



## **TOWN OF NEWMARKET, NEW HAMPSHIRE**

**The meeting will be conducted in the Town Hall Auditorium and is available via Zoom. You may join Zoom Meeting <https://zoom.us/j/9117025727> Meeting ID: 911 702 5727, +1 646 558 8656. If you have difficulty connecting, please call 603-659-3617 Ext, 1321.**

---

**Wednesday, February 3, 2021, 7:00 PM  
Town Hall Auditorium and Zoom**

---

- 1. Pledge of Allegiance**
- 2. Public Forum**
- 3. Town Council to Consider Acceptance of Minutes**
  - a. January 20, 2021**
- 4. Report of the Town Manager**
  - a. Town Manager's Report**
- 5. Committee Reports**
- 6. Old Business**
  - a. Resolutions/Ordinances in the 2nd Reading**
    - i. Resolution #2020/2021-28 - Salmon Street Pumping Station Generator Replacement**

Accept a Motion to Approve Resolution #2020/2021-28 - Salmon Street Pumping Station Generator Replacement.
    - ii. Resolution #2020/2021-29 - 77 Hersey Lane Road 320' Road Upgrade to Class V**

Accept a Motion to Approve Resolution #2020/2021-29 - 77 Hersey Lane Road 320' Road Upgrade to a Class V.
    - iii. Resolution #2020/2021-30 - Enter into Lease Agreement for Multi-purpose Copy Machines**

Accept a Motion to Approve Resolution #2020/2021-30 - to Enter into a Lease Agreement for Multi-purpose Copy Machines.
- 7. New Business/Correspondence**

**a. Town Council to Consider Nominations, Appointments and Elections**

**i. Ben Stebbins - Parking Commission - Non-resident Business Owner- Term Expiration December 2023**

Accept a Motion to Appoint Ben Stebbins to the Parking Commission as a Non-resident Business Owner with a term expiration of December 2023.

**ii. Nichole Jones - Reappointment to the Arts & Tourism Commission - Term Expiration December 2023**

Accept a Motion to Reappoint Nichole Jones to the Arts & Tourism Commission with a term expiration of December 2023.

**iii. Sonke Dornblut - Representative to the Coast Bus Board of Directors**

Accept a Motion to Appoint Sonke Dornblut to the Coast Bus Board of Directors as Newmarket's Representative. (No term expiration)

**b. Resolutions/Ordinances in the 1st Reading**

**i. Resolution #2020/2021-31 - Purchase of of UPS units**

**ii. Resolution #2020/2021-32 - New Road Water and Drainage Improvements**

**iii. Ordinance No. 5-2020/2021- To Reaffirm Requiring the Wearing of Face Coverings Under Certain Conditions Within The Town Of Newmarket**

Accept a Motion to Approve Ordinance No. 5-2020/2021 - To Reaffirm Requiring the Wearing of Face Coverings Under Certain Conditions Within The Town Of Newmarket

**c. Correspondence to the Town Council**

**d. Closing Comments by Town Councilors**

**e. Next Council Meeting**

**i. February 17, 2021**

**8. Adjournment**

**Visitor Orientation to the Town Council Meeting**

Welcome to this evening's Council meeting. Please note that the purpose of the meeting is for the Council to accomplish its work within a qualitative time frame. Meetings are open to the public, but public participation is limited. If you wish to be heard by the Council, please note the "Public Forum" at the beginning of the meeting to speak to items on a meeting agenda and/or matters pertaining to the business of the Council. In addition, public hearings may be scheduled for public comment on specific matters.

Speakers must be residents of the Town of Newmarket, property owners in the Town of Newmarket, and/or designated representatives of recognized civic organizations or businesses located in the Town of Newmarket. When they are at the podium, speakers first need to recite their name and address for the record. Visitors should address their comments to the presiding officer and the Council as a body and not to any individual member.

Each speaker shall be provided a single opportunity for comment, limited to three (3) minutes. Public forum shall be limited to fifteen (15) minutes. Visitors should not expect a response to their

comments or questions since the Council may not have discussed or taken a position on a matter. Public Forum is not a two-way dialogue between speaker(s), Councilors, and/or the Town Manager. The Chair will preserve strict order and decorum at all Town Council meetings. Outbursts from the public are not permitted.



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

### **ATTACHMENTS:**

| Description                      | Upload Date | Type       |
|----------------------------------|-------------|------------|
| January 20, 2021 Meeting Minutes | 1/26/2021   | Cover Memo |

# **TOWN OF NEWMARKET, NEW HAMPSHIRE**

## **TOWN COUNCIL REGULAR MEETING**

January 20, 2021 7:00 PM

Town Hall Auditorium and Zoom

The meeting will be conducted in the Town Hall Auditorium and is available via Zoom. You may join Zoom Meeting <https://zoom.us/j/9117025727> Meeting ID: 911 702 5727, 1 646 558 8656. If you have difficulty connecting, please call 603-659-3617 Ext, 1321.

Councilors Present: Council Chair Weinstein and Councilor Zachary Dumont. Present Virtually: Councilor Helen Sanders, Councilor Jon Kiper, Councilor Megan Brabec, and Councilor Scott Blackstone.

Councilors Absent: Council Vice-Chair Amy Burns

Roll Call was taken.

Others Present: Town Manager Stephen Fournier, Finance Director William Tappan, Public Works Director Rick Malasky, Recreation Director Aimee Gigandet, and Wendy Chase Recording Secretary.

Chair Weinstein convened the meeting at 7:02 PM.

Town Manager Fournier read the virtual meeting preamble.

Chair Weinstein led the pledge of allegiance.

Chair Weinstein requested a moment of silence to recognize the passing of Ed Pelczar. She referred to him as being the cornerstone of our community for many years. The 2019 Town Report was dedicated to Mr. Pelczar for his many years of service to the Town on different Boards and Committees. The Chair read a line from the dedication, " Citizen involvement is paramount in running town government effectively and productively. This year's town report is dedicated to a devoted and perpetually involved citizen Mr. Edward "Ed" Pelczar".

A one minute moment of silence.

## **MINUTES**

### ***DRAFT MINUTES***

### **PUBLIC FORUM**

Chair Weinstein opened the public forum at 7:08 PM.

Chair Weinstein closed the public forum at 7:08:05 PM without public comment.

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

**January 6, 2021**

Councilor Dumont made a motion to Approve *the January 6, 2021 Meeting Minutes*, which was seconded by Councilor Sanders.

Motion was Passed by a vote of 6-0-0.

## **REPORT OF THE TOWN MANAGER**

### **Town Manager's Report**

Town Manager Fournier reported on the following:

- COVID-19 - As of January 14th, we had 28 active cases and 312 cumulative cases. Over the last 14 days, there are 45 new cases. 1,940 people were tested on December 6th and 4,414 were tested two weeks ago.
- Vaccination - Phase 1b citizens over the age of 65 may register for a vaccine beginning on Friday, January 22, 2021 at 8:00 AM. The website to register for the vaccine is **vaccines.nh.gov**. Those individuals without computer access may **call 211** and register over the phone. The phones will be manned 7 days a week. M-F from 8:00 AM to 7:00 PM and Sat. 8:00 AM to 5:00 PM. They ask for everyone's patience to get through. The guidelines for quarantining have been revised due to the second dose being distributed. Those individuals that have received two doses of the vaccine and are 14 days out or those who have had COVID-19 in the past 90 days will no longer have to quarantine if they come in close contact with someone with COVID or travel outside of New England.
- Deliberative Session - the final warrant is submitted to the Council to sign. The first remote Optional Town Meeting session is on January 27th at 7:00 PM. The School's session at 6:00 PM. A notice has been sent to every registered voter and it has been noticed on the town's website and town's newsletter.
- Recreation Partnership - The Recreation Dept and School District 31 have created a co-curricular education and community partnership. They have developed new free virtual in, or outdoor programs marketed under the name "The Winter Warmups!"
- FY21 Revenue and Expense Report - We have expended 55% of the FY21 budget. Revenues are slightly lower for motor vehicle registrations by \$15,000 and building permits are slightly higher. We are approximately \$1.1M over last year.
- Macallen Dam - The water level elevation at the main spillway was approximately 23.7 feet and remained the same during the day. SumCo continues to work on the abutments and removing the forms from the gate footing area.
- Facilities Director - An employment offer has been made to an individual.

## **Department Reports - December 2020**

**COMMITTEE REPORTS**

Councilor Brabec said that the Conservation Commission met on January 14th and reported that the Masonic Lodge on Main Street closed and donated \$4,000 to the Conservation Commission for improvements to Schanda Park. The Conservation Commission also inquired about the status of the Riverfront Advisory Committee that was established last year.

Town Manager Fournier said the Riverfront Committee was going to work with UNH Students on their Capstone project last year, but the Pandemic hit and those students have graduated. He hopes to have the Committee reactivated in the spring.

**OLD BUSINESS**

**RESOLUTIONS/ORDINANCES IN THE 2ND READING**

**Resolution #2020/2021-26 - Splash Pad & Restroom Facility installation and build on Leo Landroche Field**

Councilor Dumont made a motion to Approve *Resolution #2020/2021-26 Splash Pad and Restroom Facility Installation and build on Leo Landroche Field*, which was seconded by Councilor Sanders.

Recreation Director Gigandet explained that they have worked on this project over the past 4 years and it will be the only water play facility in town. The water will be infiltrated. The town received matching grants for the project. The bathrooms will be accessible to the public. They received zero bids for the bathroom installation; it was decided that Public Works Director Rick Malasky will be the General Contractor for that portion of the project.

Councilor Sanders asked if the Splash Pad would be accessible to all town residents.

Recreation Director Gigandet said that it will be and they will work out a schedule when summer camp is in session.

Motion was Passed by a vote of 6-0-0.

**Resolution #2020/2021-25 - Audit Services**

Councilor Dumont made a motion to Approve *Resolution #2020/2021-25 Audit Services*, which was seconded by Councilor Sanders.

Town Manager Fournier explained that pursuant to the Town Charter we must go out to bid every three years for auditing services and cannot use the same company for more than six years. He read the bid amounts as follows:

|                |           |
|----------------|-----------|
| Melanson ..... | \$207,000 |
| Clukay.....    | \$164,500 |
| Plodzic.....   | \$199,500 |

As explained in Financial Director Bill Tappan's staff report: Considering the three factors of competence, capability and cost, Plodzik & Sanderson, P.A. are the recommended option. Although all three firms are highly qualified with solid professional staff, Melanson's proposal is significantly higher than both of their competitors in this case and that removes them from final consideration. In terms of the noted criteria, capability differentiates Plodzik & Sanderson from Vachon Clukay & Co., specifically, there are 22 professionals at Plodzik versus 12 at Vachon. While not a large firm, Plodzik has relatively more sufficient resources to reorder its workload to support us as a client during a crisis. Additionally, Plodzik is also the auditor for the Newmarket School District and they are thus far pleased with their service. While it is tempting to select the lowest bidder in this case, Newmarket is a mid-sized community in the state with a reasonable level of operational and financial complexity. Therefore, it is recommended that the Town Council select Plodzik & Sanderson, P.A. as the town's audit services partner.

Council Chair Weinstein said that she was struggling with the recommendations because there is a \$30,000 difference between Plodzik and Clukay and they both scored the same under the scoring system.

Finance Director Tappan said that the \$30,000 is over a six-year period. He said firms of at least moderate size are better able to manage the workload, even with staff turnover. The larger firms also tend to have strong training programs that prepare staff for their auditing. He mentioned that Clukay has had a lot of employee turnover.

Councilor Sanders agreed with the recommendation. Proper staffing is critical to get things done on time.

Motion was Passed by a vote of 5-1-0. Nays: Weinstein

## **NEW BUSINESS/CORRESPONDENCE**

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

#### **Stephen Lyons - Parking Commission Resident Member - Term Expiration December 2023**

Councilor Dumont made a motion to Approve *the appointment of Stephen Lyons to the Parking Commission with an expiration date of December 2023.*, which was seconded by Councilor Sanders.

Motion was Passed by a vote of 6-0-0.

#### **Al Zink - ZBA Member - Term Expiration - April 2022**

Councilor Dumont made a motion to Approve *the appointment of Al Zink to the Zoning Board of Adjustment with a term expiration of April 2022*, which was seconded by Councilor Sanders.

Motion was Passed by a vote of 6-0-0.



## **Resolutions/Ordinances in the 1st Reading**

### **Resolution #2020/2021-28 - Salmon Street Pumping Station Generator Replacement**

Chair Weinstein read Resolution #2020/2021-28 Salmon Street Pumping Station into the record.

### **Resolution #2020/2021-29 - 77 Hersey Lane Road 320' Road Upgrade to Class V**

Chair Weinstein read Resolution #2020/2021-29 to Permit 77 Hersey Lane, LLC and Walter Cheney/Chinburg Builders Inc. to upgrade to Class V Road Status a 320 Foot Portion of Hersey Lane from its present Class VI Road Status into the record.

### **Resolution #2020/2021-30 - Enter into Lease Agreement Multi-purpose Copiers**

Council Chair Weinstein read Resolution #2020/2021/-30 Lease Agreement for Copiers into the record.

## **CLOSING COMMENTS BY TOWN COUNCILORS**

Council Chair Weinstein reminded everyone that the filing period for Elected Officials began today and ends on January 29th. The Town Clerk will be open on Friday, January 29, 2021 from 3:00 PM - 5:00 PM for those who wish to sign-up.

## **NEXT COUNCIL MEETING**

**February 3, 2021**

## **ADJOURNMENT**

Council Chair Weinstein adjourned the meeting at 7:55 PM without objection.

Respectfully submitted,  
Wendy Chase, Recording Secretary



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

---

# STAFF REPORT

---

**DATE:** February 3, 2021

**TITLE:** Resolution #2020/2021-28 - Salmon Street Pumping Station Generator Replacement

**PREPARED BY:** Sean T. Greig Environmental Services Director

**TOWN MANAGER'S COMMENTS - RECOMMENDATION:**

I recommend passage of this resolution.

**BACKGROUND:**

The Salmon Street wastewater pumping station has a 40 year old 30 KW generator that powers the station during power outages. The generator was found inoperable and not fixable just before Christmas. The Department rented and installed a 30 KW generator at the station. The cost to rent the generator is \$1,600 per month. I began looking for a replacement generator. I found a used generator with low operating hours, but it would not fit in the building. It was determined that the newer generators would not fit in the existing generator building. So we would need to purchase a generator that is designed to be outside in an enclosure. I contacted two companies that did not have generators in stock, and they were not doing any estimates due to a backlog of work and supplier problems due to COVID. I found a 30 KW outside generator, but it was for single phase application. Our pumps require a generator for three phase power. I finally found a 38 KW generator for \$14,805.00, Delivery \$1,000, 4' x 8' X 4" concrete pad \$1,200, and \$800 start-up for a total of \$17,805.00. Based on past generator purchases, the \$17,805.00 is a good price. A supplier indicated that the earliest that I could have a 30 KW delivered from the factory is the end of April.

Cost for 38 KW Generator \$17,805.00

Cost to order a 30 KW Generator \$16,800 Plus \$6,400-\$8,000 for rental. There is no guarantee the generator would show up at the end of April.

The decision was made to purchase and install the 38 KW generator to save a substantial amount of money from rental costs.

**DISCUSSION:**

Does the Town Council authorize the funds to come out of the Wastewater Capital Reserves to pay for the 38

KW generator for the Salmon Street wastewater pumping station.

**FISCAL IMPACT:**

The \$17,805.00 would be coming out of the Wastewater Capital Reserves. The Wastewater Capital Reserve Balance is \$1,782,027.

**RECOMMENDATION:**

I recommend that the Town Council authorize the withdrawal of \$17,805.00 from the Wastewater Capital Reserve Funds for the Salmon Street generator.

**ATTACHMENTS:**

| Description                                           | Upload Date | Type       |
|-------------------------------------------------------|-------------|------------|
| Resolution 2020/2021-28 - Salmon St Pumping Generator | 1/21/2021   | Cover Memo |
| Tristate Generator Quote                              | 1/13/2021   | Cover Memo |

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution 2020/2021-28**  
**Salmon Street Pumping Station Generator Replacement**

**WHEREAS:** the Salmon Street Wastewater Pumping Station 40-year old 30 KW generator was not fixable; and

**WHEREAS:** the cost to replace the generator is \$17,805.00; and

**WHEREAS:** the funds are not available in the 2020-2021 fiscal budget; and

**WHEREAS:** the Sewer Capital Reserve Fund balance is \$1,792,027.

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

The Newmarket Town Council authorizes the withdrawal of \$17,805.00 from the Sewer Capital Reserve Fund for the purchase of a 38 KW generator for the Salmon Street Pumping Station.

*First Reading: January 20, 2021*

*Second Reading: February 3, 2021*

*Approval: February 3, 2021*

| <b>VOTING RECORD</b>              |     |    |         |
|-----------------------------------|-----|----|---------|
| Date of Vote:                     | YES | NO | ABSTAIN |
| Councilor Zachary Dumont          |     |    |         |
| Councilor Helen Sanders           |     |    |         |
| Councilor Scott Blackstone        |     |    |         |
| Councilor Megan Brabec            |     |    |         |
| Councilor Jon Kiper               |     |    |         |
| Vice Chair Amy Burns              |     |    |         |
| Chair Toni Weinstein              |     |    |         |
| Total Votes:                      |     |    |         |
| Resolution: Does   Does Not pass. |     |    |         |

Approved: \_\_\_\_\_  
Toni Weinstein, Chair Town Council

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

TriState Generator LLC  
18 Route 27  
Brentwood, NH 03833  
603-734-2650  
office@tristategens.com  
http://tristategens.com/

## Estimate



### ADDRESS

Sean Greig  
Town of Newmarket  
186 Main St  
Newmarket, NH 03857 USA

### SHIP TO

Sean Greig  
Town of Newmarket  
19 Salmon Street  
Newmarket, NH 03857 USA

| ESTIMATE # | DATE       | EXPIRATION DATE |
|------------|------------|-----------------|
| 1008       | 01/12/2021 | 02/12/2021      |

### SITE NAME

Salmon Street

| DATE       | DESCRIPTION                                                     | QTY | RATE      | AMOUNT    |
|------------|-----------------------------------------------------------------|-----|-----------|-----------|
| 01/12/2021 | Kohler 38 kW Generator, 120/208, 3 Phase<br>Model #38RCL        | 1   | 14,805.00 | 14,805.00 |
| 01/12/2021 | Generator Delivery to Site                                      | 1   | 1,000.00  | 1,000.00  |
| 01/12/2021 | Custom 4'x8'x4" thick gen pad w/12" sq. opening (with delivery) | 1   | 1,200.00  | 1,200.00  |
| 01/12/2021 | Kohler Factory Start Up                                         | 1   | 800.00    | 800.00    |

Gas and Electrical by others.

**TOTAL**

**\$17,805.00**

Accepted By

Accepted Date



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

---

# STAFF REPORT

---

**DATE:** February 3, 2021

**TITLE:** Resolution #2020/2021-29 - 77 Hersey Lane Road 320' Road Upgrade to Class V

**PREPARED BY:** Steve Fournier, Town Manager

**TOWN MANAGER'S COMMENTS - RECOMMENDATION:**

I recommend passage of this resolution

**BACKGROUND:**

77 Hersey Lane, LLC c/o Walter Cheney/Chinburg Builders Inc. applied to the Planning Board to create an 11 unit residential open space subdivision on a Class VI portion of Hersey Lane. Class VI roads are public roads a municipality does not have the obligation to maintain. The Planning Board approved the subdivision with the stipulation that they applicant receive permission from the Town to upgrade the road to Class V standards.

**DISCUSSION:**

Before the Town Council tonight is a resolution asking the Town Council for permission to reclassify that portion of Hersey Lane as Class V. The applicant will cover all costs to bring a 320 foot portion of Hersey Road up to Class V standards and the Town will not accept the road until such time as we approve it.

**FISCAL IMPACT:**

There will be minimal cost to the town until we begin to maintain it in the future.

**RECOMMENDATION:**

I recommend passage.

**ATTACHMENTS:**

| Description                                          | Upload Date | Type            |
|------------------------------------------------------|-------------|-----------------|
| Resolution #2020/2021-29 77 Hersey Lane Road Upgrade | 1/21/2021   | Cover Memo      |
| Notice of Decision                                   | 1/14/2021   | Backup Material |
| Plans                                                | 1/14/2021   | Backup Material |



CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**RESOLUTION #2020/2021-29**

**AUTHORIZATON TO PERMIT 77 HERSEY LANE, LLC AND WALTER CHENEY/CHINBURG BUILDERS INC. TO UPGRADE TO CLASS V ROAD STATUS A 320 FOOT PORTION OF HERSEY LANE FROM ITS PRESENT CLASS VI ROAD STATUS.**

**WHEREAS:** 77 Hersey Lane, LLC, received a conditional approval from the Newmarket Planning Board on December 22, 2020 for an 11-unit Residential Open Space Development Subdivision on a 12.8 acre lot identified as Map 4, Lot 3, that is adjacent to a portion of a Class VI road known as Hersey Lane.

**WHEREAS:** one of the Planning Board's conditions of approval specified that "the applicant shall seek and obtain approval from the Newmarket Town Council to upgrade a portion of the Class VI highway of Hersey Lane and reclassify it to a Class V classification in accordance with the approved plans, RSA 674:41 and other applicable statutes so as to provide suitable access and legal frontage for the proposed open space residential development."

**WHEREAS:** the Town Council, as the Town's governing body, has the authority to authorize the upgrading and reclassification of this portion of Hersey Lane from a Class VI roadway to a Class V roadway under Section 3.13 of the Town Charter, and RSA 231:22-a, I.

**WHEREAS:** sheet 6 of the approved 77 Hersey Lane, LLC Residential Open Space Development Subdivision plan depicts the improvements that will be made by the applicant to upgrade the Class VI portion of Hersey Lane, which is 320 feet in length from the intersection of Durell Lane and the existing Class V portion of Hersey Lane.

**NOW, THEREFORE LET IT BE RESOLVED BY THE NEWMARKET TOWN COUNCIL,** that the Town Council approves the upgrading by 77 Hersey Road, LLC and Walter Cheney/Chinburg Builders of the 320 foot portion of the Class VI portion of Hersey Lane, as depicted on the above-referenced subdivision approval granted by the Planning Board, to Class V roadway status. The upgrading construction of this portion of Hersey Lane shall be performed as depicted on the plan, consistent with the Town's roadway

construction standards, and shall be inspected by the Town's inspectors at the applicant's expense consistent with standard road construction inspection practices.

The upgraded portion of Hersey Lane shall not become a roadway for which the Town assumes maintenance and repair responsibilities until the Town accepts the roadway as a Class V public road following its practices for construction inspection, roadway maintenance bonding and roadway acceptance.

*First Reading:* *January 20, 2021*

*Second Reading:* *February 3, 2021*

*Approval:* *February 3, 2021*

| <b>VOTING RECORD</b>              |     |    |         |
|-----------------------------------|-----|----|---------|
| Date of Vote:                     | YES | NO | ABSTAIN |
| Councilor Dumont                  |     |    |         |
| Councilor Sanders                 |     |    |         |
| Councilor Blackstone              |     |    |         |
| Councilor Brabec                  |     |    |         |
| Councilor Kiper                   |     |    |         |
| Vice Chair Burns                  |     |    |         |
| Chair Weinstein                   |     |    |         |
| Total Votes:                      |     |    |         |
| Resolution: Does   Does Not pass. |     |    |         |

Approved: \_\_\_\_\_  
Toni Weinstein, Chair Town Council

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

December 30, 2020

77 Hersey Lane, LLC  
c/o Walter Cheney/Chinburg Builders Inc.  
76 Exeter Road  
Newmarket, NH 03857

Re: Application of Walter Cheney/Chinburg Builders, Inc. for a  
Residential Open Space Subdivision on a 12.8 acre lot Hersey  
Lane, Tax Map R4, Lot 3, R2 Zone.  
Newmarket, NH 03857

Dear Mr. Cheney and Chinburg Builders, Inc.

Please be advised at its meeting on December 22, 2020, the Newmarket Planning Board conditionally approved your application for an 11 unit Residential Open Space Development Subdivision subject to the following Findings of Fact and Conditions:

**Findings of Facts:** The Technical Review Committee (TRC) of the Newmarket Planning Board has met three times, once in person and twice (virtually through Zoom) due to the pandemic, since January 2020 to review and work through the technical issues associated with this application. At this time, the Technical Review Committee (TRC) and Town Planner are recommending approval this application subject to the following findings of fact and conditions as set forth below:

1. On January 14, 2019, the Newmarket Zoning Board of Adjustment granted two (2) variances to 77 Hersey Lane LLC, to permit duplex residential use in this open space development and to allow a 30 foot separation for any proposed duplexes in the R-2 Zone at this location.
2. The Planning Board approved a Special Use Permit requested by Walter Cheney/Chinburg Builders, Inc. for a Residential Open Space Design Development pursuant to authority granted under Section VI of the Newmarket Zoning Ordinance for

property located at 77 Hersey Lane Tax Map R4, Lot 2 in the R-1 Zone to permit the construction of 11 units, subject to several conditions and final approval of the proposed subdivision by the Newmarket Planning Board, on November 12, 2019.

3. The Planning Board hired Mark West, an environmental consultant and certified wetlands scientist, to assist the Planning Board in the review of waivers to the 100 foot wetland buffer requirements in the Town's subdivision regulations. Following a comprehensive review and consideration of Mr. West's recommendations, a re-design of the concept to minimize wetland impacts, and negotiations with the Technical Review Committee, the waiver to the 100 foot wetland buffer requirements was approved at the September 14, 2020 Planning Board, subject to the attached plan. (See attached.)

4. Following the review of several iterations of the subdivision plans, the plans were provided to the Planning Board office on December 3, 2020 for final review by the Town's engineering consultant, Underwood Engineering. These plans were presented to the Planning Board for review at its meeting on Tuesday, December 8. At this meeting, the Town's engineering consultant provided a letter, dated December 8, 2020, indicating all items had been resolved with the exception of two (2) remaining issues:

(a) Items 4 and 5 regarding Easement Plan which will be addressed by a condition of approval that the plan be modified and approved by Town Planner and Town's Legal Counsel prior to the plan being signed and recorded, as a condition of approval, as stated below.

(b) Item 14 regarding transition between existing Class VI road, the upgraded portion of the Hersey Lane Class VI, and the new proposed road to the open space development. The applicant has submitted a revised road profile which has been reviewed and approved by the Town's engineer who has signed off on this item.

5. The Planning Board reviewed recommendations of the Lamprey River Local Rivers Advisory Committee (LRAC) as presented in its letter, dated November 18, 2020, to the New Hampshire Department of Environmental Services (NH DES) relative to the Developer's Alteration of Terrain (AOT) application. The Planning Board heard testimony from the Developer's, Certified Soil Scientist, and Luke D. Hurley at the meeting on December 8, 2020. The developer's wetlands specialist will be forwarding review comments to the NH Department of Environmental Services for their consideration in response to the letter. The Planning Board elected not to take a position on the request of the Lamprey Rivers Advisory Committee to deny the application. Approval of the Alteration of Terrain (AOT) permit by the NH DES is stated below as a proposed condition of approval.

6. At its meeting on December 8, 2020, the Planning Board granted the following waivers to the Subdivision Regulations related to this application as listed below:

- Section 3.02 (B) (4) – to allow an 11 foot wide road width
- Section 3.02 (B) (5) – to allow an alternative geometric road design for proposed cul-de-sac including super elevated grades
- Section 3.02 (D) (5) – to allow 2:1 grades and guardrail in the vicinity of cul-de sac to reduce down slope impacts
- Section 4.08 – to allow a plan scale of 1"=50' whereas 1"=100' is required.

#### Conditions of Approval

1. All state, local and federal permits shall be provided prior to plan signing, including the NH DES Alteration of Terrain (AOT) and Sewer Discharge Permit, and the EPA Notice of Intent and SWPPP (Stormwater Pollution Prevention Plan).
2. All easement documents, covenants, and deed restrictions pertaining to open space, drainage structures, and best management practices, including an updated Easement Plan, shall be reviewed and approved by the Town Planner, Public Works Director, and the Town's Legal Counsel. All legal documents related to the Open Space Development, including Articles of Incorporation, Homeowners Association By-Laws, Stormwater Maintenance Agreement, shall be reviewed and approved by the Town's Legal Counsel prior to plan signing and recording of the final plan and legal documents.
3. A Land Stewardship plan, in narrative form, shall be professionally prepared which focuses on the long-term management of the open space as conservation land and addresses items such as measures for correcting potentially destructive measures, such as erosion, a maintenance and operations plan needed to maintain the stability of the resources, the management of woodlands and buffer area landscaping, the preservation of wildlife values, the enhancement of scenic views and the protection of significant mature trees on site.
4. The Developer shall enter into a Developer's Agreement with the Town of Newmarket which includes findings of fact, special conditions, the Town's expectations prior to, during and after construction, and prior to the issuance of building permits, certificates of occupancy, and the requirements for a performance bond;
5. The Developer shall issue a performance bond and/or performance guarantee in an amount and form deemed acceptable by the Town's engineering consultant and legal

Notice of Decision for Residential Open Space Subdivision

Page 4 of 6

77 Hersey Lane, Newmarket, NH

December 30, 2020

counsel to ensure upgrading of the Class VI portion of Hersey Lane, the proposed new roadway and stormwater systems, and all other infrastructure improvements in accordance with the final approved plans.

6. The Developer shall make advance escrow payment to the Town in an amount determined as being acceptable by the Town for construction inspections services to assure proper site construction of roadway, utilities and stormwater systems.
7. The Applicant shall seek and obtain approval from the Newmarket Town Council to upgrade a portion of the Class VI highway of Hersey Lane and reclassify it to a Class V classification in accordance with the approved plans, RSA 674:41 and other applicable statutes so as to provide suitable access and legal frontage for the proposed open space residential development.
8. The Applicant shall clearly label the subdivision plan to be recorded at the Rockingham County Register of Deeds as an Open Space Subdivision Plan for 77 Hersey Lane LLC, and identify the 9.16 acres tract (shown as Tax Map R4, Lot 3) "Proposed Open Space" as Open Space- Conservation Land pursuant to Sec 32-193 Definitions (B) of the Newmarket Zoning Ordinance.
9. Should any site construction occur within the public right of ways of Hersey Lane or Durell Drive so as to interfere with local traffic, the contractor is required to coordinate with the Newmarket Police Department to ensure the flow of traffic is not disrupted or needlessly restricted.
10. Vesting – The Special Use Permit and Subdivision Approval for this Residential Open Space Development shall be deemed to have lapsed twenty four (24) months after the date of the grant of final approval, exclusive of the time required to pursue or await determination of any appeals, unless active and substantial development or building has commenced within said period, as provided by RSA 674:39 and has not been subsequently abandoned and discontinued thereafter.
  - a. This Special Use Permit and Subdivision Approval shall be deemed to have temporary vesting rights, exempting it from all subsequent changes in subdivision regulations, impact fee ordinances and zoning regulations, except those regulations that expressly protect public health standards, for a period of five (5) years after the date of final approval of the plans, provided active and substantial development of the improvements as shown on the approved site plan occurs within 24 months after the date of the final approval; provided the plan is properly recorded in the Rockingham County Registry of Deeds and at the time of approval and recording,

the open space subdivision plan conforms with the regulations that are in effect, and that any performance security that is required by Section 2.5 (3) of this Agreement has been posted with the Town. Temporary vesting shall occur upon completion of the road and infrastructure, with the exception of the final top coat of paving.

b. Pursuant to RSA 674:39 II., once substantial completion of the improvements as shown on the residential open space subdivision plan has occurred in compliance with the approved Special Use Permit and Subdivision plan, the rights of the owner or owner's successor in interest shall permanently vest at the point of 75% complete build-out of the 11 units and no subsequent changes in subdivision plan regulations or zoning ordinances, except impact fees adopted pursuant to RSA 674:21 and 675:2-4, shall operate to affect such improvements.

11. The Applicant shall pay impact fees in accordance with the current Town of Newmarket Impact fee schedule for Schools, Recreation, Water and Wastewater in the following amounts for the 11 units (9 single family units and 1 duplex):

|                  | <b>Schools</b>  | <b>Recreation</b> | <b>Wastewater</b> | <b>Water</b>    |
|------------------|-----------------|-------------------|-------------------|-----------------|
| Single: Fee/Unit | \$ 3,418        | \$ 276            | \$ 1,226          | \$ 737          |
| 9 units          | \$30,762        | \$ 2,484          | \$ 11,034         | \$ 6,633        |
| Duplex: Fee/Unit | \$ 2,963        | \$ 353            | \$ 905            | \$ 544          |
| 2 units          | <u>\$ 5,926</u> | <u>\$ 706</u>     | <u>\$ 1,810</u>   | <u>\$ 1,088</u> |
| Total            | \$ 36,688       | \$3,192           | \$12,844          | \$7,710         |

The total amount due for impact fees is \$ 60,434.

12. Street name and numbering shall be assigned by the Town's 911 Coordinator prior to the issuance of the building permits for dwelling units within the development.
13. Tax Map and Lot numbers for the individual lots within the subdivision plan shall be reviewed and approved by Town's Assessor's office prior to plan signing and recording.
14. The Applicant's engineer shall provide data input to the PTAPP Database, prior to plan signing, subject to the review and approval of Underwood Engineers.

Notice of Decision for Residential Open Space Subdivision

Page 6 of 6

77 Hersey Lane, Newmarket, NH

December 30, 2020

15. Permanent markers, such as tags, granite posts and/or carsonite markers shall be installed to delineate the boundaries of the “no cut/no disturbance” buffer zone of the wetlands on the approved open space development site plan and the attached. The markers shall be located at least fifty (50) feet apart.

This conditional approval is subject to appeals of the Planning Board’s decision. Pursuant to RSA 77:15, any person aggrieved by any decision of the Planning Board may appeal to Superior Court within 30 days after the date upon which the Planning Board voted to approve or disapprove the application. Please feel free to contact me, should you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Eric Botterman". The signature is fluid and cursive, with a long horizontal stroke at the end.

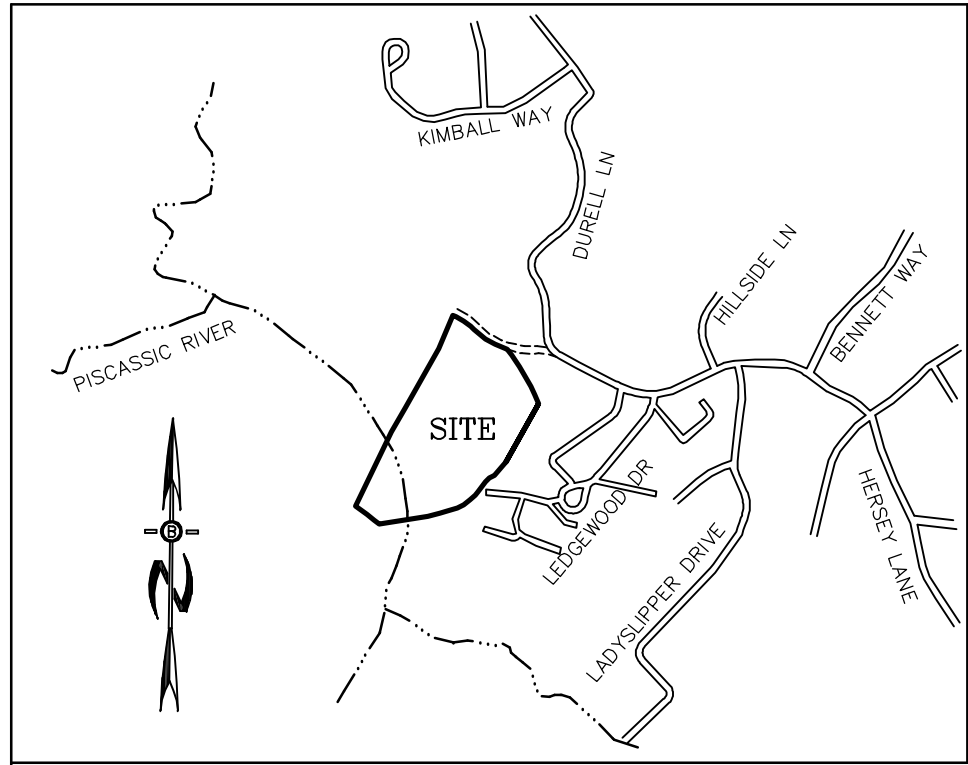
Eric Botterman, Chairman  
Newmarket Planning Board

cc. Walter Cheney, Real Estate Advisors  
Alexx Monastiero, The Gove Group  
Christian Smith, Beals Associates  
Paul Kerrigan, Chinburg Builders Inc  
Steve Fournier, Town Manager  
Newmarket Conservation Commission





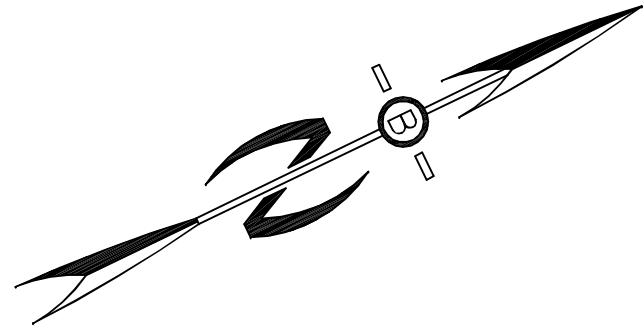




LOCATION MAP  
SCALE 1"=1000'

OPEN SPACE NOTE  
ALL OPEN SPACE LAND TO BE RESTRICTED SHALL  
INCLUDE A NOTATION ON THE RECORDED MYLAR  
INDICATING THAT "THIS LAND IS DESIGNATED AND  
RESTRICTED AS OPEN SPACE IN ACCORDANCE WITH RSA  
674 21-A AND SHALL BE ENFORCEABLE BY THE TOWN  
OF NEWMARKET"

SLOPES GREATER THAN 25%



ZONE: R2-RESIDENTIAL

DIMENSIONAL REQUIREMENTS:

MIN. LOT AREA N/A  
MIN. FRONTAGE 25'  
MIN. FRONT SETBACK 25' FROM EP  
MIN. SIDE/REAR SETBACK 10' (30' SEPERATION)  
MAX. BUILDING HEIGHT 35 ft.  
MAX. DENSITY 2 UNITS/AC  
WETLAND SETBACKS:  
POORLY DRAINED 25 ft.  
VERY POORLY DRAINED 50 ft.  
PRIME WETLAND 75 ft. NO DISTURB  
100 ft. NO STRUCTURE  
125 ft. NO SEPTIC

PREPARED FOR:

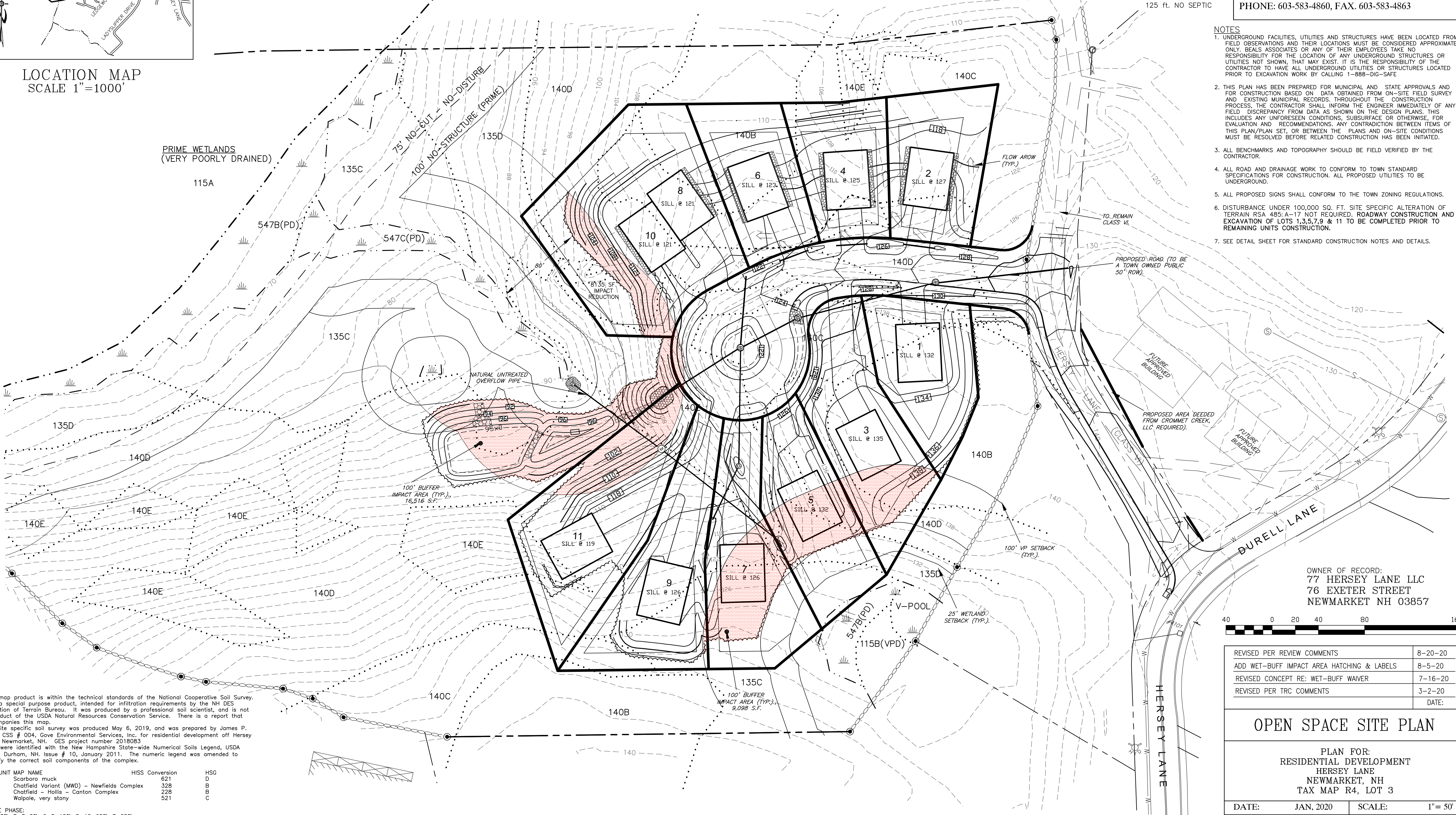
CHINBURG PROPERTIES INC  
3 PENSTOCK WAY  
NEWMARKET, NH 03857

**BEALS ASSOCIATES PLLC**

70 PORTSMOUTH AVE, STRATHAM, N.H. 03885  
PHONE: 603-583-4860, FAX: 603-583-4863

#### NOTES

1. UNDERGROUND FACILITIES, UTILITIES AND STRUCTURES HAVE BEEN LOCATED FROM FIELD OBSERVATIONS AND THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. BEALS ASSOCIATES OR ANY OF THEIR EMPLOYEES TAKE NO RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND STRUCTURES OR UTILITIES NOT SHOWN, THAT MAY EXIST. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL UNDERGROUND UTILITIES OR STRUCTURES LOCATED PRIOR TO EXCAVATION WORK BY CALLING 1-888-DIG-SAFE
2. THIS PLAN HAS BEEN PREPARED FOR MUNICIPAL AND STATE APPROVALS AND FOR CONSTRUCTION BASED ON DATA OBTAINED FROM ON-SITE FIELD SURVEY AND EXISTING MUNICIPAL RECORDS. THROUGHOUT THE CONSTRUCTION PROCESS, THE CONTRACTOR SHALL INFORM THE ENGINEER IMMEDIATELY OF ANY FIELD DISCREPANCY FROM DATA AS SHOWN ON THE DESIGN PLANS. THIS INCLUDES ANY UNFORESEEN CONDITIONS, SUBSURFACE OR OTHERWISE, FOR EVALUATION AND RECOMMENDATIONS. ANY CONTRADICTION BETWEEN ITEMS OF THIS PLAN/PLAN SET, OR BETWEEN THE PLANS AND ON-SITE CONDITIONS MUST BE RESOLVED BEFORE RELATED CONSTRUCTION HAS BEEN INITIATED.
3. ALL BENCHMARKS AND TOPOGRAPHY SHOULD BE FIELD VERIFIED BY THE CONTRACTOR.
4. ALL ROAD AND DRAINAGE WORK TO CONFORM TO TOWN STANDARD SPECIFICATIONS FOR CONSTRUCTION. ALL PROPOSED UTILITIES TO BE UNDERGROUND.
5. ALL PROPOSED SIGNS SHALL CONFORM TO THE TOWN ZONING REGULATIONS.
6. DISTURBANCE UNDER 100,000 SQ. FT. SITE SPECIFIC ALTERATION OF TERRAIN RSA 485-A-17 NOT REQUIRED. ROADWAY CONSTRUCTION AND EXCAVATION OF LOTS 1,3,5,7,9 & 11 TO BE COMPLETED PRIOR TO REMAINING UNITS CONSTRUCTION.
7. SEE DETAIL SHEET FOR STANDARD CONSTRUCTION NOTES AND DETAILS.



OWNER OF RECORD:  
77 HERSEY LANE LLC  
76 EXETER STREET  
NEWMARKET NH 03857



|                                            |         |
|--------------------------------------------|---------|
| REVISED PER REVIEW COMMENTS                | 8-20-20 |
| ADD WET-BUFF IMPACT AREA HATCHING & LABELS | 8-5-20  |
| REVISED CONCEPT RE: WET-BUFF WAIVER        | 7-16-20 |
| REVISED PER TRC COMMENTS                   | 3-2-20  |
| DATE:                                      |         |

#### OPEN SPACE SITE PLAN

PLAN FOR:  
RESIDENTIAL DEVELOPMENT  
HERSEY LANE  
NEWMARKET, NH  
TAX MAP R4, LOT 3

|           |           |           |         |
|-----------|-----------|-----------|---------|
| DATE:     | JAN, 2020 | SCALE:    | 1"= 50' |
| PROJ. NO: | NH-1123   | SHEET NO. | 4 OF 10 |

This map product is within the technical standards of the National Cooperative Soil Survey. It is a special purpose product, intended for infiltration requirements by the NH DES Alteration of Terrain Bureau. It was produced by a professional soil scientist, and is not a product of the USDA Natural Resources Conservation Service. There is a report that accompanies this map. The site specific soil survey was produced May 6, 2019, and was prepared by James P. Gove, CSS # 004, Gove Environmental Services, Inc. for residential development off Hersey Lane, Newmarket, NH. GES project number 2018083. Soils were identified with the New Hampshire State-wide Numerical Soils Legend, USDA NRCS, Durham, NH. Issue # 10, January 2011. The numeric legend was amended to identify the correct soil components of the complex.

| MAP UNIT | MAP NAME                                    | HISS Conversion | HSG |
|----------|---------------------------------------------|-----------------|-----|
| 115      | Scarboro muck                               | 621             | D   |
| 135      | Chaffield Variant (MWD) - Newfields Complex | 328             | B   |
| 140      | Chaffield - Hollis - Canton Complex         | 228             | B   |
| 547      | Walpole, very stony                         | 521             | C   |

SLOPE PHASE:  
A=0-3%, B=3-8%, C=8-15%, D=15-25%, E=25%+





Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

---

# STAFF REPORT

---

**DATE:** February 3, 2021

**TITLE:** Resolution #2020/2021-30 - Enter into Lease Agreement for Multi-purpose Copy Machines

**PREPARED BY:** William Tappan, Director of Finance & Administration

**TOWN MANAGER'S COMMENTS - RECOMMENDATION:**

I recommend passage of this resolution.

**BACKGROUND:**

During the past year five of the copier's leases have expired. The copiers are currently located in Town Hall (administration and the Town Clerk's office), the Recreation Department, the Department of Public Works, and the Police Department. Rather than have the copier leases renewed piece meal, it was decided that the copiers should be leased as a group once all had expired. By consolidating the copier leases into one, it will be easier to manage relationships and change vendors, if necessary. There are also potential cost efficiencies gained by consolidating the associated consumables. Coincidentally, the Finance Department's copier has been limping along with various elements failing over the past year. As a result, it was decided to replace it as part of the new copier lease agreement.

**DISCUSSION:**

In order to understand the town's copying and printing volumes, monitoring software was installed on the network and tracked activity over a four-month period. During that time printing and copying data was collected on each networked printing/copying device. From the information gathered, we were able to determine how many black and white and color copies were created from each device, and to establish a monthly average of prints/copies done per month per machine. From that data the difference between the allotted prints/copies and overages was also established.

Three different vendors were then contacted to provide the town with a five-year (60 months) lease for the six machines noted above. Ricoh (the current provider), Formax and Laser America. Each vendor was provided the monitoring data, and they all did walk throughs to see the machines, how they were set up, and to ask questions of department personnel, if needed. Each vendor then submitted a proposal with their recommended machines and associated lease costs, as well as the black and white and color image allotments and overage

costs. The vendors also did in person presentations (masked and socially distanced) providing overviews of their companies, their training, and their support teams and response times.

After carefully reviewing each proposal and comparing them against each other (see analysis attachment), it is important to note that they are essentially comparable in terms of the quality and capability of the copiers recommended, the installation process, methods of conducting training, and support. It is a ceteris paribus (all things being equal) condition aside from cost.

Focusing on costs element of the proposals, Laser America's is the highest for both equipment lease and overages (for black and white and color copies). The reason for this is largely due to its low allotment amounts compared with the Ricoh and Formax proposals. When comparing the Formax and Ricoh proposals, although Formax is \$2.42 less per month than Ricoh, Ricoh's print/copy allotments are higher (decreasing the likelihood of overages) and its overage cost per print are lower. It is often the case that overages are what drive leased copier expenses and since it is anticipated that there will be overages for color prints, Ricoh's cost differential drives its costs below Formax: by \$104.59 monthly, \$1,255.13 annually, and \$6,275.64 over the life of the lease. Given that all other things are essentially equal, cost is the deciding factor and Ricoh's cost is the lowest.

#### **FISCAL IMPACT:**

|                               |                                                 |
|-------------------------------|-------------------------------------------------|
| Ricoh USA, Inc.               | $\$965.17 + 168.34 = 1,133.51$ (monthly cost)   |
| Formax                        | $\$962.75 + 275.35 = 1,238.10$ (monthly cost)   |
| American Lazer Services, Inc. | $\$1,064.00 + 359.02 = 1,423.02$ (monthly cost) |

#### **RECOMMENDATION:**

Based on the cost data analysis, Ricoh's proposal is recommended.

#### **ATTACHMENTS:**

| Description                                       | Upload Date | Type       |
|---------------------------------------------------|-------------|------------|
| Resolution #2020/2021-30 - Copier Lease Agreement | 1/15/2021   | Cover Memo |
| Copier Lease Comparison                           | 1/15/2021   | Cover Memo |



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

**Resolution #2020/2021 - 30**

**Authorize the Town Manager to Enter into a 5-Year Lease Agreement with Ricoh USA, Inc. for the Purpose of Leasing Six Multi-purpose Copy Machines**

**WHEREAS:** the lease agreements for 5 of the 6 current multi-purpose copiers have expired and the 6<sup>th</sup> is in need of great repair; and

**WHEREAS:** to consolidate the copier leases into one lease will provide potential cost efficiencies; and

**WHEREAS:** the Town received the following three (3) bids (plus average overage costs)

**Ricoh USA, Inc.**  $\$965.17 + 168.34 = 1,133.51$  (monthly cost)

**Formax**  $\$962.75 + 275.35 = 1,238.10$  (monthly cost)

**American Lazer Services, Inc.**  $\$1,064.00 + 359.02 = 1,423.02$  (monthly cost)

**WHEREAS:** Ricoh USA, Inc. is the lowest bidder and our current Service Provider

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

The Director of Finance and Administration recommends entering into a 5-year lease agreement with Ricoh USA, Inc. to provide multi-purpose copiers to the Offices of Town Administration, Town Clerk/Tax Collector, Police Department, Public Works, Recreation and Finance.

*First Reading: January 20, 2021*

*Second Reading: February 3, 2021*

*Approval: February 3, 2021*

| <b>VOTING RECORD</b>              |     |    |         |
|-----------------------------------|-----|----|---------|
| Date of Vote:                     | YES | NO | ABSTAIN |
| Councilor Dumont                  |     |    |         |
| Councilor Sanders                 |     |    |         |
| Councilor Blackstone              |     |    |         |
| Councilor Brabec                  |     |    |         |
| Councilor Kiper                   |     |    |         |
| Vice Chair Burns                  |     |    |         |
| Chair Weinstein                   |     |    |         |
| Total Votes:                      |     |    |         |
| Resolution: Does   Does Not pass. |     |    |         |

Approved: \_\_\_\_\_  
Toni Weinstein, Chair Town Council

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

**Town of Newmarket**  
**Copier Lease Vendor Proposal Comparison**

| <b>Copier</b>                    | <b>Ricoh</b>  | <b>Formax</b> | <b>Laser</b> |
|----------------------------------|---------------|---------------|--------------|
| TH Main Copier                   | vendor didn't | 180.12        | 365.00       |
| Tax Clerk Copier                 | break down    | 43.18         | 39.00        |
| Police Copier                    | individual    | 85.40         | 137.00       |
| DPW copier                       | copier costs  | 101.65        | 137.00       |
| Recreation                       |               | 163.38        | 207.00       |
| Finance Copier                   |               | 94.02         | 179.00       |
| Maint. Contract                  |               | 295.00        |              |
| Monthly Total                    | \$ 965.17     | \$ 962.75     | \$ 1,064.00  |
| 60 Month Total                   | \$ 57,910.20  | \$ 57,765.00  | \$ 63,840.00 |
| 5 yr diff. from LCB <sup>1</sup> | \$ 145.20     | \$ -          | \$ 6,075.00  |
| Monthly diff from LCB            | \$ 2.42       | \$ -          | \$ 101.25    |
| Annual diff. from LCB            | \$ 29.04      | \$ -          | \$ 1,215.00  |

|                                   |           |           |           |
|-----------------------------------|-----------|-----------|-----------|
| B&W print/copy allotment          | 17,000.00 | 15,000.00 | 3,600.00  |
| Color print/copy allotment        | 5,500.00  | 3,500.00  | 2,750.00  |
| B&W overage charge per copy/print | \$ 0.0044 | \$ 0.0080 | \$ 0.0075 |
| Color overages per copy/print     | \$ 0.048  | \$ 0.050  | \$ 0.045  |

|                       | <b>B&amp;W</b> | <b>Color</b> |
|-----------------------|----------------|--------------|
| Avg. monthly overages | 13,927.00      | 9,007.00     |

|                                  | <b>Ricoh</b> | <b>Formax</b> | <b>Laser</b> |
|----------------------------------|--------------|---------------|--------------|
| Vendor allotment -B&W overages   | 3,073.00     | 1,073.00      | (10,327.00)  |
| Vendor allotment -Color overages | (3,507.00)   | (5,507.00)    | (6,257.00)   |
| Monthly overage costs            | 168.34       | 275.35        | 359.02       |

|                                      | <b>Ricoh</b> | <b>Formax</b> | <b>Laser</b> |
|--------------------------------------|--------------|---------------|--------------|
| Est. avg. mthly overage costs        | 168.34       | 275.35        | 359.02       |
| Montly copier lease cost             | 965.17       | 962.75        | 1,064.00     |
| Est. avg. total mthly cost           | \$ 1,133.51  | \$ 1,238.10   | 1,423.02     |
| Est. annual cost                     | \$ 13,602.07 | \$ 14,857.20  | \$ 17,076.21 |
| Est. lease life cost (60 months)     | \$ 68,010.36 | \$ 74,286.00  | \$ 85,381.05 |
| Difference versus LCB over 60 months | \$ -         | \$ 6,275.64   | \$ 17,370.69 |

Note: Ricoh and Formax B&W allotments are greater than the current average overage amount. Therefore, only the color overages will be calculated for a full cost assessment and comparison. Laser's allotments are lower, meaning B&W and color overages are calculated.

<sup>1</sup>LCB = Low Cost Bidder (copier lease cost)



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

### **ATTACHMENTS:**

| Description                                 | Upload Date | Type       |
|---------------------------------------------|-------------|------------|
| Ben Stebbins Parking Commission Application | 1/22/2021   | Cover Memo |





RECEIVED

JAN 20 2021

TOWN OF NEWMARKET  
MANAGERS OFFICE

APPLICATION FOR APPOINTMENT TO A BOARD,  
COMMISSION, OR COMMITTEE POSITION WITHIN THE  
TOWN OF NEWMARKET

Applicant's Name: Ben Stebbins

Address: 119 Portsmouth Ave New Castle NH 03854 Phone/Cell 603 801 2101

RSA 669:19 Newmarket Registered Voter: Yes ☒ No ☐ # of Years as Resident: \_\_\_\_\_  
RSA 91:2 Are you an American Citizen? ☒ Yes ☐ No

Email address: Bstebbins@cooperCapital.com

Full membership (3 year term) position applying for Parking Commission

State what the new term expiration date is: \_\_\_\_\_

Alternate position (3 year term) position applying for \_\_\_\_\_

State what the new term expiration date is: \_\_\_\_\_

I feel the following experience and background qualifies me for this position: \_\_\_\_\_

See Attached

(need more room, please use the back)

HBS  
Signature

12/26/2020  
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.

I currently own 9 buildings in Downtown Newmarket and have three more properties under contract. I have invested heavily in Newmarket because I think that this is a great Town. A great Town to live in and a great Town to work in. I believe that Newmarket has a great future.

Five of the building I own are located on Main St. These buildings are occupied by both residential and commercial tenants. One of the problems common to all of my tenants is parking.

Although it has not been easy, I have been able to find parking spots for all 65+ tenants in Newmarket through creative solutions. One of which was ripping out a back yard of a property to add additional parking because of the lack of public overnight parking spaces downtown. Although tenants loved having a back yard, they require parking to live and work in Newmarket.

On top of owning and managing 150 apartments I worked for a hotel development company for 13 years. We built many hotels in city's where there was not enough parking and came up with solutions to deal with parking at those locations. I would like to offer my experience and knowledge to the Town by joining the Parking Commission.

I see parking as a very big issue in Newmarket. It has become another revenue stream for landlords, which it shouldn't be. Newmarket rent prices are already extremely high and landlords are able to charge additional money per month for parking. To make Newmarket more affordable to live and work in there need to be better solutions for parking.

Thank you for your consideration.



Ben Stebbins

Managing Partner | Condor Capital

603.801.2101



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

### **ATTACHMENTS:**

| Description                     | Upload Date | Type       |
|---------------------------------|-------------|------------|
| Nichole Jones Board Application | 1/26/2021   | Cover Memo |



APPLICATION FOR APPOINTMENT TO A BOARD,  
COMMISSION, OR COMMITTEE POSITION WITHIN THE  
TOWN OF NEWMARKET

Applicant's Name: NICHOLE A. JONES

Address: 2310 MEADHILL RD Phone/Cell 603-361-7917

RSA 669:19 Newmarket Registered Voter: ☒ Yes No # of Years as Resident: 7

RSA 91:2 Are you an American Citizen? ☒ Yes No

Email address: roostingplaceart@gmail.com

Full membership (3 year term) position applying for ARTS + TOURISM COMMISSION

State what the new term expiration date is: 12/2023

Alternate position (3 year term) position applying for \_\_\_\_\_

State what the new term expiration date is: \_\_\_\_\_

I feel the following experience and background qualifies me for this position: \_\_\_\_\_

AMBASSADOR, NEWMARKET BUSINESS ASSOC.

SMALL BUSINESS OWNER, ROOSTING PLACE ART + DECO.

(need more room, please use the back)

Signature

N Jones

Date

1/26/2021

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.



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

### **ATTACHMENTS:**

| Description                         | Upload Date | Type       |
|-------------------------------------|-------------|------------|
| Sonke Dornlut Coast Bus Application | 1/27/2021   | Cover Memo |





APPLICATION FOR APPOINTMENT TO A BOARD,  
COMMISSION, OR COMMITTEE POSITION WITHIN THE  
TOWN OF NEWMARKET

Applicant's Name: Sönke Dornblut

Address: 351 Wadleigh Falls Rd Phone/Cell 603 534 0502

RSA 669:19 Newmarket Registered Voter: ☒ Yes No # of Years as Resident: 17

RSA 91:2 Are you an American Citizen? ☒ Yes No

Email address: DORNBLUTS@GMAIL.COM

Full membership (3 year term) position applying for Newmarket Rep to  
COAST B.O.D.

State what the new term expiration date is: \_\_\_\_\_

Alternate position (3 year term) position applying for \_\_\_\_\_

State what the new term expiration date is: \_\_\_\_\_

I feel the following experience and background qualifies me for this position: \_\_\_\_\_

Steering Committee member, Transport NH 2011-2015  
Gov. Appointee, NH State Coordinating Council for City Transport. 07-15  
Conducted various projects on community transportation while  
at UNH.

(need more room, please use the back)

Signature \_\_\_\_\_

Date 1-1-2021

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.

Sönke Dornblut



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

---

# STAFF REPORT

---

**DATE:** February 3, 2021

**TITLE:** Resolution #2020/2021-31 - Purchase of of UPS units

**PREPARED BY:** Kyle True, Police Chief

**TOWN MANAGER'S COMMENTS - RECOMMENDATION:**

I recommend passage of this resolution

**BACKGROUND:**

Police Department is seeking to purchase and replace four (4) uninterruptible power supply (UPS) units to provide backup power supply to locations at the Great Hill Tower site as well as the Police Station facility for emergency dispatching services.

Process: I requested a quote from 2-Way Communications services to purchase and replace these 4 UPS units. 2-Way Communication is under contract with the Police Department to provide service and to maintain operational effectiveness.

Results: 2-Way provided an estimate pricing to me totaling \$1,365.76 to include parts and labor.

**DISCUSSION:**

Police Department is seeking to purchase and replace four (4) uninterruptible power supply (UPS) units. The manufactures life expectancy of these UPS units is 3-5 years. The units that we are seeking to replace are between 5-7 years old. 1 of the UPS units located on Great Hill has already failed.

**FISCAL IMPACT:**

The Police Department Capital Reserve Dispatch Account has \$156,354 available in it. The total cost to replace the 4 UPS units is \$1,365.76.

**RECOMMENDATION:**

I recommend the Town authorize the Police Department to withdraw \$1,365.76 from the Capital Reserve Dispatch Account to purchase 4 UPS units to be replaced for emergency dispatching services.

**ATTACHMENTS:**

| Description                                     | Upload Date | Type            |
|-------------------------------------------------|-------------|-----------------|
| Resolution #2020/2021-31 UPS Units for Dispatch | 1/20/2021   | Cover Memo      |
| UPS Quote (2-Way)                               | 1/20/2021   | Cover Memo      |
| Great Hill Tower Cabinet                        | 1/20/2021   | Backup Material |



CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution #2020/2021-31**

**Purchase of UPS units for emergency dispatching services**

- WHEREAS:** the Police Department seeks to replace four (4) uninterruptible power supply units to be used for emergency purposes at a cost of \$1,365.76; and
- WHEREAS:** the Police Department request includes costs associated with the purchase and installation of four (4) uninterruptible power supply units; and
- WHEREAS:** the Police Department Dispatch Capital Reserve Account has a balance of \$156,354.
- WHEREAS:** the total cost of purchase and labor associated with the installation of four (4) uninterruptible power supply units is estimated not to exceed \$1,365.76

**NOW, THEREFORE, BE IT RESOLVED BY THE NEWMARKET TOWN COUNCIL THAT:** the Newmarket Town Council does hereby approve the withdrawal of funds not to exceed \$1,365.76 from the Police Department Capital Reserve Dispatch Account for the purposes of purchasing four (4) uninterruptible power supply units and to authorize the Town Manager to execute any associated agreements.

*First Reading: February 3, 2021*

*Second Reading: February 17, 2021*

*Approval: February 17, 2021*

| <b>VOTING RECORD</b>              |     |    |         |
|-----------------------------------|-----|----|---------|
| Date of Vote:                     | YES | NO | ABSTAIN |
| Councilor Megan Brabec            |     |    |         |
| Councilor Helen Sanders           |     |    |         |
| Councilor Zachary Dumont          |     |    |         |
| Councilor Jon Kiper               |     |    |         |
| Councilor Scott Blackstone        |     |    |         |
| Vice Chair Amy Burns              |     |    |         |
| Chair Toni Weinstein              |     |    |         |
| Total Votes:                      |     |    |         |
| Resolution: Does   Does Not pass. |     |    |         |

Approved: \_\_\_\_\_  
Toni Weinstein, Chair Town Council

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

2-Way Communications Service, Inc.  
19 Durham Street  
Portsmouth, NH 03801



# Proposal

44451

Date: 9/2/2020

Name / Address:

Phone : 1-800-441-6288

Fax :

Newmarket Police Department  
70 Exeter Street  
Newmarket, NH 03857

E-mail us : sales@2-way.biz

Visit our Web Site : www.2-way.biz



**MOTOROLA SOLUTIONS**

Service Elite Specialist

| P.O. No.  | Terms  | Rep |
|-----------|--------|-----|
| Kyle True | Net 15 | 773 |

| Qty | Item       | Description                                               | Total  |
|-----|------------|-----------------------------------------------------------|--------|
| 3   | Spec Item  | UPSs Battery Replacements                                 |        |
| 1   | Comm Labor | Replace and Install Batteries in all 3 UPSs at Great Hill | 717.56 |
|     |            | Replacement Battery Cartridge for APC RBC23               | 400.00 |
|     |            | Communications Division Labor.                            |        |
| 1   | Spec Item  | Replace and Install Batteries in UPS Attached to Recorder | 148.20 |
| 1   | Comm Labor | BM0043 Battery Module for P/N: PRO1000RT                  | 100.00 |
|     |            | Communications Division Labor.                            |        |

**Subtotal** \$1,365.76

**Sales Tax (0.0%)** \$0.00

**Total** **\$1,365.76**

Thank you for choosing 2-WAY.

Signature \_\_\_\_\_





Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

---

# STAFF REPORT

---

**DATE:** February 3, 2021

**TITLE:** Resolution #2020/2021-32 - New Road Water and Drainage Improvements

**PREPARED BY:** Sean T. Greig

**TOWN MANAGER'S COMMENTS - RECOMMENDATION:**

I recommend passage of this resolution

**BACKGROUND:**

The Water and Public Works Departments are planning to replace the New Road watermain and improve the drainage on New Road. The Water Department has received a \$500,000 grant to replace the watermain, and the Town has been awarded a \$1,000,000 low interest loan with 10% loan forgiveness from the New Hampshire Clean Water State Revolving Loan (CWSRF) Program for the New Road drainage improvements. The CWSRF loan will require a positive bond vote in March.

The Engineering for the projects is almost complete. The projects will require an additional \$21,000 and \$31,500 from the Water and Public Works Department respectively to complete the engineering.

**DISCUSSION:**

The Town Council authorizes the withdrawal of \$21,000 from the Water Department Capital Reserves and \$31,500 from the Storm Water Management Capital Reserves for Underwood Engineers to complete the engineering for the New Road Watermain Replacement and Drainage Improvements Project.

**FISCAL IMPACT:**

The Water Department has \$657,372, and the Storm Water Management has \$214,203 in their Capital Reserve Funds.

**RECOMMENDATION:**

I recommend the Town council authorize the withdrawal of \$21,000 from the Water Department Capital Reserve Funds, and \$31,500 from the Storm Water Management Capital Reserves for Underwood Engineers to complete the engineering for the New Road Watermain Replacement and Drainage Improvements Project.

**ATTACHMENTS:**

| Description                                                       | Upload Date | Type       |
|-------------------------------------------------------------------|-------------|------------|
| Resolution #2020/2021-32 New Road Water and Drainage Improvements | 1/21/2021   | Cover Memo |
| Budget ESR                                                        | 12/14/2020  | Cover Memo |

CHARTERED JANUARY 1, 1991

FOUNDED DECEMBER 15, 1727



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

**Resolution #2020/2021-32**  
**New Road Water and Drainage Improvements**

**WHEREAS:** the Water Department has received a \$500,000 grant from CDBG to replace the New Road watermain; and

**WHEREAS:** the Town will receive a \$1,000,000 loan with 10% loan forgiveness from the CWSRF program pending a Town bond vote; and

**WHEREAS:** the project will improve water quality and eliminate flooding problems.

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

The Newmarket Town Council authorizes the withdrawal of \$21,000 from the Water Department Capital Reserve Funds, and \$31,500 from the Storm Water Management Capital Reserves for Underwood Engineers to complete the engineering for the New Road Water and Drainage Improvements Project.

*First Reading: February 3, 2021*

*Second Reading: February 17, 2021*

*Approval: February 17, 2021*

| <b>VOTING RECORD</b>              |     |    |         |
|-----------------------------------|-----|----|---------|
| Date of Vote:                     | YES | NO | ABSTAIN |
| Councilor Zachary Dumont          |     |    |         |
| Councilor Helen Sanders           |     |    |         |
| Councilor Scott Blackstone        |     |    |         |
| Councilor Megan Brabec            |     |    |         |
| Councilor Jon Kiper               |     |    |         |
| Vice Chair Amy Burns              |     |    |         |
| Chair Toni Weinstein              |     |    |         |
| Total Votes:                      |     |    |         |
| Resolution: Does   Does Not pass. |     |    |         |

Approved: \_\_\_\_\_  
Toni Weinstein, Chair Town Council

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



2045 Contract

December 2, 2020

Mr. Sean Greig, Water & Sewer Superintendent  
Town of Newmarket  
54 Packers Falls Road  
Newmarket, NH 03857

**Re: New Road Water & Storm Water Improvements**  
Newmarket, NH

Dear Mr. Greig:

As discussed, this letter is provided for follow-up concerning warrant articles, project cost and budgets for the New Road Water and Stormwater Improvements project. Previous opinions of costs provided by UE for this project suggested budgeting a total of \$1,730,000 of which the water portion was \$730,000. To cover the water line costs, the Town was successful in obtaining CDBG funding in the amount of \$500,000 and anticipates using another \$250,000 from other sources to cover the water line cost. The balance of \$1,000,000 was to come from a CWSRF loan being offered by NHDES. This requires a Town vote in March of 2021

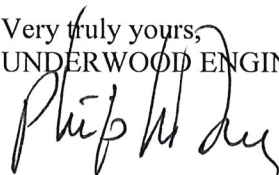
Given the current uncertainty of the bidding climate and increasing material costs due to the COVID pandemic, UE has reviewed the project costs and recommend that additional costs be budgeted. Therefore, we recommend the following budget:

Water Improvements: \$750,000  
Stormwater Improvements: \$1,150,000  
TOTAL = \$1,900,000

Given the Town has access to \$1,000,000 through the DWSRF program, this may require an additional \$150,000 from additional sources. Additionally, we have attached a final design phase contract for approval.

Please let us know if you have any questions.

Very truly yours,  
UNDERWOOD ENGINEERS, INC.



Philip D. MacDonald, P.E.  
Project Manager



Keith A. Pratt, P.E.  
President

Encl.

**ENGINEERING SERVICES REQUEST  
AUTHORIZATION TO PROCEED**

To: Underwood Engineers, Inc.  
25 Vaughan Mall  
Portsmouth, New Hampshire 03801

File No.:  
ESR No.: DPW-3 (**Amendment 2**)  
Description: Engineering Services  
New Road Drainage Improvements

From: Town of Newmarket  
186 Main Street  
Newmarket, New Hampshire 03856

Date: December 2, 2020

Town Contact(s): Sean Grieg, Water and Sewer Superintendent  
Underwood Engineers Contract(s): Philip D, MacDonald P.E., Project Manager

Under agreement for Professional Services as Consulting Engineer for the Owner, (General Services Agreement dated March 21, 2016, the Engineer is authorized to proceed with the following work:

**Background/Purpose**

This Amendment No. 2 is provided to advance final design of the New Road Drainage Improvements project. Permit approvals have been secured and will begin to expire in August 2022, therefore, construction is targeted before then. Partial funding for the construction phase will be provided through CDBG, SRF funding and local sources. Final design and bidding of water, drainage and road improvements are included in this amendment as defined below.

**Scope of Services**

The following services are included within this Amendment No. 2:

**Task 6 – Subsurface Investigations**

Subsurface Borings: Subsurface investigations to assess bedrock elevations is included to determine where blasting or rock removal will be necessary and to help determine project cost. Two days of drilling and logging test borings or probes will be provided to determine bedrock and ground water elevations, if within ten (10) feet. Test boring locations will be marked, Dig-Safe will be notified and work will be coordinated with local driller. Project deliverables will include boring logs and Geotech letter report.

- Up to six (6) borings and fifteen (15) ledge probes will be conducted. Borings will be at approximately 500-foot intervals to a depth exceeding proposed water and drainpipe elevation, or to bedrock, whichever is shallower. Probes will be spaced at 50-foot intervals where ledge is encountered and between borings
- Borings and probes in pavement will be repaired with cold patch
- A letter report with boring and probe logs, laboratory test results and a summary of subsurface conditions will be provided.
- A budget allowance of \$8,500 for the geotech subconsultant and driller is included.

**Task 7 – Final Design**

Final Design will include the following:



- Attend a kickoff meeting and site walk with Newmarket DPW to review location of proposed drain structures, pipe locations and schedule.
- Review work on private property with property owners. Adjust pipe locations or structures where necessary, depending upon property constraints or homeowner concerns.
- Prepare Environmental Review Document in accordance with CDBG/SRF funding requirements. The Environmental Review will include completion of CDBG Form 3C, the HUD Statutory and Environmental Assessment checklists, including compilation of all supporting documentation. Supporting documentation will be gathered through research and correspondence with federal and state agencies. The following services are included:
  - Based on what we know about the project at this time, it appears that an 8-step process is required for the project due to disturbance of wetlands and work in the floodplain.
  - Completion of a Phase I Environmental Site Assessment in accordance with ASTM 1527-13 to fulfil the site contamination portion of the Environmental Review.
  - A budget allowance of \$6,600 for Environmental Review subconsultant is included.
- Conduct a review of basement plumbing to determine where connections to the existing drainage system exist. (*Newmarket DPW to assist with coordination and access to homeowner properties*)
- Prepare suggested easements or temporary agreements for work on private property (where the Town may not have easements for existing drain pipes)
- Prepare final design of road re-construction geometry (horizontal and vertical) road profiles, road sections, pavement markings, tie-ins at driveways and construction details.
- Prepare final design of water and drainage improvements, including installation notes, specifications, and construction details
- Attend one (1) public information meeting
- Prepare a project manual that will be used for bidding which will include:
  - CDBG/SRF Front End including state and federal funding requirements
  - Bid Advertisement
  - Contractor's Bid Schedule
  - Form of Agreement (Construction Contract)
  - Required bonds and Insurance Documents
  - General Conditions
  - Project Material Specifications
- Provide Engineer's Opinion of Cost 100% design (*including breakout for both roadway/drainage and water system budget*).
- Engineer will incorporate final review comments by Town into final design drawings and project manual and will submit final documents for bidding.

#### **Task 8 – Bidding**

Engineering services will be provided to bid the approved project. The following services will be provided:

- Coordinate Pre-Bid Meeting and Bid opening dates
- Preparation and distribution of bid documents to Bidders
- Respond to technical questions from bidders
- Prepare and issue addenda including Pre-Bid Meeting Notes and responses to Contractor's inquiries.
- Attend the bid opening and prepare a Bid Tabulation.



- Review bids for errors, accuracy and completeness, check bidder references and qualifications, review Bonds, Insurance Certificates, and federal provision compliance forms.
- Provide recommendations concerning Contract Award
- Prepare and submit request for authorization to award to NHDES and CDBG

#### **Assumptions/Limitations**

- Traffic details for subsurface borings, if required, will be provided by the Town
- Additional surveys (topographical or boundary surveys) are not included.
- Construction Phase Engineering are not included at this time.
- Note that the 8-step process of the environmental review includes two (2) public notifications in local newspapers. The cost of newspaper publications is not included.
- CDBG administration fees are not included.

#### **Engineering Fees:**

Budget estimates for the tasks outlined in the Scope of Work for this Amendment #2 are:

|                                    |          |
|------------------------------------|----------|
| Task 6 – Subsurface Investigations | \$ 9,600 |
| Task 7 – Final Design              | \$36,100 |
| Task 8 – Bidding                   | \$ 6,800 |
| Total                              | \$52,500 |

**Total (Drainage & Roadway) \$31,500**

**Total (Water) \$21,000**

Engineering fees will be billed at standard hourly rates for personnel assigned plus reimbursable expenses. Billings for services will be monthly and will be due Underwood Engineers, Inc. within thirty (30) days of the billing date. The Engineer will not exceed the budget without Town of Newmarket authorization.

#### **ANTICIPATED SCHEDULE**

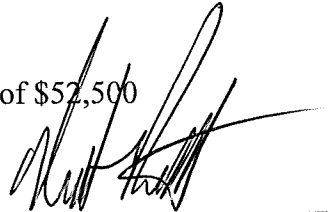
|                           |             |
|---------------------------|-------------|
| Contract Authorization    | March 2021  |
| Subsurface Investigations | April 2021  |
| Final Design Completed    | May 2021    |
| Bidding                   | June 2021   |
| Construction              | Summer 2021 |

#### **Authorization to Proceed**

Approval and authorization to proceed for the Amount of \$52,500

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

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Keith A. Pratt, P.E.  
President, Underwood Engineers, Inc.

\_\_\_\_\_  
Date





Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

### **ATTACHMENTS:**

| Description                                         | Upload Date | Type       |
|-----------------------------------------------------|-------------|------------|
| Ordinance No. 5 2020/2021 - Reaffirm Face Coverings | 1/28/2021   | Cover Memo |

**TOWN OF NEWMARKET, NEW HAMPSHIRE**

**BY THE NEWMARKET TOWN COUNCIL**

**EMERGENCY ORDINANCE NO. 05-2020/2021**

**AN ORDINANCE REAFFIRMING REQUIRING THE WEARING OF FACE COVERINGS UNDER CERTAIN CONDITIONS WITHIN THE TOWN OF NEWMARKET**

THE TOWN OF NEWMARKET ORDAINS:

**1. Purpose**

The purpose of this ordinance is to require the wearing of face coverings under certain conditions during the COVID-19 Pandemic. The Newmarket Town Council has the authority to enact such an emergency ordinance in accordance with Section 3.9 of the Town Charter and New Hampshire RSA 47:17 XV and RSA 147:1.

**2. Ordinance**

- I. Employees of all businesses shall wear a face covering over their mouth and nose when interacting with the public and whenever they are within six feet of a co-worker or a customer.
- II. Members of the public entering any business, including without limitation any outdoor area where business of any sort is conducted, work site, or government building must wear a face covering, such as a fabric mask, scarf, or bandana over their nose and mouth. Policies regarding face coverings in governmental buildings within the geographical boundaries of the Town of Newmarket adopted by the governmental entity having jurisdiction are hereby recognized by this ordinance and shall not be deemed to be contradictory to the requirements stated herein.
- III. Members of the public entering a restaurant for the purpose of picking up food for takeout or any other purpose must wear a face covering over their mouth and nose. Members of the public dining indoors or outdoors at a restaurant may remove face covering while seated at their table. Members of the public must wear a mask when entering, using, or leaving the restroom of a restaurant.
- IV. Members of the public utilizing sidewalks and other pedestrian public ways, or public recreational lands or golf courses, are strongly encouraged but not required to wear a face covering to the fullest extent practicable and especially when there is a high likelihood of coming into contact with others and social distancing of at least six feet may not be possible.
- V. As used herein “face covering” means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose, mouth, and

surrounding areas of the lower face. A face covering may be factory made or homemade and improvised from ordinary household material.

- VI. Notwithstanding the above this order does not require children under 5 years of age to wear face covering (parents should make their own judgment). Face covering is not recommended for children less than 2 years of age.
- VII. A face covering is also not required to be worn by any person if said person can show a medical professional has advised that wearing a face covering may pose a risk to said person for health related reasons.

### 3. Penalties

Anyone who violates this ordinance may be subject to fines in the amount of \$50 for the first offence, \$100 for the second offense, and \$500 for the third and subsequent offenses, and/or may be summoned to the 10<sup>th</sup> District Court Brentwood Division.

### 4. Takes Effect

In accordance with Section 3.9 of the Town Charter, this Emergency Ordinance shall be effective upon adoption and shall stand repealed as of the 61<sup>st</sup> day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance by the Town Council in the manner specified in Section 3.9 of the Charter if the emergency still exists.

*First Reading*

*February 3, 2021*

*Second Reading*

*None Per Town Charter – Emergency Ordinance*

*Final Action by Council*

*February 3, 2021*

| <b>VOTING RECORD</b>             |     |    |         |
|----------------------------------|-----|----|---------|
| Date of Vote:                    | YES | NO | ABSTAIN |
| Councilor Helen Sanders          |     |    |         |
| Councilor Zachary Dumont         |     |    |         |
| Councilor Scott Blackstone       |     |    |         |
| Councilor Megan Brabec           |     |    |         |
| Councilor Jon Kiper              |     |    |         |
| Vice Chair Amy Burns             |     |    |         |
| Chair Toni Weinstein             |     |    |         |
| Total Votes:                     |     |    |         |
| Ordinance: Does Pass as Amended. |     |    |         |

Approved:

\_\_\_\_\_  
Toni Weinstein, Chair Newmarket Council

A True Copy Attest:

\_\_\_\_\_  
Terri Littlefield, Town Clerk



Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE