session will provide an update on current and pending Healthcare Reform requirements affecting governmental employers. Learn about the latest legislative and regulatory developments and their potential impact on your strategic planning decisions.
Darlene Simmons, Member \& Enrollee Engagement Manager, HealthTrust Dave Law, Benefits and Coverage Counsel, HealthTrust

## Hosted by: NH Municipal Association

Track: Legal \& Governance

## New Ruralism: Better Communities through Local Innovation

How are other communities providing healthy food, helping those aging in place, saving energy, and providing livable wage jobs? What are the attributes of successful locally-driven initiatives? Over the past few years, a team of planners from New Hampshire, Maine, and Vermont have been working to identify key elements shared by successful local initiatives to solve everyday challenges. This session will give you information to bring back to your communities on how other small towns are combining lessons from the past with today's technology and knowledge to solve tomorrow's challenges.
Tara Bamford, Planning Consultant, NNECAPA
Jo Anne Carr, DLP, Director of Planning \& Economic Development, Town of Jaffrey \& NNECAPA
Hosted by: NH Association of Regional Planning Commissions
Track: Land Use \& Environment

## Roadway Damage Fee Ordinance

After nearly seven years of litigation, the New Hampshire Supreme Court issued an Order which found that Concord's excavation fee ordinance, which charges utilities a fee to excavate paved roadways, is valid under New Hampshire law. Concord enacted this ordinance after years of research showed the city's paved roadways were suffering deterioration as a result of utility excavations. In this session, Concord City Solicitor Jim Kennedy will discuss road deterioration issues due to utility excavations, Concord's ordinance, and the lenghty litigation that resulted. Jim Kennedy, City Attorney, Concord

## Hosted by: NH Municipal Association

Track: Legal \& Governance and Public Works

## Smart Solar Siting for New Hampshire Communities

Across the Granite State, solar energy has become a popular choice for communities to reduce their energy costs and meet environmental and sustainability goals. While the technologies are proven and the benefits are tangible, barriers to implementation remain, and chief among them is siting. This session will discuss important aspects of proper solar siting from diverse viewpoints and best practices for communities to consider and implement. The session will also cover opportunities for streamlined projects and increased understanding moving forward so that all NH communities have the knowledge and ability to take advantage of local clean energy resources.
Ted Vansant, Owner, New England Commercial Solar Services
Sherrie Trefry, Director of Energy \& Environmental Services, VHB
Michael Behrmann, Director, NH Clean Tech Council

## Hosted by: NH Municipal Association

Track: Energy

## What 3D Mapping Means for Municipalities

There is new technology that is changing the way municipal buildings and infrastructure features are inspected, surveyed, designed and constructed. Whether inspecting a water tower, surveying the features of a dam face, or designing some new valuable piece of municipal infrastructure, 3D laser scanning is fast gaining widespread acceptance in the municipal marketplace. Attendees of this session will learn the benefits of this emerging technology, including safety, efficiency, accuracy, and cost-savings, as well as its uses, which extend far beyond just surveying buildings and bridges.
Michael Carter, LLS, Doucet Survey, Inc.
Hosted by: NH Municipal Association

Track: Technology \& Communications

## 3:15 p.m. Sessions <br> Demystifying the MS4 Permit

New Hampshire's new MS4 permit was released on January 18, 2017, and goes into effect July 2018. While seemingly daunting, many communities are already well on their way to compliance with their existing stormwater programs. This session will provide an overview of the new permit, walk through some easy first steps to compliance, provide examples of how other communities and institutions are approaching the permit requirements, and share available resources.
Jennifer Czysz, Interim Executive Director, Nashua Regional Planning Commission
Julie Labranche, Senior Planner, Rockingham Planning Commission
Barbara McMillan, Watershed Outreach Coordinator, NH Department of Environmental Services
Tim Puls, Research Engineer, UNH Stormwater Center

## Hosted by: NH Association of Regional Planning Commissions

Track: Land Use \& Environment

## Internal Controls In Local Governments

Municipalities, both large and small, have a responsibility to implement and maintain an effective system of internal controls. This session will explain the "theoretical" objectives of such a system, and will offer helpful advice for meeting those objectives in "real world" New Hampshire municipal environments. Proper segregation of duties, along with other practical policies and procedures will be highlighted.
Scott Eagen, Associate, Plodzik \& Sanderson, P.A.

## Hosted by: NH Government Finance Officers Association

## Track: Finance \& Taxation

## Legislative Update

Members of NHMA's Government Affairs staff will provide their annual update on legislation affecting local government. The discussion will include an explanation of the 2018-19 state budget's distribution of meals and rooms tax revenue, highway block grants, water and wastewater grants, and flood control payments, as well as supplemental highway and bridge funding. Other significant developments include new laws affecting voter registration, municipal record retention, local authorization of keno operations, the Right-to-Know Law, and tax exemptions and credits. The session will also include an update on activities of legislative committees studying utility valuation, regulation of short-term rentals, rescheduling of elections, delinquent taxes on mobile homes, and other issues.

Cordell Johnston, Government Affairs Counsel, NH Municipal Association
Barbara Reid, Government Finance Advisor, NH Municipal Association
Hosted by: NH Municipal Association
Track: Legal \& Governance

## LUCA and BEYOND: The Census' Local Update of Census Addresses and 2020 Operations

This presentation will describe the basics of LUCA (Local Update of Census Addresses), who can participate and why they should do so. It will give a quick overview of the software available for the project, and then explain how it sets the playing field for the 2020 Census. The presentation will also explain how the 2020 Census will be carried out as we move forward over the next few years.
Mike Horgan, Assistant Regional Census Manager, US Census Bureau
Alexandra Barker, Data Dissemination Specialist, US Census Bureau
Hosted by: NH Municipal Association
Track: Technology \& Communications

## NH Utility Appeals - Update

Since 2014, several utility companies have appealed their assessments in multiple communities throughout New Hampshire. Join Attorney Christopher Boldt to learn the history behind these utility appeals and to get an update on recent court decisions and pending litigation.
Christopher Boldt, Attorney, Donahue, Tucker \& Ciandella, PLLC
Hosted by: NH Association of Assessing Officials
Track: Assessing

## Stranger Streets

If a Class VI road is washed out, can the town really do nothing? Can public works cut trees on a scenic road? Do there really need to be summer cottages on a highway to summer cottages? Join Attorneys Matt Serge and Margaret Byrnes to learn about the "stranger" side of municipal road law, including emergency lanes, scenic roads, highways to summer cottages, and winter roads.
Margaret Byrnes, Staff Attorney, NH Municipal Association
Matthew Serge, Attorney, Drummon Woodsum \& MacMahon
Hosted by: NH Municipal Association
Track: Legal \& Governance and Public Works

## Thursday, November 16, 2017

9:00 a.m. Sessions<br>Can Short-Term Rental Arrangements Increase Home Values? A Case for Airbnb and Other Home-Sharing Arrangements.

This lecture looks at the concept of the sharing economy as it affects housing prices and the growing conflict playing out between home sharing and local regulations.
Jamila Jefferson-Jones, Associate Proffessor of Law, University of Missouri - Kansas City
Hosted by: Hampshire Association of Assessing Officers
Track: Assessing

## Drones: The Sky Has Limits

With more than 2,500 drones already registered in New Hampshire, local governments are just beginning to navigate applicable federal laws in order to implement appropriate local controls. Attorney Christopher Hawkins of the Devine Millimet law firm will explain the impacts of the Federal Aviation Administration's 2016 drone regulations and New Hampshire laws that apply to drone use. Mike Gillis, Media Services Manager in Dover, will discuss Dover's drone policy and describe the challenges and benefits of municipal use of drones.
Christopher Hawkins, Attorney, Devine Millimet
Mike Gillis, Media Services Manager, City of Dover
Hosted by: NH Municipal Association
Track: Technology \& Communications

## Effective Approaches to Employee Discipline

This program will help public sector supervisors understand the meaning of "just cause," which is the standard for administration of discipline and discharge incorporated in most collective bargaining agreements. The presentation will help supervisors understand how labor arbitrators assess employer decision-making and the steps they need to take to have disciplinary actions upheld. The speakers will emphasize that "just cause" requires employees be treated fairly, and an employer who is perceived as treating employees fairly will see better outcomes in disputed matters before arbitrators, courts, and administrative agencies. Fair treatment is also at the core of effective supervision, as well as employee productivity and job satisfaction. Back by popular demand, this program was previously presented in regional seminars across the state by Attorneys Broth and Cole.
Anna Cole, Attorney, Drummond Woodsum \& MacMahon

Mark Broth, Shareholder, Drummond Woodsum \& MacMahon

## Hosted by: NH Municipal Associaiton

Track: Employment

## Electronic Waste in NH-Time to Cash In?

Electronic waste management is experiencing a crisis. Dwindling capacity for recycling and increased costs are affecting every municipal budget. There is even potential for end markets to become full, leaving New Hampshire with either no outlets or prohibitively expensive outlets. This workshop will review both market drivers and nearby state recovery programs to use as a model in addressing electronic waste issues.
Mike Durfor, Executive Director, Northast Resource Recovery Association

## Hosted by: Northeast Resource Recovery Association

Track: Public Works

## Energy Challenges: Finding Financial Savings for Energy Efficiency Projects

This session features a panel of municipal officials who have navigated the challenges of identifying and implementing energy efficiency projects. They will share their real-world stories and provide guidance for attendees on how to identify projects and gauge the actual energy and maintenance benefits that will be realized.
Butch Burbank, Town Manager, Town of Lincoln
Timothy Ball, Business Administrator, SAU 88 (Lebanon)
Matthew Wilson,
Hosted by: NHSaves
Track: Emerald and Energy

## Lean in Local Government - Getting Started!

This workshop will acquaint participants with Lean process improvement techniques and principles, including practical examples of Lean projects in New Hampshire municipalities. Attendees will learn what it takes to initiate a Lean program in their communities. There are four modules:

- Brief overview of Lean principles
- The roles and responsibilities of leaders, managers, employees, and Lean practitioners
- Core components of a Kaizen event
- Panel discussion - Lean projects in NH municipalities

Kate McGovern, Lean in Local Government - Getting Started, NH Bureau of Education \& Training

Annie Dove, Director of Information Technology, City of Dover
Shaun Mulholland, Town Administrator, Town of Allenstown
Dean E. Shankle, Jr., Ph.D., Town Administrator, Town of Hooksett

## Hosted by: NH Municipal Association

Track: Legal \& Governance

## Post-Closure Care of Solid Waste Landfills

This session will provide an overview of the post-closure care requirements for closed solid waste landfills. During the post-closure care period, the permittee has specific obligations to regularly inspect, monitor, and maintain the landfill in conformity with the solid waste rules. The speaker will discuss why post-closure care of landfills is important and the benefits of a well managed monitoring and maintenance program.
Linda Birmingham, Supervisor, Complialnce Assurance Section, NH Department of
Environmental Services

## Hosted by: NH Municipal Association

Track: Assessing

## Right-to-Know Law and Law Enforcement

The disclosure of police records is governed in part by the Right-to-Know Law and in part by rules imported from federal law under the Freedom of Information Act (FOIA). This workshop will answer many questions about withholding records compiled for law enforcement purposes when disclosure would interfere with enforcement proceedings or based on other FOIA factors. Attention will also be paid to disclosure exemptions found in other New Hampshire statutes.
Stephen Buckley, Legal Services Counsel, NH Municipal Association
Hosted by: NH Municipal Association
Track: Law Enforcement

## Utility Assistance Panel

Utilities, especially heat, are a major expense for residents and municipal welfare offices. This utility assistance panel will provide information on assistance programs and New Hampshire utility and assistance regulations. Representatives from Eversource, Unitil and Liberty Utilities will also provide information and answer questions.
Celeste Lovett, Fuel Assistance Program Administrator, Office of Energy and Planning
Amanda Noonan, Consumer Affairs Director, NH Public Utilities Commission
Gerald C. Walsh, Fuel Assistance Program Director, Southern NH Services, Inc.
Janice Johnson, Customer Service Consultant, Eversource Credit \& Collection

Susan Corson, Customer Assistance Program Coordinator, Unitil
Allison O'Neil, Collections Supervisor, Liberty Utilities
Hosted by: NH Local Welfare Administrators Association
Track: Welfare

## 10:45 a.m. Sessions

## Active Shooter Training for Law Enforcement

In recent decades, the incidences of workplace violence involving firearms has continued to rise. It is crucial for workplaces to adjust accordingly by preparing their business and employees to deal with an active shooter situation. This training includes topics such as protocol for an active shooter situation, how to implement the appropriate safeguards, behaviors that represent pre-incident indicators and more.
David Goldstein, Chief of Police, City of Franklin Police Department

## Hosted by: NH Municipal Association

Track: Law Enforcement

## Appropriate Municipal Management of Street Wastes

Street wastes (i.e., street sweepings, ditching soils, and catch basin sediments) and other roadside soils from construction may be contaminated with roadway runoffrelated contaminants, as well as animal waste and other solid waste. These contaminated soils, collectively referred to as "Limited Reuse Soils" (LRS), are subject to management as solid waste. Improper management of LRS can be an environmental risk and a financial burden and liability to municipalities. Some LRS may be reused in a limited fashion by following applicable management requirements. NHDES staff will discuss current knowledge and recent developments in LRS management in New Hampshire. This session is geared to municipal officials and staff who undertake project planning and execution as well as maintenance operations where soils are generated through their activities.
James O'Rourke, Hydrogeologist, NH Deptarment of Environmental Services
Keith DuBois, Assistant Director, Waste Management Division, NH Department of Environmental Services
Matthew Taylor, Vice President of Geosciences, S.W. Cole Engineering, Inc.
Hosted by: NH Municipal Association
Track: Land Use \& Environment

## Balancing Your Work and Home Life

Do you ever feel that you are doing too many things at once, and none of them well? Have the competing demands of work and home ever left you feeling guilty, stressed, or inadequate? You are not alone. Come learn how to bring balance into your life! In this session, you will learn specific strategies for setting priorities and realistic expectations, tips to eliminate the guilt and unnecessary pressures we put on ourselves, and suggestions for restoring balance in your life.
Jennifer Fitzgerald, Client Service Manager, AllOne-LifeResources

## Hosted by: NH Municipal Association

Track: Employment

## Do You Have a Conflict of Interest?

Determining whether a municipal official has a conflict of interest requires an understanding of the law and a careful assessment of the particular circumstances creating the alleged conflict. Through hypothetical scenarios, Attorney Byrnes will help attendees learn to assess and resolve potential conflicts of interest. This session will be interactive and require attendees to think, speak, and consider multiple perspectives of the same issue.
Margaret Byrnes, Staff Attorney II, NH Municipal Association
Hosted by: NH Municipal Association
Track: Legal \& Governance

## Excel Can Do That?! From 3D Mapping to Using "Solver"

Most offices are swimming in data. This presentation demonstrates how to turn raw data into actionable insight by using some of Excel's most powerful analytical tools, including Goal Seek, Solver (Excel's optimization tool), and Excel's 3D mapping. Life examples will include:

- Discover how Solver can create variables in property valuation models.
- Discover how Goal Seek and Solver can optimize the budget process by using customized budget goals and constraints.
- Discover how Excel's 3D Maps can identify property assessment shifts.
- Discover how Excel's 3D Maps can lead to auto accidents analytics by showing the time, day, and location of auto accidents within a community.
David Cornell, MAI, CAE, Founder \& President, Cornell Consultants
Hosted by: New Hampshire Association of Assessing Officials
Track: Assessing

Get Energized: Financing for Energy Efficiency and Capital Improvement Projects Energy efficiency saves money and the environment in the long term-but costs money in the short term. Presenters in this session will provide information about available grants and financing mechanisms for energy efficiency and capital projects. Attendees will also hear how municipal officials have used grants and other available programs to overcome the challenges associated with capital appropriations.
Scott Maslansky, NHCDFA
Heather Gronlund, Business Program Specialist, USDA REAP-Grants and Loans Butch Burbank, Town Manager, Town of Lincoln

## Hosted by: NHSaves

Track: Emerald and Energy

## NH Retirement System Decennial Commission

A decennial commission, which convenes every 10 years to review and ensure the long-term viability of the New Hampshire Retirement System, has been meeting since late-summer, with a deadline of December 1, 2017, to report its findings and recommendations for proposed legislative and administrative changes. Join NHRS Executive Director and members of the 2017 Decennial Commission as they explain the major policy issues and fiscal challenges the commission has been discussing. An update on employer-related retirement system changes and improvements being implemented now and in the near future will also be explained.
George Lagos, Executive Director, NH Retirement System
Hosted by: NH Municipal Association
Track: Employment and Finance \& Taxation

## Tornadoes and Floods and Ice Storms, Oh My!

Local, state, and federal officials all play a role in helping New Hampshire residents cope with major disasters. Because welfare officials deal with short- and long-term recovery efforts, this session offers a helpful overview of the local and state emergency management systems and provides an update on the state's sheltering and reunification plans.
Carole Totzkay, Public Health Preparedness Planner, NH Department of Health and Human Services
Hosted by: NH Local Welfare Administrators Association
Track: Welfare

## What is the Federal Mediation and Conciliation Service (FMCS)?

The FMCS offers many services to public sector employers and their unions at no cost. This session will describe services such as collective bargaining mediation, grievance mediation, contract negotiations training, interest-based bargaining training, contract administration/supervisor, steward training, and labormanagement committee training/facilitation and arbitration services.
George Lovell, Commissioner, Federal Mediation and Conciliation Service
Martin Callaghan, Commissioner, Federal Mediation and Conciliation Service
Arthur Pearlstein, Director of Arbitration, Federal Mediation and Conciliation Service
Moira Caruso, Commissioner, Federal Mediation and Conciliation Service
Barbara Owens, Commissioner, Federal Mediation and Conciliation Service
Hosted by: NH Municipal Association
Track: Legal \& Governance

## 1:30 p.m. Sessions

## Becoming Age-Friendly in Southern New Hampshire

Over the past year, Southern NH Planning Commission has been working with its fourteen municipalities as well as businesses on a "Becoming Age-Friendly" (BAF) program. This program has been made possible by a grant from the Tufts Health Plan Foundation and other program supporters. The program addresses the statewide issue of a growing senior population and a decrease in millennial population, with the goals of attracting millennials back to their communities and ensuring that the growing senior population can "age in place." This presentation will review the first phase, which involved surveying residents and assessing all 14 municipalities in the SNHPC region on age-friendly characteristics, including transportation, housing, recreation and engagement, and business and economic development. Speakers will also discuss progress on Phase II, which will include the development of creative short-term to long-term solutions with pilot communities and businesses.
Sylvia von Aulock, Executive Director, Southern NH Planning Commission Derek Shooster, Associate Planner, Southern NH Planning Commission Cameron Prolman, Associate Planner, Southern NH Planning Commission Todd Fahey, State Director, AARP New Hampshire
Hosted by: NH Association of Regional Planning Commissions
Track: Land Use \& Environment

## Cybersecurity 101

In the wake of highly publicized data breaches and cybersecurity attacks, municipal officials are now looking more closely at their historically underfunded municipal cyber defense programs. The lack of a cybersecurity program poses a massive organizational risk to your city or town. Risks to your IT system range from deliberate cyberattacks to unauthorized software to poor internal controls. With limited funding, local officials must determine how much they are able to mitigate and how much they are willing to simply accept. Municipal leaders don't need to understand all the technical details, but they must know whether the infrastructure, policies, and procedures are in place and working correctly. Come hear from a panel of municipal IT experts who will provide guidance on some basic approaches that every town and city should know. Get a better understanding of today's ever-changing cyber environment and learn how to mitigate cybersecurity risks with limited resources. There will be ample time for questions of our expert panel.
Dean Shankle, Jr. Ph.D, Town Administrator, Town of Hooksett
Hosted by: NH Municipal Association
Track: Technology \& Communications

## Leveraging Local Resources

Municipal welfare has a mandate to provide basic needs for those in need. There are many ways to satisfy this requirement. Collaboration with other resource providers is a great way to meet client needs and reduce municipal welfare expense. Find out how municipalities collaborate with others in their community to provide for basic needs and create pathways to future self-sufficiency for their clients.
Dana Brien, Welfare Director, Town of Hillsborough
Elizabeth Sayre, Human Services Manager, City of Keene
Susan Drew, Welfare Director, Town of Milford
Chris Janson, Executive Director, Share
Hosted by: NH Local Welfare Administrators Association
Track: Welfare

## LUCA \& BEYOND: The Census' Local Update of Census Addresses and 2020 Operations

This presentation will describe the basics of LUCA (Local Update of Census Addresses), who can participate and why they should do so. It will give a quick overview of the software available for the project, and then explain how it sets the
playing field for the 2020 Census. The presentation will also explain how the 2020 Census will be carried out as we move forward over the next few years.
Michael Horgan, Assistant Regional Census Manager, US Census Bureau
Alexandra Barker, Data Dissemination Specialist, US Census Bureau

## Hosted by: NH Municipal Association

Track: Technology \& Communications

## New Hampshire’s Solid Waste Operator Training \& Certification Program -Compliance with the Latest Rules

Facilities that manage solid waste in New Hampshire, including municipally owned landfills and processing and treatment facilities, must be permitted by the New Hampshire Department of Environmental Services (NHDES). Since 1989, one of the regulatory requirements of a solid waste permit is that all operators at the facility be certified by NHDES. Operators who understand the requirements of RSA 149$M$ are in a better position to maintain their facilities properly and protect public health and the environment. Join Tara Mae Albert, NHDES's full-time Solid Waste Operator Training \& Certification (SWOT) Coordinator, who will review important revisions to Env-Sw 1600 -- state regulations that govern municipal solid waste operators. Albert will also discuss improving communications between municipalities and the SWOT Coordinator, future workshop topics and locations, continuing professional development, and where she sees the program heading in the future and what this may mean for cities and towns. Whether receiving initial operator certification or renewing their certification, municipal officials need to be aware of the ever-changing solid waste stream and of the changes to laws and regulations that affect them, their employees, and their facilities.
Tara Mae Albert, Solid Waste Operator Training \& Certification Coordinator, NH Department of Environmental Services

## Hosted by: NH Municipal Association

Track: Public Works

## Right-to-Know Law Update

The Right-to-Know Law never stands still. This year there are statutory changes regarding non-public sessions and the on-line posting of meeting notices and minutes, and court decisions dealing with disclosure of personnel records and electronic files. This session will take a close look at these developments and related issues, with plenty of time for questions and answers.
Cordell Johnston, Government Affairs Counsel, NH Municipal Association
Hosted by: NH Municipal Association

Track: Legal \& Governance

## Take a Picture of This -- The Use of Body Worn Cameras in New Hampshire's Police Departments

Police departments across New Hampshire are researching the benefits, pitfalls, and costs associated with the use of Body Worn Cameras (BWCs). Police departments like that BWCs reduce the number of public complaints about officer behavior, and citizen advocates like the idea that they may provide increased accountability. Under state law (RSA 105-D), police departments now must follow specific requirements and procedures if they choose to use BWCs. Successful implementation requires research and preparation, and it is up to each police department to determine the best way to meet the requirements of RSA 105-D and the needs of the department. Join Northwood police chief Glen Drolet, immediate past president of the Association of Chiefs of Police, and Hinsdale police chief Todd Faulkner, who will provide an overview of RSA 105-D and discuss the use and handling of recordings, retention schedules, costs, and more. Both officers were actively involved in the development of RSA 105-D and have practical experience with the use of BWCs in compliance with the law.
Glen Drolet, Police Chief, Town of Northwood
Todd Faulkner, Police Chief, Town of Hinsdale
Anne Edwards (Tentative), NH Department of
Hosted by: NH Municipal Association
Track: Law Enforcement

## Tax Deeding Property-Procedures and Pitfalls

This session will provide a comprehensive examination of the "tax liening" process under RSA 80. It will include a question and answer period when attendees can bring their most challenging questions or share their invaluable insights with the group.
Bernie Waugh, Attorney and Partner, Gardner, Fulton \& Waugh, PLLC
Hosted by: New Hampshire Association of Assessing Officials
Track: Assessing

## 3:15 p.m. Sessions

## Board of Tax and Land Appeals Annual Update

In the BTLA's annual update, members of the board will discuss recent decisions and address frequently asked questions.
Michele LeBrun, Chair, Board of Tax and Land Appeals

Albert Shamash, Member, Board of Tax and Land Appeals
Theresa Walker, Member, Boar of Tax and Land Appeals
Anne Stelmack, Clerk, Board of Tax and Land Appeals
Hosted by: New Hampshire Association of Assessing Officials
Track: Assessing

## Court Update

Municipal law is shaped not only by the legislature, but also by the courts. This popular session is your opportunity to learn about federal and state court decisions issued over the past year that affect New Hampshire's cities and towns. NHMA attorneys will highlight cases of interest and field questions. Attendees will also receive a copy of NHMA's annual Court Update publication!
Margaret Byrnes, Staff Attorney II, NH Municipal Association
Stephen Buckley, Legal Services Counsel, NH Municipal Association
Hosted by: NH Municipal Association
Track: Legal \& Governance

## Enhancing Your Community's Flood Resiliency

This session will include an overview of the state's revised model floodplain ordinance and menu of higher floodplain regulations, which a municipality can choose from based on the municipality's flood risk. Attendees will come away from this session with the model ordinance and menu of higher regulations and guidance on how they can enhance their existing floodplain ordinance to make their municipality more flood resilient.
Jennifer Gilbert, Senior Planner, State Floodplain Management Coordinator, NH Office of Energy and Planning
Hosted by: NH Municipal Association
Track: Land Use \& Environment

## Gifts, Grants, and Getting a Yes -- Free Resources and Strategies to Find and Get Funding

This session will provide attendees with an overview of free resources and strategies to identify government, private, and corporate funding opportunities and make compelling pitches to funders. Topics covered will include: free and subscription-based online tools; Congressional district office resources for grant seekers; steps municipalities can take now to greatly simplify the process of applying for and accepting a federal grant in the future; and components of an effective funding proposal.
Sheridan Brown, Attorney at Law - Grant Funding Specialist, Municipull

Jon Jarvis, Staff Assistant, U.S. Sentor Jeanne Shaheen's Office

## Hosted by: NH Municipal Association

Track: Finance \& Taxation

## Going Paperless

Does your city or town wish to go paperless? Do you want to make more information available to the public faster and more easily? Changing your municipal processes by moving from paper to electronic records poses many challenges, yet presents the opportunity for more efficient local government. Come learn from a municipal official who has created greater transparency and efficiencies through the smart use of technology and ask questions from the industry experts who assisted in the implementation process. The session will discuss digitizing municipal records, the use of electronic signatures, electronic forms, Cloud-based servers, document management systems, and other general advice to local officials on implementing new processes by going paperless.
Shaun Mulholland, Town Administrator, Town of Allenstown
David Febonio, Business Process Consultant, New England Document Systems
Kyle Blossom, Digital Imaging Specialist, Ricoh USA, Inc.

## Hosted by: NH Municipal Association

Track: Technology \& Communications

## NHLWAA Annual Business Meeting

NHLWAA members and non-members are invited to hear annual reports for the NH Local Welfare Administrators Association and get updated on organization information and pending legislation. Membership information will also be available on request.
Patricia Murphy, President, NHLWAA

## Hosted by: NH Local Welfare Administrators Association

Track: Welfare

## Police Liability and Qualified Immunity

When and under what circumstances is local government liable for the alleged misconduct of a police officer? What rules apply for courts to determine whether a police officers is entitled to qualified immunity? This workshop will provide an indepth exploration of these and other liability and immunity issues for police officers, police departments, and local government.
Samantha Elliott, Esquire, Gallagher, Callahan \& Gartrell, P.C.
John Curran, Esquire, Curtin, Murphy \& O'Reilly, P.C.
Corey Belobrow, Esquire, Maggiotto, Belobrow, Feeney \& Frass, PLLC

## Hosted by: NH Municipal Association

Track: Law Enforcement

## Signs in the Right-of-Way and Religious Signs: Understanding Road Law and RLUIPA in a Post-Reed World

The U.S. Supreme Court's 2015 Reed v. Town of Gilbert decision upended municipal sign ordinances across the country. By creating a simple test to determine whether a regulation is "content-based," the Court's decision rendered a wide swath of commonly used sign regulations unconstitutional under the First Amendment. Instead of bringing clarity, however, the bright-line test established by Reed has paradoxically raised many unanswered questions. This session will provide answers and guidance for municipalities regarding two such questions: (1) What are the implications of Reed with respect to regulating signs within the right-ofway? (2) With respect to regulations affecting religious signs, how does Reed interact with the federal Religious Land Use and Institutionalized Persons Act (RLUIPA)? Although the session will focus specifically on Reed, the goal is to provide a general understanding about regulating religious signs and signs within the right-of-way.
Tim Corwin, Senior Planner, City of Lebanon
Matthew Decker, Associate Attorney, Gardner Fulton \& Waugh PLLC
Hosted by: NH Municipal Association
Track: Land Use \& Environment
9/28/2017

## Public Works

PW -1 Public Works - Vehicles
PW -2 Stormwater Management
PW -3 Highway Improvements

| FY 18/19 | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 | FY 23/24 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Requests | Requests | Requests | Requests | Requests | Requests |

## Facilities

FA -1 Beech Street Ext. Senior Center
FA -2 HVAC Upgrades-Community Center
FA -3 Roof Replacement-DPW
FA -4 Second Floor Fire Station
FA -5 Police Station Parking Lot Repairs
FA -6 Police Station Access Control and Surveillanc
FA -7 Police Station Energy Management
FA -8 Tiger House Painting
FA -9 Town Hall Brick and Stone Repointing
FA -10 Town Hall Energy Management
FA -11 Town Hall Façade Tin Work
FA -12 Town Hall Heating Plant Replacment
FA - 13 Town Hall- HVAC

| $\$$ | 156,831 | $\$$ | 156,831 | $\$$ | 156,831 | $\$$ | 156,831 | $\$$ | 156,831 | $\$$ | 156,831 |
| :--- | ---: | :--- | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| $\$$ | 100,000 | $\$$ | 100,000 | $\$$ | 100,000 | $\$$ | 100,000 | $\$$ | 100,000 | $\$$ | 100,000 |
| $\$$ | 135,000 | $\$$ | 140,000 | $\$$ | 145,000 | $\$$ | 150,000 | $\$$ | 155,000 | $\$$ | 160,000 |
|  |  |  |  |  |  |  |  |  |  |  |  |
| $\$$ | 13,450 | $\$$ | 4,760 | $\$$ | 2,500 | $\$$ | 200 | $\$$ | 200 | $\$$ | 200 |
| $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | 71,400 | $\$$ | 500 | $\$$ | 500 |
| $\$$ | 172,000 | $\$$ | 7,200 | $\$$ | 7,200 | $\$$ | 7,200 | $\$$ | 7,200 | $\$$ | 7,200 |
| $\$$ | 48,700 | $\$$ | 48,700 | $\$$ | 48,700 | $\$$ | 48,700 | $\$$ | 48,700 | $\$$ | 48,700 |
| $\$$ | 31,800 | $\$$ | 200 | $\$$ | 200 | $\$$ | 200 | $\$$ | 200 | $\$$ | 200 |
| $\$$ | 243,219 | $\$$ | 2,500 | $\$$ | 2,500 | $\$$ | 2,500 | $\$$ | 2,500 | $\$$ | 2,500 |
| $\$$ | - | $\$$ | - | $\$$ | 43,200 | $\$$ | 500 | $\$$ | 500 | $\$$ | 500 |
| $\$$ | 21,500 | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | 5,500 |
| $\$$ | 62,500 | $\$$ | 1,000 | $\$$ | 1,000 | $\$$ | 1,000 | $\$$ | 1,000 | $\$$ | 1,000 |
| $\$$ | - | $\$$ | 87,600 | $\$$ | 1,000 | $\$$ | 1,000 | $\$$ | 1,000 | $\$$ | 1,000 |
| $\$$ | 38,600 | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | 2,800 |
| $\$$ | 89,750 | $\$$ | 500 | $\$$ | 500 | $\$$ | 500 | $\$$ | 500 | $\$$ | 500 |
| $\$$ | - | $\$$ | - | $\$$ | 118,000 | $\$$ | 3,000 | $\$$ | 3,000 | $\$$ | 3,000 |
| $\$$ | 721,519 | $\$$ | 152,460 | $\$$ | 224,800 | $\$$ | 136,200 | $\$$ | 65,300 | $\$$ | 73,600 |
|  |  |  |  |  |  |  |  |  |  |  |  |
| $\$$ | 50,000 | $\$$ | 50,000 | $\$$ | 50,000 | $\$$ | 50,000 | $\$$ | 50,000 | $\$$ | 50,000 |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  | 2,000 | $\$$ | 2,000 | $\$$ | 2,000 | $\$$ | 2,000 | $\$$ | 2,000 | $\$$ | 2,000 |
|  |  |  |  |  |  |  |  |  |  |  |  |

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## Library

L-1 Pedestrian Enhancements
L-2 Interior walls repairs and painting

| $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 |
| :--- | ---: | :--- | ---: | :--- | ---: | :--- | ---: | :--- | ---: | :--- | ---: |
| $\$$ | 13,800 | $\$$ | 12,570 | $\$$ | 500 | $\$$ | 500 | $\$$ | 500 | $\$$ | 500 |
| $\$$ | 24,200 | $\$$ | 22,970 | $\$$ | 10,900 | $\$$ | 10,900 | $\$$ | 10,900 | $\$$ | 10,900 |

Fire and Rescue
F-1 Vehicles
F-2 Dispatch

Police
P-1 Vehicles
P-2 Protective Equipment

## Recreation

R-1 Bleachers at Leo Landroch
R -2 Landroche and Beanie Howcroft Fields
R-3 Swing Sets at Leo Landroche
R-4 Restroom Facilities
R -5 Splash Pad

Planning
PL -1 Master Plan
Water
W-1 Vehicles - Water
W -2 Water Supply
W -3 Water Main Replacement

| $\$$ | 90,250 | $\$$ | 90,250 | $\$$ | 90,250 | $\$$ | 90,250 | $\$$ | 90,250 | $\$$ | 90,250 |
| ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| $\$$ | 171,157 | $\$$ | 125,157 | $\$$ | 125,157 | $\$$ | 40,428 | $\$$ | 40,428 | $\$$ | 40,428 |
| $\$$ | 261,407 | $\$$ | 215,407 | $\$$ | 215,407 | $\$$ | 130,678 | $\$$ | 130,678 | $\$$ | 130,678 |
| $\$$ | 52,000 | $\$$ | 58,500 | $\$$ | 57,000 | $\$$ | 43,500 | $\$$ | 52,500 | $\$$ | 52,500 |
| $\$$ | 23,466 | $\$$ | 23,400 | $\$$ | 24,266 | $\$$ | 21,000 | $\$$ | 12,966 | $\$$ | 23,466 |
| $\$$ | 75,466 | $\$$ | 81,900 | $\$$ | 81,266 | $\$$ | 64,500 | $\$$ | 65,466 | $\$$ | 75,966 |
|  |  |  |  |  |  |  |  |  |  |  |  |
| $\$$ | 3,333 | $\$$ | 3,333 | $\$$ | 3,333 | $\$$ | 3,333 | $\$$ | 3,333 | $\$$ | 3,333 |
| $\$$ | 6,300 | $\$$ | 6,300 | $\$$ | 6,300 | $\$$ | 6,300 | $\$$ | 6,300 | $\$$ | 6,300 |
| $\$$ | 4,666 | $\$$ | 4,600 | $\$$ | 4,600 | $\$$ | 4,666 | $\$$ | 4,666 | $\$$ | 4,666 |
| $\$$ | 9,000 | $\$$ | 9,000 | $\$$ | 9,000 |  |  |  |  |  |  |
| $\$$ | 6,000 | $\$$ | 6,000 |  |  |  |  |  |  |  |  |
| $\$$ | 29,299 | $\$$ | 29,233 | $\$$ | 23,233 | $\$$ | 14,299 | $\$$ | 14,299 | $\$$ | 14,299 |
| $\$$ | 10,000 | $\$$ | 10,000 | $\$$ | 10,000 | $\$$ | 10,000 | $\$$ | 10,000 | $\$$ | 10,000 |
| $\$$ | 14,002 | $\$$ | 14,002 | $\$$ | 14,002 | $\$$ | 14,002 | $\$$ | 14,002 |  | $\$ 14,002$ |
| $\$$ | 200,000 | $\$$ | 200,000 | $\$$ | 200,000 | $\$$ | 200,000 | $\$$ | 200,000 | $\$$ | 200,000 |
| $\$$ | 150,000 | $\$$ | 150,000 | $\$$ | 150,000 | $\$$ | 150,000 | $\$$ | 150,000 | $\$$ | 150,000 |
| $\$$ | 364,002 | $\$$ | 364,002 | $\$$ | 364,002 | $\$$ | 364,002 | $\$$ | 364,002 | $\$ 364,002$ |  |

Page 5
Sewer

| SW -1 | Bay Road Pumping Station Improvements |  |  | $\$$ | 130,000 | $\$$ | 130,000 | $\$$ | - | - | $\$$ |
| :--- | :--- | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| SW -2 | Wastewater Truck | $\$$ | 16,085 | $\$$ | 16,085 | $\$$ | 16,085 | $\$$ | 16,085 | $\$$ | 16,085 |
| SW -3 | Creighton Street Pumping Station | $\$$ | 51,504 | $\$$ | 51,504 | $\$$ | 51,504 | $\$$ | 51,504 | $\$$ | 51,504 |
| SW -4 | Pump Station Improvements-Medium Priorii | $\$$ | 45,000 | $\$$ | - | $\$$ | - | $\$$ | - | $\$ 1,504$ |  |
| SW -5 | WWTF-1 | $\$$ | 48,222 | $\$$ | 48,222 | $\$$ | 48,222 | $\$$ | 48,222 | $\$$ | 48,222 |
| SW -6 | WWTF-2 | $\$$ | 19,962 | $\$$ | 19,962 | $\$$ | 19,962 | $\$$ | 19,962 | $\$$ | 19,962 |

Schools
S-1 Pick-up Truck/plow
, S -2 Bleachers JR/SR
S -3 High School Roof
S -4 Jr/Sr High School
S-5 Elementary School

| $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 |
| ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| $\$$ | 87,250 | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - |
| $\$$ | 167,000 | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - |
| $\$$ | 708,145 | $\$ 1,685,547$ | $\$ 1,684,051$ | $\$$ | $1,683,923$ | $\$ 1,682,865$ | $\$$ | $1,680,755$ |  |  |  |
| $\$$ | 261,917 | $\$$ | 623,421 | $\$$ | 622,868 | $\$$ | 622,821 | $\$$ | 622,429 | $\$$ | 621,694 |
| $\$$ | $1,229,412$ | $\$ 2,314,068$ | $\$ 2,312,019$ | $\$$ | $2,311,844$ | $\$ 2,310,394$ | $\$$ | $2,307,549$ |  |  |  |

Page 6

| FY18/19 <br> CIP | FY19/20 <br> CIP | FY20/21 <br> CIP | FY21/22 <br> CIP | FY22/23 <br> CIP | FY 23/24 <br> CIP |
| :---: | :---: | :---: | :---: | :---: | :---: |


| Public Works |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| PW | -1 Public Works - Vehicles | \$ | 156,831 | \$ | 156,831 | \$ | 156,831 | \$ | 156,831 | \$ | 156,831 | \$ | 156,831 |
| PW | -2 Stormwater Management | \$ | 100,000 | \$ | 100,000 | \$ | 100,000 | \$ | 100,000 | \$ | 100,000 | \$ | 100,000 |
| PW | -3 Highway Improvements | \$ | 135,000 | \$ | 140,000 | \$ | 145,000 | \$ | 150,000 | \$ | 155,000 | \$ | 160,000 |
| Facilities |  |  |  |  |  |  |  |  |  |  |  |  |  |
| FA | -1 Beech Street Ext. Senior Center | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| FA | -2 HVAC Upgrades-Community Center | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| FA | -3 Roof Replacement-DPW | \$ | 172,000 | \$ | 7,200 | \$ | 7,200 | \$ | 7,200 | \$ | 7,200 | \$ | 7,200 |
| FA | -4 Second Floor Fire Station | \$ | 48,700 | \$ | 48,700 | \$ | 48,700 | \$ | 48,700 | \$ | 48,700 | \$ | 48,700 |
| FA | -5 Police Station Parking Lot Repairs | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| FA | -6 Police Station Access Control and Surveillance | . |  | \$ | - | \$ | 2,500 | \$ | 2,500 | \$ | 2,500 | \$ | 2,500 |
| FA | -7 Police Station Energy Management | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| FA | -8 Tiger House Painting | \$ | - - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| FA | -9 Town Hall Brick and Stone Repointing | \$ | 62,500 | \$ | 1,000 | \$ | 1,000 | \$ | 1,000 | \$ | 1,000 | \$ | 1,000 |
| FA | -10 Town Hall Energy Management | \$ | 87,600 | \$ | 1,000 | \$ | 1,000 | \$ | 1,000 | \$ | 1,000 | \$ | 1,000 |
| FA | -11 Town Hall Façade Tin Work | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| FA | -12 Town Hall Heating Plant Replacment | \$ | 89,750 | \$ | 500 | \$ | 500 | \$ | 500 | \$ | 500 | \$ | 500 |
| FA | -13 Town Hall- HVAC | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
|  |  | \$ | 460,550 | \$ | 58,400 | \$ | 60,900 | \$ | 60,900 | \$ | 60,900 | \$ | 60,900 |
| Macallen Dam |  |  |  |  |  |  |  |  |  |  |  |  |  |
| D | -1 Macallen Dam | \$ | 50,000 | \$ | 50,000 | \$ | 50,000 | \$ | 50,000 | \$ | 50,000 | \$ | 50,000 |
|  | Veteran's Memoria |  |  |  |  |  |  |  |  |  |  |  |  |
| v | -1 Veterans Committee | \$ | 2,000 | \$ | 2,000 |  | \$2,000 |  | \$2,000 |  | \$2,000 |  | \$2,000 |

Page 7
Library

|  | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 |
| ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
|  | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - |
|  | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 | $\$$ | 10,400 |
|  | $\$$ |  |  |  |  |  |  |  |  |  |  |  |

Police

| $\$$ | 52,000 | $\$$ | 58,500 | $\$$ | 57,000 | $\$$ | 43,500 | $\$$ | 52,500 | $\$$ | 52,500 |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| $\$$ | 23,466 | $\$$ | 23,400 | $\$$ | 24,266 | $\$$ | 21,000 | $\$$ | 12,966 | $\$$ | 23,466 |
| $\$$ | 75,466 | $\$$ | 81,900 | $\$$ | 81,266 | $\$$ | 64,500 | $\$$ | 65,466 | $\$$ | 75,966 |

Recreation

| P | -1 Vehicles |
| :--- | :--- |
| P | -2 Dispatch |
|  |  |
| R | -1 Bleachers at Leo Landroch |
| R | -2 Landroche and Beanie Howcroft Fields |
| R | -3 Swing Sets at Leo Landroche |
| R | -4 Restroom Facilities |
| R | -5 Splash Pad |

PL -1 Master Plan

| $\$$ | - | $\$$ | - | $\$$ | $-\$$ | $-\$$ | $-\$$ |
| ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| $\$$ | $-\$$ | - | $\$$ | $-\$$ | $-\$$ | $-\$$ | - |
| $\$$ | $-\$$ | - | $\$$ | $-\$$ | $-\$$ | $-\$$ | - |
| $\$$ | 9,000 | $\$$ | 9,000 | $\$$ | 9,000 |  |  |
| $\$$ | 6,000 | $\$$ | 6,000 |  |  |  |  |
| $\$$ | 15,000 | $\$$ | 15,000 | $\$$ | 9,000 | $\$$ | $-\$$ |

Planning
$\$ 10,000$ \$ 10,000 \$ 10,000 \$ 10,000 \$ 10,000 \$ 10,000

Water

| W | -1 Water Supply |
| :--- | :--- |
| W | -2 Vehicles - Water |
| W | -3 Water Main Replacement |


| $\$$ | 200,000 | $\$$ | 200,000 | $\$$ | 200,000 | $\$$ | 200,000 | $\$$ | 200,000 | $\$ 200,000$ |
| ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| $\$$ | 14,002 | $\$$ | 14,002 | $\$$ | 14,002 | $\$$ | 14,002 | $\$$ | 14,002 | $\$ 14,002$ |
| $\$$ | 150,000 | $\$$ | 150,000 | $\$$ | 150,000 | $\$$ | 150,000 | $\$ 150,000$ | $\$ 150,000$ |  |
| $\$$ | 364,002 | $\$$ | 364,002 | $\$$ | 364,002 | $\$$ | 150,000 | $\$ 150,000$ | $\$ 150,000$ |  |

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| SW | 1 Bay Road Pumping Station Improvements |
| :--- | :--- |
| SW | 2 Vehicles - Sewer |
| SW | 3 Creighton Street Pumping Station |
| SW | 4 Pump Station Improvements-Medium Priority |
| SW | 8 Pump State SCADA |

## Sewer

|  |  | $\$$ | 130,000 | $\$$ | 130,000 | $\$$ | - | $\$$ | - | $\$$ |
| :--- | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| $\$$ | 16,085 | $\$$ | 16,085 | $\$$ | 16,085 | $\$$ | 16,085 | $\$$ | 16,085 | $\$$ |
| 16,085 |  |  |  |  |  |  |  |  |  |  |
| $\$$ | 51,504 | $\$$ | 51,504 | $\$$ | 51,504 | $\$$ | 51,504 | $\$$ | 51,504 | $\$$ |
| 51,504 |  |  |  |  |  |  |  |  |  |  |
| $\$$ | 45,000 | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ |
| $\$$ | 50,000 | $\$$ | - | $\$$ | - | $\$$ | - | - |  |  |


| SW | 5 WWTF-1 |
| :--- | :--- |
| SW | 6 WWTF-2 |
| SW | 7 WWTF-3 |


| $\$$ | 48,222 | $\$$ | 48,222 | $\$$ | 48,222 | $\$$ | 48,222 | $\$$ | 48,222 | $\$$ | 48,222 |
| ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| $\$$ | 19,962 | $\$$ | 19,962 | $\$$ | 19,962 | $\$$ | 19,962 | $\$$ | 19,962 | $\$$ | 19,962 |
| $\$$ | 36,350 | $\$$ | 36,350 | $\$$ | 36,350 | $\$$ | 36,350 | $\$$ | 36,350 | $\$$ | 36,350 |
| $\$$ | 267,123 | $\$$ | 302,123 | $\$$ | 302,123 | $\$$ | 172,123 | $\$$ | 172,123 | $\$$ | 172,123 |

[^0]Schools

| $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 | $\$$ | 5,100 |
| :--- | ---: | :--- | ---: | :--- | ---: | :--- | ---: | :--- | ---: | ---: | ---: |
| $\$$ | 87,250 | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - |
| $\$ 167,000$ | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - | $\$$ | - |  |
| $\$$ | 708,145 | $\$$ | $1,685,547$ | $\$ 1,684,051$ | $\$ 1,683,923$ | $\# \# \# \# \# \# \# \#$ | $\$ 1,680,755$ |  |  |  |  |
| $\$$ | 261,917 | $\$$ | 623,421 | $\$ 622,868$ | $\$$ | 622,821 | $\$$ | 622,429 | $\$$ | 621,694 |  |
| $\$ 1,229,412$ | $\$$ | $2,314,068$ | $\$ 2,312,019$ | $\$ 2,311,844$ | $\# \# \# \# \# \# \#$ | $\$ 2,307,549$ |  |  |  |  |  |

## Town of Newmarket: Capital Improvement Program (CIP)

The Capital Improvement Program (CIP) gives Newmarket, the Town Administration and Council, Budget Committee, and School District, an important tool to plan for the future capital needs of the community. This plan takes into consideration the Town's vision, goals and objectives, for capital projects for municipal and school facilities as identified in the Town of Newmarket Master Plan based on the financial capability of the Town to bring the program to fruition. The CIP is a long-range plan, which includes a time sequence for the implementation of projects over a period of six (6) years from Fiscal Year 2018/2019 through Fiscal Year 2024/2025.

Generally, a capital project is a non-reoccurring annual expense that creates a depreciable asset for the community, as opposed to an operating cost, which relates to the on-going annual expenses of delivering services to persons and properties. For example, the cost of designing and constructing a wastewater treatment plant and its corresponding infrastructure is considered a capital project; whereas the cost of hiring an operator or purchasing materials to run the plant is an operating cost.

Expenditures to fund a capital project may include a one-time expenditure in any given fiscal year which would be included in the Town Department's or School District's annual budget. Or, if the item is a costly one, there may be a need to establish, a capital reserve fund for the project or piece of equipment, in which case funds would be annually appropriated by the Town and School District for that purpose and then deposited into a non-lapsing fund to allow the funds to accumulate over time, so when the time comes to undertake the project, the necessary funding is available to complete it. Or, the CIP can include items for which there will be a bond issue/or long-term financing to fund the project and the corresponding debt service over the course of several years.

There are two types of CIP project requests for: (1) Capital Equipment; and (2) Capital Improvement Project, as described below:

## Capital Equipment:

Capital equipment is defined as the purchase of a tangible item that is nonreoccurring; has a useful life of more than three (3) years; and an aggregate cost of at least $\$ 10,000$. All new and replacement equipment that meets this criteria should be requested on the Capital Equipment Request Form that is attached.

## Capital Improvement Project:

Capital Improvement Project is defined as a project undertaken to enhance the infrastructure and public facilities of Newmarket. It has a useful life of more than 10 years and costs at least $\$ 50,000$. All new capital projects meeting this criteria should be requested on the Capital Improvement Project Request Form.

It should be noted that not all capital improvement projects involve physical facilities. They may include special studies and analyses, preliminary designs, and cost estimates, and land acquisitions, which are often referred to as "soft" costs.

As part of the process, the CIP committee prioritizes the proposed expenditures based on the justifications provided by each Town Department and the School District for each project. By classifying a project by its need or urgency, the CIP committee will have information upon which to rank projects based on the following definitions:

| Urgent (Class 1) | Project cannot be delayed and/or is needed <br> immediately for health and safety reasons. |
| :--- | :--- |
| Necessary (Class II) | Project is needed to maintain basic level of <br> community services |
| Desirable (Class III) | Project would be beneficial to the community but is <br> not considered necessary, compulsory, or urgent. |
| Deferrable (Class IV) | Project can be placed "on hold" until after the 6 <br> year CIP period, but generally supports community <br> development goals. |
| Exploratory (Class V) | Project needs more research, planning or <br> coordination. |
| Inconsistent (Class VI) | Project is contrary to land use planning or <br> community development goals. |

## CIP Process

Every year in August, the Planning Department requests that the Town's Departments prepare their proposed CIP. The CIP committee convenes at the beginning of September to review the CIP proposals. The CIP committee typically will conduct a site visit with the Town's Department Heads to review the project and will invite each department to come to a meeting and present their projects. The CIP committee then prepares recommendations on items to include in the CIP as well as specific budget allocations for the upcoming annual budget and forwards their recommendations to the Town Administrator by October 1.

| CJS | New Hampshire Practice |
| :--- | :---: |
| $\quad$ C.J.S. Zoning and Land Planning $\$ \S 10,93,178$, | 15 N.H.P. Land Use Planning and Zoning |
| 183 to $184,187$. | $\$ \S 3.06,32.04,32.05$. |

## Capital Improvements Program

Cross Refeminces
Local land use plaming and regulatory powers, see RSA 674:1 et seq. Municipal budgets and finance, generally, see RSA 32:1 et seq. to $34: 1$ et seq.
674:5 Authorization. In a municipality where the planning board has adopted a master plan, the local legislative body may authorize the planning board to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years. As an alternative, the legislative body may authorize the governing body of a municipality to appoint a capital improvement program conmittee, which shall include at least one member of the planning board and may include but not be limited to other members of the planning board, the budget committee, or the town or city governing body, to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years. The capital improvements program may encompass major projects being currently undertaken or future projects to be undertaken with federal, state, county and other public funds. The sole purpose and effect of the capital improvements program shall be to aid the mayor or selectmen and the budget committee in their consideration of the annual budget.

History

Source. 1983, 447:1. 2002, 90:1, eff. July 2, Amendments-2002. Inserted the second sen2002. tence.

## Cross References

Consideration of program by mayor and budget committee, see RSA 674:8.
Local land use planning, innovative land use controls, see RSA 674:21.
Preparation of program, see RSA 674:7.
Libraky References

## West Key Number

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\text { Zoning and Planning }<\cdots 53.1 \text {. }
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Westlay Topic
Westlaw Topic No, 414.

CJS
C.J.S. Zoning and Land Planning $\S \S 10,178,183$. New Hampshire Practice
15 N.H.P. Land Use Planning and Zoning §§ 4.01, 17.05, 26.03, 31.02.

Annotations

## Construction and application 1

## 1. Construction and application

Town was required to enact ordinances providing for limited growth before town could apply growth control rates set forth in master plan to deny subdivision proposal. Rancourt v. Town of Barnstead (1986) 129 N.H. 45, 523 A.2d 55.

Town's capital improvements program, or absence thereof, plays no part in review of subdivision application presented to governmental authoritics; capital improvements program is part of effectuation of town's master plan, which differs from subdivision regulations that are intended to protect from danger or injury to public health or welfare. Zukis v. Town of Fitzvilliam (1992) 135 N.H. 384, 604 A.2d 956.

674:6 Purpose and Description. The capital improvements program shall classify projects according to the urgency and need for realization and shall recommend a time sequence for their implementation. The program may also contain the estimated cost of each project and indicate probable operating and maintenance costs and probable revenues, if any, as well as existing sources of funds or the need for additional sources of funds for the implementation and operation of each project. The program shall be based on information submitted by the departments and agencies of the municipality and shall take into account public facility needs indicated by the prospective development shown in the master plan of the municipality or as permitted by other municipal land use controls.

Source. 1983, 447:1, eff. Jan. 1, 1984.

Choss References
Local land use planning, innovative land use controls, see RSA 674:21.
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West Key Number
Zoning and Planning $\Leftrightarrow 353.1$.
Westlay Topic
Westlaw Topic No. 414.

CJS
C.J.S. Zoning and Land Planning §§ $10,178,183$. New Hampshire Practice

15 N.H.P. Land Use Planning and Zoning §§ 4.02, 29.02.

## Annotations

Construction and application 1

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## 674:7 Preparation.

I. In preparing the capital improvements program, the planning board or the capital improvement program committee shall confer, in a manner deemed appropriate by the board or the committee, with the mayor or the board of selectmen, or the chief fiscal officer, the budget committec, other municipal officials and agencies, the school board or boards, and shall review the recommendations of the master plan in relation to the proposed capital improvements program,
II. Whenever the planning board or the capital improvement program committec is authorized and directed to prepare a capital improvements program, every municipal department, authority or agency, and every affected school district board, department or agency, shall, upon request of the planning board or the capital improvement program committee, transmit to the board or committee a statement of all capital projects it proposes to undertake during the term of the program. The planning board or the capital improvement program committee shall study each proposed capital project, and shall advise and make recommendations to the department, authority, agency, or school district board, department or agency, concerning the relation of its project to the capital improvements program being prepared.

## History

Source. 1983, 447:1. 1995, 43:1. 2002, 90:2, eff. July 2, 2002.

Amendments-2002, Paragraph I: Inserted "or the capital improvement program committee" pre ceding "shall confer", and inserted "or the committee," following "board", where sccond appearing

Paragraph II: Inscricd "or the capital improve ment program committee" following "board", in two places in the first sentence, and in one place in the second sentence, and inserted "or committee"
following "board", where fourth appearing, in the first sentence.
-1995. Paragraph II: Inserted ", and every affected school district board, department or agency," preceding "shall, upon request" in the first sentence and deleted "or" following "authority," and inserted ", or school district board, department or agency," preceding "concerning" in the second sentence.

Cnoss References
Authorization of program, see RSA 674:5.
Contents of program, see RSA 674:6.
Local land use planning, innovative land use controls, see RSA 674:21.
Lfarary Reffrences

## West Key Number

Zoning and Planning $\Leftrightarrow 353.1$ to 363.
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Westlaw Topic No, 414.
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C.J.S. Zoning and Land Planning $\$ \S 3,10,21$, 93, 178 to 181,183 to 187.
New Mampshire Practice
15 N.H.P. Land Use Planning and Zoning § 4,03.

674:8 Consideration by Mayor and Budget Committee. Whenever the planning board or the capital improvement program committee has prepared a capital improvements program under RSA 674:7, it shall submit its recommendations for the current year to the mayor or selectmen and the budget committee, if one exists, for consideration as part of the annual budget.

## Hisfohy

## Source. 1983, 447:1. 2002, 90:3, eff. July 2, ning board", and "or selectmen" following "may-

 2002.Amendments-2002. Inserted "or the capital improvement program committec" following "plan-

Cross References
Authorization of program, see RSA 674:5.
Purpose of program, see RSA 674:6.

## Library References

West Key Number
Zoning and Plamning 353.1 to 363 .
Wesilay Topic
Westlaw Topic No. 414.

## CJS

C.J.S. Zoning and Land Planning $\S \S 3,10,21$, 93, 178 to 181,183 to 187.
New Hampshire Practice
15 N.H.P. Land Use Planning and Zoning § 4,03.

Official Map of the Municipality

> Cross References

City, town and village district highways, see RSA 231:1 et seq,

## Section 5.6. Transfers.

After the budget has been adopted, no money shall be drawn from the treasury of the Town nor shall any obligation for the expenditure of money be incurred except pursuant to a budget appropriation. The head of any department, with the approval of the Administrator, may transfer any balance or any portion thereof from one fund or agency within his department to another fund or agency within his department. The Administrator, with the approval of the Council, may transfer any balance or any portion thereof from one department to another.

## Section 5.7. Capital Improvement Plan.

A. The Capital Improvement Program Committee shall prepare and submit to the Council and Budget Committee a Capital Improvement Plan at least one (1) month prior to the final date for submission of the budget. The Capital Improvement Plan shall include:
(1) A clear summary of its contents.
(2) A list of all capital improvements including major replacements which are proposed to be undertaken during the next six (6) fiscal years, including, but not limited to, equipment, sewer and water mains or facilities, roads, school facilities, sidewalks, bicycle paths or lanes, public open spaces and recreation facilities, new police and/or fire stations, and other new public facilities and major items of equipment, with appropriate supporting information as to the necessity for such improvements.
(3) Cost estimates, methods of financing and recommended time schedule for each such improvement.
(4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.
B. The Capital Improvement Plan shall be based on a period of not less than six (6) years and shall include reference to or be influenced by, where appropriate, the Town master plan.
C. The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.
D. At least annually, or more often as the Council may direct, the Administrator shall submit to the Council a status report on implementation of the Capital Improvement Plan for the current year and financial statements of all capital accounts.
E. A summary of the updated Capital Improvement Plan with estimated costs shall be included in the Town Report and such portion of the current year costs the Council deems appropriate included in the Town Budget.
(Amendment May 9, 1995, Art. 5., Sec. 5.7.D.) (Amendment May 11, 2004, Art. 5, Sec. 5.7.A.) (Amended March 11, 2014.)

## Section 5.8. Lapse of Appropriations.

Every appropriation, except an appropriation from dedicated funds, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered.

## Section 5.9. Depository.

The Council shall approve to the Treasurer the depository or depositories for Town funds and shall provide for the timely deposit of all Town monies. The Council may require such security for Town deposits as it deems necessary, except that personal surety bonds shall not be deemed proper security.

## Section 5.10. Bonding of Officials.

Any Town officer elected or appointed by authority of this Charter shall be bonded in an amount as required by State law or dictated by prudent fiscal practice for the faithful performance of the duties of his office. The Administrator and all officers receiving or disbursing Town funds shall be so bonded. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the Town. Such bonds shall be filed with the Town Clerk.

## Section 5.11. Borrowing Procedure.

All borrowing by the Town shall be in accordance with the Municipal Finance Act, RSA ch. 33 .
(Amended March 11, 2014.)
B. Committee Organization. Each committee shall determine its own rules and order of business unless otherwise provided by the Charter or by law. The agenda and minutes shall be kept as required by RSA ch. 91-A. A chairperson and secretary shall be elected annually in accordance with the committee's rules or procedure.
C. Quorum. A majority of the members of a committee shall constitute a quorum, but a smaller number may adjourn from time to time until a quorum is achieved. No other action taken by a number of members smaller than the quorum shall be valid or binding.
D. Council. The provisions of Section 10.16 shall not apply to the Council to the extent that they are inconsistent with other provisions of this Charter.

Section 10.17. Land Use Ordinances. All land use regulations and ordinances must be adopted pursuant to State law.

## ARTICLE 11. ADMINISTRATIVE AND JUDICIAL BOARDS.

## Section 11.1. Administrative Committees.

A. Planning Board. There shall be a Planning Board consisting of six (6) elected members and one (1) appointed member. The Chair of the Town Council shall perform those duties assigned to the "Mayor" under RSA 672-677. Six (6) of these members shall be elected for terms of three (3) years, such terms to be staggered. The Planning Board shall have all the powers granted to planning boards by state law. Three (3) alternate members shall be appointed by the Planning Board, each serving three (3) year terms staggered.
B. Budget Committee. There shall be a Budget Committee consisting of eleven (11) members, nine (9) of whom shall be elected for three (3) year terms, such terms to be staggered. The Council and the School Board shall each appoint one (1) of their members to serve as a representative to the Budget Committee. These representatives shall have all the rights of membership except the right to hold office. Any vacancy in the elected membership shall be filled by a majority vote of a quorum of the Budget Committee for the unexpired term. The Budget Committee shall have all the powers granted to Budget Committees by state law.
C. Conservation Commission. The Conservation Commission shall consist of not less than 3 or more than 7 members appointed by the Town Council. The Conservation Commission shall have all the powers granted to Conservation Commissions by State Law.
D. Capital Improvement Program Committee. There shall be a Capital Improvement Program committee consisting of up to six members. The Town Council shall appoint one council member and one alternate, the Budget Committee shall appoint one budget committee member and one alternate, the School Board shall be invited to appoint one member and one alternate, and the Planning Board will appoint one planning board member and one alternate, all to serve for one year terms. Two at large members shall be appointed by the Town Council for a term not to exceed three years.. The CIP Committee shall appoint all ex-officio members it feels are necessary to perform their duties subject to Town Council approval. The Capital

Improvement Program Committee shall have all the powers granted to them under RSA 674:5 through 674:8.
(Amended March 11, 2014)
E. Other Administrative Committees. Other administrative boards and committees may be established or dissolved as necessary by the Town Council. These committees shall have such powers as determined by the Council or provided by State Law.
F. At least annually, in February and more often if Town affairs warrant, the Town Council shall meet with the Chairs of all standing Town committees to review significant actions taken by the committees, projects currently under discussion, and anticipated activity for the coming year.
G. At least annually, the Town Council shall invite the School Board to a meeting to discuss projects currently under discussion and anticipated activity for the coming year.
(Amendment February 18, 1992., Art. 11, Sec. 11.1.A.) (Amendment May 9, 1995, Art. 11, Sec. 11.1.A and B) (Amendment May 13, 1997, Art. 11, Sec 11.1.C, D \& E)

## Section 11.2. Judicial Board. Zoning Board of Adjustment.

There shall be a Zoning Board of Adjustment appointed by the Council, consisting of five (5) members each serving a three (3) year term and three (3) alternates each serving a three (3) year term. Such terms shall be staggered. The Council shall fill any vacancy for the period of the unexpired term. The Zoning Board of Adjustment shall have all the powers granted to such boards under State law.

## Section 11.3. Terms of Office.

Except as otherwise provided by this Charter, the terms of office of all members of administrative committees shall begin on the first Monday following the second Tuesday in March, and they shall end on the first Monday following the second Tuesday in March in the year that their term expires. If a member received an appointment or was elected subsequent to the second Tuesday in March of the year in which the term of office originally commenced, the term to which the person was




Kimberley Shelton - Alternate School Board Representative




Russ Simon, Vice Chair - Member at Large


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|  | оว әq of spəәu usi!s | 4. List name of firm and price of quotes received This is a possible item for energy contracting. couple of years of additional service at this point. Yes, the system has aged out, but we should be able to get a If NOT, how was the need previously met?

 Operating efficiency or lower operating costs to the Town of Newmarket?
2. How will this expenditure improve service, productivity

useful life cycle and is currently having operational issues. The existing HVAC system is 25 years old and has passed its 1. General Project Description? | Submitted By: | Greg Marles | Date: |
| :--- | :--- | :--- | Project Title: $\quad$ Community Center HVAC

## Project Request Form

Newmarket Capital Improvement Program (CIP)



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Newmarket Capital Improvement Program (CIP)




 4. List name of firm and price of quotes received.

Full reconstruction should have a life cycle of 30 plus years
Continued degradation of the facade has not been reconstructed. If NOT, how was the need previously met?
3. Is this a replacement item?
or lower operating costs to the Town of Newmarket?


## Project Request Form <br> Newmarket Capital Improvement Program (CIP)

LIOZ/LZ/6
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 4.

 The expenditure is to commemorate those of our town who have sacrificed

 2. How will this expenditure improve service, productivity This project will commemorate those veterans. There are no memorials for any of the subsequent wars of conflicts. 1. General Project Description? | Project Title: | Veterans Memorial |
| :---: | :---: |
| Submitted By: | Greg Marles |
| 1. General Project Description? |  |

## Project Request Form <br> 

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Newmarket Capital Improvement Program (CIP)

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 23 General Fund N
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 18 Global Industries $2 \times \$$
 16 equipment that will last 30 plus years. 15 bleachers that show much wear and tear and provide safe and necessary 14 This is a replacement item. The purchase of these two bleachers will take 2 13 If NOT, how was the need previously met? Is this a replacement item? 11 continue to be available for the many games that occur on these fields. 10 two safe and reliable bleachers. The replacement will allow for this amenity to 9 This purchase will allow for spectator capacity to continue to be seated on 8 or lower operating costs to the Town of Newmarket? 7 2. How will this expenditure improve service, productivity
6 bleachers are still in okay condition and if needed could make it another 2 yrs. 5 Complex for over 25 years will have to be replaced. The existing
 3 1. General Project Description?
$\stackrel{N}{ }+\mapsto$ $\square$ Submitted By: Project Title: $\qquad$ $\infty$
$\square$

0 | Bleachers at Leo Landroche |
| :---: |
| Aimee Gigandet | D $\quad$ E $\quad$ F



9/5/2017 Priority:


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LIOZ/LZ/6



 5 Beanie Howcroft: Install commercial grade irrigation system 4 Leo Landroche: Replace A field stone dust to better suit infield mix 3 1. General Project Description?


Project Request Form
Newmarket Capital Improvement Program (CIP)

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| :--- | :--- | 18 GameTime with slight price adjustment 17 4．List name of firm and price of quotes received．

 | 13 | If NOT，how was the need previously met？ |
| :--- | :--- |
| 14 | This is a replacement item． | 12 3．Is this a replacement item？

 10 Replacing them would make sure that the Town is adhering to the latest in
 8 or lower operating costs to the Town of Newmarket？ How will this expenditure improve service，productivity existing structures are outdated and will need to be replaced soon．
 The existing swing set structures have been in place since 1974

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$\qquad$ | Swing Set at Leo Landroche |
| :---: |
| Aimee Gigandet | $\qquad$


One of 2 swing sets to be replaced

## 9／5／2017

| Project Request Form |  |  |
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 $\stackrel{\sim}{\circ}$ 19 Note: reduced estimate based on splash pad plumbing installed 18 Greg Marles updated estimate: \$76,500 17 4. List name of firm and price of quotes received. 16 or after 4:30 pm M-F. Portable used during off-times.
$\stackrel{\rightharpoonup}{r} \mid \stackrel{\rightharpoonup}{\oplus}$ $\stackrel{\rightharpoonup}{\omega}$ $\square$
$\square$
$\square$
$\square$
$\square$ 52 stall Women, 1 stall + urinal: Male w/ electrical room 4 A permanent restroom facility for Leo Landroche Park: 3 1. General Project Description?

N
$\triangleright$ No, the Community Center has bathrooms. However, it is not directly 3. Is this a replacement item?
If NOT, how was the need p How will this expenditure improve service, productivity $\qquad$ k:
The lack of outdoor plumbed restroom facilities is by far the biggest


| Submitted By: | Aimee Gigandet \& Greg Marles | Date: | $9 / 5 / 2017$ |
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Experience of other communities which have recently updated their Master 4. List name of firm and price of quotes received. Commission, volunteers, and in-house staff. upon grants and assistance from interns, the Strafford Regional Planning Yes, the Planning Department would complete a chapter at a time drawing
 3. Is this a replacement item? 10 years. Section 4.16 Town Master Plan, Town Charter amended 3/11/2014 updating of the Town's Master Plan no less frequently than once every The Charter amendments that were passed in 2014 call for the or lower operating costs to the Town of Newmarket? How will this expenditure improve service, productivity the Town in order to assess development impact fees. basis for the Town's land use regulations and CIP, and a pre-requisite for Master Plan to guide the development of the community. It is the legal e əлedəィd of preog su! 1. General Project Description? Kg pəヤt!uquns

Project Title: $\qquad$


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## Project Request Form



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\section*{| 9 | The improvements will increase the pumping station reliabiliy, and reduce |
| :--- | :--- |
| 10 | personnell callouts and maintenance. |} or lower operating costs to the Town of Newmarket?

The improvements replaces the existing equipment.
eneral Project Description?

| Submitted By: | Sean Greig | Date: |
| :--- | :--- | :---: |

ents
The Bay Road Pumping Station was upgraded in 1983. The pumps and

$$
\begin{aligned}
& \text { equipment are over } 30 \text { years old and have exceded their usetul ite. we can } \\
& \text { not get parts for the generator. The parts have to be specially made. }
\end{aligned}
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Project Request Form
Newmarket Capital Improvement Program (CIP)


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| :--- | :--- | :--- | :--- | $\square$ $\stackrel{\stackrel{ }{\triangleright}}{\stackrel{ }{\circ}}$ $\stackrel{\rightharpoonup}{\circ}$ $\infty$ - 8 . 7 at Packers Falls pumping station. 6 electrical distribution equipment, replace corroded and rusted equipment, 5 generator buildings. Some examples are: repair concrete stairs, provide new 4 Repair and replace structures and equipment at the pumping stations and 3 1. General Project Description?

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 4．List name of firm and price of quotes received． kitchen and gym updates，bus and car separation，space，programs，instruction are optimized for
individual student achievement． Enhanced security and safety，Right sized rooms，MEP upgrades，removal of portables secure，
 support spaces separate space for gym／cafeteria and additional classrooms，security，and Renovations－office space for administrator，enlarge nurse＇s office，create 1．General Project Description？
 uұredəa


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

Resolution 2017/18-15
Town Council Chamber Dais Improvements

WHEREAS: The existing Council Chamber Dais electrical, cabling, and audio systems are in need to updating as well as the overall appearance; and

WHEREAS: The Director of Facilities has solicited proposals from several contractors for the repairs to systems and structure; and

WHEREAS: the existing systems are experiencing operational malfunctions.
NOW, THEREFORE, BE IT RESOLVED BY THE NEWMARKET TOWN COUNCIL THAT:
Town Council authorizes the Town Administrator to enter into an agreement with Educational Building Consultants, Access A/V and Daniels Electric for Town Council Dais Improvements with a costing not to exceed $\$ 10,000$ utilizing I-Net funds (fund 17). I-Net (fund 17) current balance is $\$ 27,385.00$

First Reading: $\quad$ September 20, 2017
Second Reading: October 4, 2017
Approval:

Approved:
Dale Pike, Chair Town Council

A True Copy Attest: $\qquad$
Terri Littlefield, Town Clerk


## TOWN OF NEWMARKET, NEW HAMPSHIRE

## STAFF REPORT

DATE: $\quad$ September 11, 2017
TITLE: 2017/2018-15 Town Council Dais renovations

## PREPARED BY: Greg Marles, Director of Facilities

## TOWN ADMONISTRATOR'S COMMENTS - RECOMMENDATION:

I recommend passage of this resolutiondP)
BACKGROUND: The existing dais needs updates in electrical, cabling, network, and audio improvements. We have created an in-house design that will allow for upgrades to the systems contained within the existing structure at the same time improving the general appearance of the dais. The support structure will remain in place which will provide us a saving in reconstructive costs during this process.

DISCUSSION: Given the existing condition of the electrical, network, cabling, and audio systems; cost effective updates to these systems would provide for more consistent operations within the Chambers. . With the level of improvements to the electrical, audio, and cabling we would have to remove several sections of the structure to allow for the installation of these new systems. therefore it would make sense at the same time we would update the appearance of the dais .

FISCAL IMPACT: We requested proposals from two contractors for the construction services, as well worked with our current $A / V$ vendor, and our electrical contractor to create the costing for this project. One of the construction contractors backout of the project, leaving us with one respondent to our request for pricing.

| Educational Building Consultants | construction services | (quoted pricing) |
| :--- | :--- | :--- | |  | $\$ 5,400.00$ |
| :--- | :--- |
| Access A/V | audio services (price reduced from original) |
| Daniels Electric | $\$ 2,600.00$ |
| (electrical contractor (in-house design/estinate) | $\$ 2,000.00$ |

RECOMMENDATION: We recommend moving forward with the dais reconstruction project utilizing funding from I-Net (fund 17) in the amount of $\$ 10,000.00$ based on the in-house design and estimates from vendors. Current I-Net fund (fund 17) balance is $\$ 27,385.00$ (as of July 31, 2017)

ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST:



Make all checks payable to Educational Building Consultants
Payment is due on receipt
If you have any questions concerning this invoice, contact Jim Goodale-(207)329-0202
Thanks for your business!

|  |  | 员 |
| :---: | :---: | :---: |
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APPLICATION $F O R$ APPOINTMENT TO $\mathbb{A} B O A R D$, COMMISSION, OR COMMITTEE POSITION WITH HIN THE TOWN OF $\mathbb{N E W M A R I K E T}$
Applicant's Name: Carl Blackstone
Address: $\qquad$ 4 Pine St Phone/Cell $\qquad$ 6037247234

RSA 669:19 Newmarket Registered Voter: RSI $91: 2$ Are you an American Citizen?
$\qquad$

Email address: cblackston(wva@) hotmalicom
Full membership (3 year term) position applying for NCDC(NEwmorket (immunity Dew. Council)
State what the new term expiration date is: $\qquad$ ( 2019 DEC *NCDC's Member terms expire in December

Alternate position (3 year term) position applying for $\qquad$
State what the new term expiration date is: $\qquad$
I feel the following experience and background qualifies me for this position: $\qquad$ I hated
strong business background paired with edeep love for the quirks and wrinkles that make Newmarket such an outstanding community, I offer thepterfect blend of "getting it" from a fiscal seust and from a civic sense (need more room, please use the back) Cal Blackstone
Signature
Date
You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Council meeting to address the Town Council prior to the decision making process. Applicants will be notified of the time and date of this meeting in advance. Thank you for your application and interest in the Town of Newmarket.


## RECEIVe

APPLICATION FOR APPOINTMENT TO A BOARD, COMMMIISSION, OR COMMITTEE POSITION WITHIIIN TH IE TOWN OF NE TOWN OUT NEWIMARRKIET

Applicant's Name:
ilillinm D. Turner

Address: 26 ft Piscoss:2 st. AP7 306 Phone/Cell 603-8535-20480 IRSA 669:19 Newmarket $\mathbb{R e g i s t e r e d ~ V o t e r : ~ V e s s ~} \mathbb{N o} \#$ of Years ms $\mathbb{R e s i d e n t : 2 0}$ RSA D1:2 Are you ann American Citizen? (Yes) No

Email address: udtorneaol.com

Full membership (3 year term) position applying for Évergy a vi) Evvizonmewt Committee State what the new term expiration date is: $\qquad$ Marat 2020

Alternate position (3 year term) position applying for $\qquad$
State what the new term expiration date is: $\qquad$
I feel the following experience and background qualifies me for this position: $\qquad$

(need more room, please use the back)


Signature


Date

You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Council meeting to address the Town Council prior to the decision making process. Applicants will be notified of the time and date of this meeting in advance. Thank you for your application and interest in the Town of Newmarket.

SEP 152017

# APPLICATION FOR APPONNTMENT TO A BOARDD, COMIMISSION, OR COMIMITTEE POSIITON WITHON THIE TOWN OT NEWMARKETT 

Applicant's Name: $\qquad$
Address: 41 Ladyslipper Dr, Newmarket Phone/Cell 603-292-5608

IRSA 669:19 Newmarket Registered Voter: Yes
RSA 91:2 Are you an American Citizen? Yes
No \# of Years as Resident: 11 No
Email address: dansmithbudgetcomm@gmail.com
Full membership (3 year term) position applying for Energy and Environment Cmte
State what the new term expiration date is: $\qquad$ per Town Council Authorization

Alternate position (3 year term) position applying for $\qquad$
State what the new term expiration date is: $\qquad$
I feel the following experience and background qualifies me for this position: $\qquad$ 20 years experience in the energy industry including 11 working at northern New

England's largest non-regulated energy provider. 3.years experience in public sector
energy and environment consulting. Entering third year on Municipal Budget
Committee.
(need more room, please use tho back)


[^4]
# TOWN OF NEWMARKET, NEW HAMPSHIRE <br> By the Newmarket Town Council 

## Resolution 2017/2018-16

## Authorizing the Town Administrator enter into a contract with Educational Building Consultants for Town Hall Office Improvements:

WHEREAS: it has been determined that our Town Hall requires improvements for ADA access, office safety measures, and operational synergies, and

WHEREAS: the Director of Facilities requested proposals based on provided designs to make improvements, and

WHEREAS: The Town received the following proposal,

| Educational Building Consultants | $\$ 11,350.00$ |
| :--- | :--- |
| Daniels Electric (in house estimate) | $\$ 1,650.00$, and |

WHEREAS: the Town Administrator recommends that the Town enters into an agreement with Educational Building Consultants of Standish, Maine

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

The Town Council authorizes the Town Administrator to enter into an agreement with Educational Building Consultants to make Town Hall office improvements based on an amount not to exceed (NTE) $\$ 13,000.00$ utilizing funding from the Building Improvement Capital Reserve fund.

First Reading: $\quad$ October 4, 2017
Second Reading:
Approval:
Approved: $\qquad$
Dale Pike, Chair Town Council

A True Copy Attest:
Terri Littlefield, Town Clerk

Town Hall

## STAFF REPORT

## DATE: $\quad$ September 26, 2017

TITLE: 2017/2018-16 Town Hall office renovations
PREPARED BY: Greg Marles, Director of Facilities

## TOWN ADMINISTRATOR'S COMMENTS - RECOMMENDATION $3 \%$

I recommend passage of this resolution. The SAU is hiring a contractor to dovations on their floor. It will move/create additional office space and meeting space. The Director of Facilities will have an office on that side of the building and out of the finance office. Director of Finance will have an office connected to both Town and School finance sides. The big work will be done on Friday and the weekend to limit interruptions. Smaller work will be done during the week.

When he talked to me about it, I asked The Facilities Director to draw up a plan and get a price from the same contractor to look at our floor to address space issues since they will already be in and it would reduce cost. The reason for the renovations are as follows:

1. Provide ADA counter access in the Town Clerk's Office - The current counter is not ADA accessible.
2. Redesign the Town Administrator, Assessing and Town Clerk Offices -
a. The current office set has a lot of unusable spaces, including odd bump outs and strange shapes.
b. The redesign will change the shape of the Town Administrator's office to allow for larger meetings in it. Currently, the only conference space we have is council chambers, which is frequently used. Also, it will provide for a meeting space that we can have true confidential meetings. Currently, the Town Council could be listened in on certain issues if someone is in the Channel 13 room. Currently, I can only have a few people in my office for any meeting.
c. It will create much needed additional locked storage.
d. Will increase Clerk's office and reduce the contracted town assessor office size. The assessor is only here one to two days a week.
e. Will create a counter in Town Administrator's Office to assist people instead of going through the door window.
3. Will move the Planning Door and create a counter space for review of plans and security. Currently people can just walk right into the Community Development Director Office and the Building Officials Office. The counter will create an additional functioning barrier.

BACKGROUND: The existing town clerk - tax collector office, community development office and administrator's office is in need of updating for better flow patterns, ADA counter access, security improvements and operational efficiencies. Although these renovations are minor in the scope for a facility such as Town Hall, it will greatly improve operations and security. This becomes even more evident with the Town Hall security improvements that have been recently approved.

DISCUSSION: Given the existing layout, ADA counter access, and security measure, it becomes necessary to look at changes to better meet the needs for staff, visitors, and patrons to the Town Hall. We are recommending to have the contractor that is currently doing other work within the Town Hall such as the dais improvements and School Department changes to continue working on these additional projects thus creating synergies and cost reductions. Additionally, we have been struggling to find contractors to respond to our needs for small jobbing type of projects.

FISCAL IMPACT: We requested proposals from two contractors for the construction services, only one said that they could man the project. In addition, the contractor is already working in the building providing construction services for other projects within the town and schools.

| Educational Building Consultants | Construction services (quoted pricing) | $\$ 8,150.00$ |
| :--- | :--- | :--- |
| Educational Building Consultants | ADA Counter construction allowance | $\$ 3,200.00$ |
| Daniels Electric | Electrical contractor (in-house design/estimate) | $\$ 1,650.00$ |

RECOMMENDATION: We recommend moving forward with the renovations project utilizing funding from the Building Improvement Capital funds in a amount not to exceed (NTE) \$13,000.00 based on provided estimates, drawings and in house costing.

## ATTACH ALL PERTINENT DOCUMENTS TO SUPPORT THE REQUEST.

## Educational Building Consultants

## Quote

1 Lakeview Lane South
Standish, ME 04084
Phone (207)329-0202
jimgoodale@live.com
DATE: 9/25/2017

| TO: | FOR: |
| :--- | :--- |
| Greg Marles | 2nd floor renovation |
| Newmarket, NH |  |


| DESCRIPTION |  |
| :--- | :--- |
| Price quote to supply material and labor for work shown on plan dated $8 / 3 / 20172^{\text {nd }}$ floor of <br> Newmarket Town Hall. <br> Price to include demo of existing walls as specified, build out to create new spaces, ceiling <br> work, moving of door openings and doors, and all finish trim and painting to complete space. | AMOUNT |
| New ADA compliant counter to be built to specs tbd later. Allowance to cover cost |  |
| \$8150.00 |  |

Make all checks payable to Educational Building Consultants
Payment is due on receipt
If you have any questions concerning this invoice, contact Jim Goodale-(207)329-0202
Thanks for your business!


# TOWN OF NEWMARKET, NEW HAMPSHIRE <br> By the Newmarket Town Council <br> ORDINANCE NO. 1 -2017/2018 

Town of Newmarket, New Hampshire

Amendments to Chapter 32 Zoning, Article I. IN GENERAL Sec. 32-9 Special use permits. and Article V. Overlay Zoning Districts Sec 32-162 of the Municipal Code of the Town of Newmarket and Zoning Ordinance, adopted 02/14/1996, as amended through June 21, 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 formed a sub-committee to evaluate proposed zoning recommendations of the Economic Development Committee and drafted new language for a skilled nursing facility overlay district on New Road to promote economic development opportunities within the Town.

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 allow opportunities for nursing homes with skilled nursing facilities and memory care units within an overlay district on New Road in areas that are currently zoned B-1 and B-2.

WHEREAS, the Planning Board conducted two (2) formal public hearings on May 9, 2017 and September 12, 2017 to solicit citizen input on the draft zoning amendments; and

WHEREAS, the Planning Board voted unanimously on September 12, 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. 32-9 Special use permits. by adding the following uses to Paragraph (a) at the end after ; "section 32-162 for nursing homes with skilled nursing facilities and memory care units within the Skilled Nursing Facility (SNF) Overlay District".

## ARTICLE V. OVERLAY ZONING DISTRICTS

2. Add a new Sec 32-162, as follows:

Sec 32-162. Skilled Nursing Facility (SNF) Overlay District.
(a) Purpose. The intent of the Skilled Nursing Facility (SNF) Overlay District is to allow opportunities for nursing homes with skilled nursing facilities and memory care units within an overlay zoning district.
(b) Overlay District Boundaries. The SNF Overlay District shall include properties that currently fall within the B-1 and B-2 Zoning Districts on the southern portion of New Road. It includes the following properties: Tax Map R3, Parcel 58-8 (39.5 acres), Tax Map R3, Parcel 56 (32.3 acres), and Tax Map R3, Parcel 54 (20.93 acres). See Attached Map.
(c) Definitions.

Nursing Home/Skilled Nursing Facilities mean facilities which are licensed by the New Hampshire Department of Health and Human Services under Chapter He-P 800; Part He-P 803 Administrative Rules and provide a range of social and health services, including 24 hour a day supervision and the provision of medical care and treatment, according to a plan of care by appropriately trained or licensed individuals who are employees of or who are under contract to the facility.

Skilled Nursing Facilities (SNF) mean licensed healthcare facilities (often in a wing of a Nursing Home) for individuals who require a higher level of medical care than can be provided in a nursing home or assisted living facility. Such care is provided by trained individuals, such as Registered Nurses (RNs) and physical, speech, and occupational therapists. These services can be necessary over the short term for rehabilitation from illness or injury, or they may be required over the long-term for patients who need care on a frequent or around the clock basis due to a chronic medical condition. Examples of skilled nursing services include wound care, intravenous (IV) therapy, injections, physical therapy and the monitoring of vital signs and medical equipment. These facilities are built to the Life Safety Code NFPA 101 as adopted by the Commissioner of the New Hampshire Department of Safety (in Saf-C 6000,) and as amended pursuant to RSA 153:5, I.

Memory Care Facilities mean supported residential health care designed for individuals who have memory related medical diagnoses, such as dementia, Alzheimer's disease, or any other diagnosed memory loss related malady. Memory care is licensed under Chapter He-P 800; Part He P-805 Supported Residential Health Care Facility Licensing Rules. Memory care units shall be staffed by skilled nursing professionals, who offer specialized dementia care and nursing services. Memory care units provide 24-hour supervised care and can be a stand-alone facility or part of a continuum of care provided within a separate wing or floor of a nursing home/skilled nursing facility.

Dementia is loss of intellectual functions (thinking, reasoning, and remembering) severe enough to interfere with daily functioning. It is not a disease in itself but a group of symptoms. Alzheimer's is the most common, others include Huntington's Disease, Lou Gehrig's Disease, Multi-Infarct Dementia (Vascular Dementia), and Parkinson's Disease. These facilities are built to Life Safety Code NFPA 101 as adopted by Commissioner of the New Hampshire Department of Safety (in Saf-C 6000) and as amended pursuant to RSA 153: 5 I.

## (d) Permitted Uses.

Nursing Homes/Skilled Nursing Facilities

## Memory Care Units

Accessory Uses - related to providing residents with services such as meals, housekeeping, medical and health services, well-being programs and recreation facilities, and related management support services.
(e) Design/Development Standards.

Minimum lot size: 20 acres
Road Setback: 100 feet
Development Cap: For the SNF Overlay District a development cap of 75 units of nursing home/skilled nursing beds and/or memory care units are allowed.

Buffer: There shall be a 75 foot landscaped buffer around the perimeter
Parking: Parking: 0.5 space per nursing home/SNF or memory care unit or bed.
(f) Development Review Process.
(1) Projects within the SNF Overlay District shall require a Special Use Permit pursuant to Sec 32-9 of the Town of Newmarket Zoning Ordinance and RSA 676:4 I and other regulations as set forth in the Town's subdivision and site review regulations. Given the limited scale of development envisioned by the SNF, it shall be required that all SNF development projects be constructed at one time without phasing. In addition, SNF Overlay District projects shall be subject to Site Plan Review approval by the Planning Board under Appendix B-Site Plans Sec. 1.02. Project plans need to be submitted to the State of New Hampshire Residential Care and Health Facility Licensing for approval prior to the submission of plans for Site Plan Review approval.
(2) The Special Use Permit shall apply only to a specific project, as proposed, at the time of approval. Changes to the proposed project must be approved by the Planning Board, as amendments to the Special Use Permit.
(3) All understandings reached between the applicant and the Planning Board shall be outlined in a legally binding development agreement.
(4) Special Use Permits shall be valid for two years from the date of Planning Board approval. Should active and substantial construction not have begun within two (2) years, the Special Use Permit shall be null and void. The Planning Board may, at its sole discretion, grant an extension to this two (2) year Period.
(5) Unless specifically stated otherwise herein, an application for a Special Use Permit is subject to the application, submission, public hearing, notice and administrative requirements of RSA 676:4 I and Appendix A Subdivision and Appendix B - Site Plan.

## Secs. 32-163-32-190. Reserved.

This ordinance shall become effective upon its passage.

Introduction Date:
First Reading
Second Reading/Public Hearing
Final Action by Council

## Approved:

Dale Pike, Chair Newmarket Town Council

A True Copy Attest: $\qquad$
Terry Littlefield, Town Clerk

## STAFF REPORT

## DATE:

September 27, 2017
TITLE: Ordinance No. 1-2017/2018 Amendments to Chapter 32 Zoning of the Newmarket Municipal Code regarding New Road Skilled Nursing Facility (SNF) District

PREPARED BY: Diane Hardy, Director of Planning and Development

## TOWN ADMINISTRATOR'S COMIMENTS - RECOMIMENDATION:

BACKGROUND/DISCUSSION: In 2015, the Economic Development Committee presented several recommendations for zoning changes to further economic development opportunities here in Newmarket after working with two (2) planning and real estate development consultants, John Connery and Peter Kwass One of those recommendations was to create an Overlay District on New Road to allow opportunities for skilled nursing facilities and memory care units. The Planning Board created a subcommittee to review the current zoning and developed language to implement this recommendation. After holding several work sessions and conducting two (2) formal public hearings, the Planning Board has unanimously come forward with the attached rezoning proposal for the Town Council's consideration.

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 proposed skilled nursing facility development

RECOMMENDATION: Recommend that a public hearing be scheduled for Wednesday, October 18 and approval following the public hearing.

## DOCUMENTS ATTACHED:

1. Ordinance No. 1 Amendments to Chapter 32 Zoning of the Newmarket Municipal Code regarding New Road Skilled Nursing Facility (SNF) Overlay District

2. Town of Newmarket Zoning Map
3. Map of Proposed Skilled Nursing Facility Overlay District



## Proposed Skilled Nursing Facility Overlay District

Town of Newmarket


Page 142 of 142


[^0]:    1 Pick-up Truck/plow
    2 Bleachers JR/SR
    3 High School Roof
    4 Jr/Sr High School
    5 Elementary School

[^1]:    

[^2]:    dIO - дə૪」еயMəN to UMO」

[^3]:    TO:
    Greg Marles
    Newmarket, NH
    Standish, ME 04084
    Phone (207) $329-0202$
    jimgoodale@live.com
    Educational Building Consultants
    
    <IOZ/bZ/8:317O
    әұопb

[^4]:    You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Council meeting to address the Town Councill prior to the deciston making process, Applicants will be notified of the time and date of thls meeting in advance. Thank you for your application and interest in the Town of Newmarket.

