



Town Council Meeting Minutes

Thursday June 9, 2016, at 7:00 PM, in the Matthew Thornton Room

Chairman Harrington called the meeting of the Town Council to order at 7:00 p.m. Present at the meeting were Vice Chairman Rothhaus arrived at (8:15 p.m.), Councilor Boyd (arrived at 7:04 p.m.) Councilor Dwyer, Councilor Flood, Councilor Koenig, Councilor Vaillancourt, Town Manager Eileen Cabanel (arrived at 7:09 p.m.), and Assistant Town Manager/Finance Director Paul Micali.

Pledge of Allegiance

Chairman Harrington led in the Pledge of Allegiance.

Announcements

On Friday, June 10th, the Town Council will conduct its Annual Retreat/Worksession from 9:00 a.m. to 4:00 p.m. at the SERESC Conference Center, 29 Commerce Drive, Bedford.

On Tuesday, June 14th, a Joint Meeting of the Town Council and Merrimack School Board will be conducted at 7:00 p.m. in the Matthew Thornton Room for the purpose of discussing polling location(s). No formal decisions will be reached.

A regular meeting of the Town Council will be conducted on Thursday June 23rd at 7:00 p.m. in the Matthew Thornton Room.

The revaluation field work is coming to an end. Notices of preliminary value were mailed to residents this week. If you would like to make an appointment to review your assessment please call 603-798-3502 beginning on Monday, June 20th through Tuesday, June 28th during normal business hours (8:00 a.m. - 4:30 p.m.). Avitar, our Contract Assessor for the revaluation project, will be holding scheduled meetings in Merrimack from June 27th - July 1st. Please remember that in order to speak to the Assessor you need to make an appointment.

The values stated in the notices are as of April 1, 2016. They are preliminary values. Residents should look at their property cards and ensure all information is accurate. Contract Assessor Loren Martin will be at the Council's June 23rd meeting to provide an explanation and update.

Perfluorooctanoic Acid (PFOA) Information Update

A New Hampshire Department of Environmental Services (NHDES) meeting has been scheduled for 7:00 p.m. on June 29th at the James Masticola Upper Elementary School. The meeting will be televised live on Channel 20. Other towns are invited to attend. Dr. Chan, State Epidemiologist, will be present to answer questions.

The National Environmental Protection Agency (NEPA) has set the lifetime standard at 70 parts per trillion (ppt). As a result the NHDES has adopted this standard, and has initiated an emergency rule-making process in order to intervene more quickly. They have also completed well samples within 1/2 mile radius of the former landfill. The results will be provided to the specific residents first and then will be placed on the NHDES website and the Town of Merrimack's website. People residing beyond

1 the ½ mile radius of the former landfill may request or at least sign up for their wells to be tested.
2 Based upon the results of the initial testing, the NHDES may decide to test further out.

3
4 Town Manager Cabanel stated the Town currently has a report posted to the website, which was
5 provided by the NHDES, and shows the comprehensive list of the Merrimack Village District's
6 (MVD) wells and the levels they have tested at. It includes PHOA and PHOS. They vary up and
7 down. Well #5 has tested at 79 ppt. Previously only well #4 tested over 70 ppt. Currently the MVD
8 is blending well #s 7 and 8, which had readings at PFOA 25 and PFOA 13 respectively, and the
9 blending of the two came in at 17 ppt.

10
11 As a result of the two wells having been determined to be over the EPA's lifetime health advisory
12 number, NHDES, as a matter of course, has sent the MVD a letter ordering them not to use well #s 4
13 and 5, and that they need to be locked and tagged out to prevent inadvertent use.

14
15 This week it is expected that the NHDES will release an update of their investigations of other
16 companies using PFOA and PFOS products. They went through the records of all businesses around
17 the State that have had any indication of using anything with PFOA or PFOS in it during the course of
18 their business as far back as they could go, and they have listed them all out. They will be updating
19 that list. Without committing to anything, they feel relatively confident that the businesses located in
20 Merrimack that had PFOA in their products received them as purchased products rather than using the
21 PFOA and coating a surface. That makes the products much less likely to have produced contaminates
22 at any high level.

23
24 Lab results on private results are coming in more quickly. The results of all of the testing done to date
25 will be available by June 18th. Property owners will be notified first, and then the individual towns.
26 The Town will not be notified of the addresses, but will receive a map with the locations marked out,
27 the numbers, and colors indicating the different levels.

28
29 The NHDES is contacting all fire departments around the State to find out what kind of firefighting
30 foam they have used over the years. There is one type that contains an element of PFOS.

31
32 The State received test results from around the former Merrimack landfill (Lawrence Road). They
33 tested a half mile out in radius from the site itself. Of 61 tests that have been done in Bedford and
34 Merrimack the results have come back very favorably; total of 8 results in Bedford and 9 in
35 Merrimack. The highest levels in a well in Merrimack came back at 44 ppt to include PFOA and
36 PFOS.

37
38 Town Manager Cabanel spoke of having had the opportunity to speak with a few individuals located
39 on Lawrence Road in close proximity to the landfill. One had a result of 30 ppt and the other in the
40 area of 15 ppt. That is all good news. She noted the testing wells in the landfill site came back in the
41 groundwater of having PFOA numbers up to 2,200 ppt. People were concerned about contamination
42 of the wells around the area.

43
44 Councilor Flood remarked the wells seem to vary in the count, and questioned how often they would
45 be re-tested. Town Manager Cabanel stated testing was done on March 9th, March 31st, April 7th, April
46 14th, April 21st, April 28th, May 5, and May 12th. It appears the MVD is tested weekly. Councilor
47 Flood questioned how long testing would continue. Chairman Harrington stated that would be an issue
48 between the MVD and the NHDES. She stated her opinion they will continue to do that to be able to

1 determine the range. She commented it will be interesting to see what happens with periods of rain
2 fall, dryness, etc. Depending on what is determined to be done in terms of remediation, they will be
3 able to use the data as a baseline. The Town is not privy to that information. The public needs to
4 know the Town is constantly monitoring the situation.
5 Councilor Flood questioned if the Town has the ability to call the MVD to attend meetings to report
6 out. Chairman Harrington responded she has attended two meetings. The letter that was sent out was
7 a result of her representation of the Council in the request that the MVD send out a letter to users of the
8 system. She stated her understanding the Town Council can encourage, suggest, but has no authority.
9 She commented there is a frustration on the part of the Council. She has said more than once she
10 understands the MVD is doing a lot of good things, but not saying anything doesn't help. She
11 suggested it could be that the MVD is in a difficult position. There may be efforts underway that
12 require a certain amount of sensitivity.

13
14 Town Manager Cabanel spoke of having had a conference call with a very large employer in Town
15 earlier in the week. Concern was expressed with the lack of information coming from the MVD.
16 Despite having had their attorneys review every single piece of data available, they didn't find any
17 information that identified which wells were being used. They are aware of what the counts are, but
18 the well numbers was something they were unaware of. They also wanted to know what is going to
19 happen as the summer moves along and the demand increases. Town Manager Cabanel stated her
20 belief the answer to that was addressed in the MVD's letter to their customers, which basically said
21 they are working on an arrangement with Pennichuck. There is an interconnect where they can very
22 simply tap into Pennichuck if the need arises.

23
24 Councilor Flood questioned if the testing of the compost has been done. Town Manager Cabanel
25 stated that has not occurred. The sludge will be tested as well as the compost itself. She has been told
26 by the NHDES that sludge and compost will be considered soils, and will be tested in parts per billion.
27 As soon as that information is available, the Council will be informed.

28
29 **Comments from the Press and Public** - None

30
31 **Recognitions, Resignations and Retirements**

32
33 **1. Recognition of Town Employee Leaving Employment**

34 Submitted by Human Resources Coordinator Sharon Marunicz

35 The Town Council will present a recognition award to Paul Kelly in recognition of more than 16
36 years of service to the Town of Merrimack Fire and Rescue Department. Paul resigned effective
37 May 22, 2016.

38
39 Michael Currier, Fire Chief, stated Mr. Kelly started with the department in November of 1999 as a
40 Firefighter/Paramedic. He was promoted to Master Firefighter in April of 2006, is Certified as a
41 HAZMAT Technician, Company Officer I and II, Rescue Systems Technician I & II, and a Fire
42 Inspector.

43
44 Chief Currier commented as we look at Paul and what he has done for us throughout the years one
45 thing that really stands out is the fantastic job he has done getting things for the community. One of
46 the items needed most that Paul worked on with the Catholic Medical Center (CMC) was an
47 AutoPulse, which is an automatic CPR device. The end result of many months of work was the

1 donation of an AutoPulse to the Town of Merrimack from the CMC. It was one of the first in the State
2 to be donated.

3
4 Chief Currier remarked Paul has been with the department for a lot of years, and they have gone
5 through a great deal together. He spoke of having had a point in his life where his health dropped. He
6 was pretty scared, and when he called the ambulance to his home it was Paul who showed up. Chief
7 Currier spoke of the professionalism with which every member of the department does their job and
8 the level of care and commitment to the citizens of this community. He commented when you are on
9 the receiving end, and see that caring coming to you, it is amazing.

10
11 It was noted Master Firefighter/Paramedic Paul Kelly has been a long-time member of the Honor
12 Guard, and has represented the department well over the years. He was presented with a plaque in
13 recognition of his dedicated and faithful service as a member of the Merrimack Fire Rescue's Honor
14 Guard.

15
16 Chairman Harrington presented Mr. Kelly with a plaque in recognition of his dedicated service to the
17 Town of Merrimack.

18
19 Mr. Kelly remarked he has enjoyed the 16+ years he has been in the department, and has never met a
20 more dedicated staff than those he has had the pleasure to work with.

21 Appointments

22 **1. Annual Review with the Agricultural Commission**

23 Submitted by Agricultural Commission Chairman Bob McCabe

24 Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review
25 with the Agricultural Commission. This agenda item is to highlight the Commission's significant
26 actions, current projects, anticipated actions, and to raise any concerns the Council should know or
27 could act on.
28

29
30 Bob McCabe, Chairman, Agricultural Commission, remarked 2016 represents over 9 years of
31 progressive agricultural work by members of the Commission. Today there are six full-time members
32 and one alternate. Each member shares his/her own areas of expertise.
33

34
35 The Merrimack Community Garden opened in May of this year for its 9th season. A one-night training
36 and answer session was offered at the Library in March with many veteran and new gardeners
37 attending. This year over 85 plots were sold to approximately 25 gardeners. The Commission
38 continues to look for a permanent site for the community gardens in Town as space at Wasserman Park
39 becomes tighter and more precious.
40

41 The summer Farmers' Market opens on the 15th of June at 526 D.W. Highway. Thirty two vendors are
42 expected to participate. The Market runs from 3:00 – 6:00 p.m. for 18 Wednesdays ending
43 approximately the middle of October. Mr. McCabe stated the Commission is forever grateful to the
44 Morgan family for providing the site for the market at no cost.
45

46 Last fall the Commission voted to start a winter Farmers' Market. It was felt there is a demand and
47 need for it. The O'Leary Senior Center was rented out on Thursdays from 3:00 - 6:00 p.m.
48

1 Ron Miner, III, Agricultural Commission, noted each year the Commission donates to 4H projects in
2 the community. The Commission co-sponsored a young lady traveling to the 4H convention in
3 Kentucky last fall. She returned with praise and many positive results of her efforts. The Commission
4 continues to support agricultural students, 4H projects, and other student efforts in the agricultural
5 industries. The Commission believes the more it can do to promote this connection the better chance
6 the students can find their place in changing this world.

8 Currently the Commission is looking for a high school or college students concentrating on agricultural
9 related majors for educational and/or project related interests. At its monthly meetings, the
10 Commission informs its audience of any UNH Extension classes or courses. Each member has his/her
11 level of experiences to relate to the public viewers. They speak of new insects or pests and their
12 control; the education aspect will never end. The Commission answers questions and inquiries with
13 many years of experience as also represented by our members.

15 For over 3 years now, the Commission has worked with natural resources, conservation service on the
16 river, and farmland projects in connection with the new farm bill. The Commission keeps up with new
17 and changing agriculture technologies.

19 Town Manager Cabanel questioned if the winter Farmers' Market was successful, and if the intent is to
20 continue that. Mr. McCabe remarked Don Miner, who runs that, speaks very promisingly of it. He has
21 a limited amount of vendors, but knows there will be more with increased advertising, word of mouth,
22 etc. He hopes to continue it. Town Manager Cabanel commented they should try and keep that going
23 as long as they can as she believes it to be another thing that is really great about Merrimack.

25 Chairman Harrington questioned if the change in venue resulted in a larger turnout. Mr. McCabe
26 responded being at road level has worked well. He added the woman who helps the Commission with
27 its Facebook page has indicated they have 400 followers already.

29 Councilor Flood commented on the Market being a good location for community groups/organizations
30 to set up a table. Councilor Dwyer commented another possible location for the winter market is the
31 Function Hall at Wasserman Park. Mr. McCabe commented in order to utilize another location the
32 Commission would have to advertise a change in venue. He commented another consideration is that
33 Naticook Road is not on a main thoroughfare.

35 **Public Hearing** - None

37 **Legislative Updates from State Representatives** - None

39 **Town Manager's Report**

41 The Parks & Recreation Department, with assistance from Merrimack TV, will be hosting the first free
42 community movie night of the summer at Abbie Griffin Park on Friday, June 17th. The movie will be
43 Star Wars: The Force Awakens, and is scheduled to begin at 8:15 p.m. This movie is being sponsored
44 by the Merrimack Lions Club. Free popcorn will be available to all attendees.

46 Merrimack High School's graduating class of 2016 will be conducting their graduation ceremony at
47 the High School on Saturday the 11th from 10:00 a.m. to approximately noon. Expect heavy traffic

1 along Baboosic Lake Road and Daniel Webster Highway prior to and after the event. If possible, seek
2 alternate routes along Turkey Hill & Joppa Roads.

3
4 The Nashua-Merrimack YMCA is holding its annual Y-Tri Triathlon this coming Sunday, the 12th,
5 from 8:00 a.m. to noon at Camp Sargent on Camp Sargent Road. There will be cyclists and runners in
6 the road during the event along Continental Boulevard, Industrial Drive, Tinker Road, Naticook Road,
7 and Camp Sargent Road. Camp Sargent Road will be closed between Thornton's Ferry School and
8 Tinker Road; open to residents only. Expect delays and seek alternate routes around the venue.

9
10 The Phase II/Compost Facility Upgrade project reached final completion on June 2nd.

11
12 **Consent Agenda** - None

13
14 **Old Business** - None

15
16 **New Business**

17
18 **1. Donation Acceptance for the Merrimack Police Department**

19 Submitted by Lieutenant Brian Levesque

20 Town Council to consider the acceptance and expenditure of a donation of \$3,000 received from
21 Barbara Rousseau, a Good Morning Caller, for the Merrimack Police Department's
22 Communications Division for the purchase of new headsets, transformers, batteries and a new
23 desk, pursuant to RSA 31:95-b and Charter Article 8-15.

24
25 Councilor Harrington noted Lieutenant Levesque's memorandum dated May 17th addressed the
26 donations identified in Item #s 1-3.

27
28 Lieutenant Brian Levesque stated the first donation to be from Barbara Rousseau, a member of the
29 Good Morning Caller. This is one of the programs offered by the Police Department where someone
30 that is elderly who might not have family in the area, can call into the Police Department and ensure
31 that they are okay every morning. The Dispatchers have quite a bond with a lot of the members. Mrs.
32 Rousseau offered to donate Three Thousand Dollars towards the Communications Division. The
33 money would be used for new headsets, transformers, batteries, and a new desk that would be used for
34 expansion of phone service in cases of emergency.

35
36 **MOTION** made by Councilor Boyd and seconded by Councilor Koenig to accept and expend a
37 donation in the amount of Three Thousand Dollars (\$3,000.00) received from Barbara Rousseau,
38 a Good Morning Caller, for the Merrimack Police Department's Communications Division for
39 the purchase of new headsets, transformers, batteries and a new desk, pursuant to RSA 31:95-b
40 and Charter Article 8-15. That the Town Manager and/or her proxy be authorized to sign any
41 and all documents necessary to perfect the expenditure, and furthermore that the Council
42 encourages the Police Department to write Mrs. Rousseau a very nice thank you note for her
43 generosity. **MOTION CARRIED 6-0-0**

44
45 When asked, Lt. Levesque stated the Good Morning Callers are those that are elderly and might not
46 have family in the area. They will call in every morning before 10:00 a.m. to ensure they are okay and
47 their safety is fine. If they don't call in before 10:00 a.m. the Dispatcher will then call the number we
48 have on file. If there is no response an officer is sent to check it out. Often times it is a matter of they

1 simply forgot or had a doctor's appointment. We will track them down and find out where they are.
2 He stated there to be approximately 13 members at this time.

3
4 Councilor Koenig spoke of how great the program is, and shared a personal experience he had with
5 this type of situation.
6

7 **2. Donation Acceptance for the Merrimack Police Department**

8 Submitted by Lieutenant Brian Levesque
9 Town Council to consider the acceptance and expenditure of a donation of \$500 from an
10 anonymous resident and \$1,500 from Merrimack Crime Line, Inc., to the Merrimack Police
11 Department's K-9 Program, pursuant to RSA 31:95-b and Charter Article 8-15.
12

13 Lieutenant Brian Levesque remarked every year the Merrimack Crime Line, which is a great supporter
14 of the Police Department and the K-9 program, holds a magic show. This year they raised \$1,500 to be
15 contributed to the Merrimack K-9 program. In addition to that, Chief Doyle received an anonymous
16 donation of \$500 from a resident expressing the desire for it to go towards the K-9 program.
17

18 **MOTION made by Councilor Boyd and seconded by Councilor Dwyer to accept and expend a**
19 **donation in the amount of Five Hundred Dollars (\$500.00) from an anonymous resident and**
20 **Fifteen Hundred Dollars (\$1,500.00) from Merrimack Crime Line, Inc., to the Merrimack Police**
21 **Department's K-9 Program, pursuant to RSA 31:95-b and Charter Article 8-15. Furthermore,**
22 **that the Town Manager and/or her proxy be authorized to sign any and all documents necessary**
23 **to perfect the expenditure. MOTION CARRIED 6-0-0**
24

25 **3. Donation Acceptance for the Merrimack Police Department**

26 Submitted by Lieutenant Brian Levesque
27 Town Council to consider the acceptance and expenditure of a donation of \$500 from an
28 anonymous graduate of the Citizens Police Academy to the Merrimack Police Department to
29 purchase a granite bench for outside of the main lobby, pursuant to RSA 31:95-b and Charter
30 Article 8-15.
31

32 Lieutenant Brian Levesque stated a graduate of a recent Citizens Police Academy, which is held every
33 year at the Police Department, donated \$500 to go towards the purchase of a granite bench for outside
34 of the lobby.
35

36 **MOTION made by Councilor Boyd and seconded by Councilor Dwyer to accept and expend a**
37 **donation in the amount of Five Hundred Dollars (\$500.00) from an anonymous graduate of the**
38 **Citizens Police Academy to the Merrimack Police Department to purchase a granite bench for**
39 **outside of the main lobby, pursuant to RSA 31:95-b and Charter Article 8-15. Furthermore, that**
40 **the Town Manager and/or her proxy be authorized to sign any and all documents necessary to**
41 **perfect the expenditure. MOTION CARRIED 6-0-0**
42

43 **4. Donations for the Merrimack Fire Department**

44 Submitted by Fire Chief Michael Currier
45 Town Council to consider the acceptance and expenditure of donations totaling \$80.00 for the
46 Merrimack Fire Department, made in memory David Loiselle, pursuant to RSA 31:95-b and
47 Charter Article 8-15.
48

1 Richard Pierson, Assistant Chief, Merrimack Fire Department, spoke of donations totaling \$840.00
2 made to the Merrimack Fire Department in memory of David Loiselle. Assistant Chief Pierson
3 commented Captain Dubreuil and members of B shift for their actions on the evening of May 4th. He
4 requested Captain Dubreuil provide a brief summary of the events of that evening.
5

6 Brian Dubreuil, Captain, Merrimack Fire Department, informed the viewing audience in the late
7 afternoon on May 4th, the Merrimack Fire Department was contacted in regards to a 67-year-old male
8 who was unconscious and not breathing. CPR had been started. Further updates from the Dispatch
9 Center indicated that he may have fallen from his roof. Merrimack Fire arrived on scene, assumed
10 patient care, and activated the trauma team at St. Joseph's Hospital. Advanced Life Support was
11 administered to the patient, and he was transported to the hospital. Even though every attempt was
12 made to save this gentleman, he succumbed to his injuries.
13

14 Later on that day, as they often do, they went back to the station and were discussing the call; what
15 went wrong, what went right, and what we can do in the future to avoid this type of situation.
16 Sometimes there is nothing you can do, but it is always good to talk about it and try to figure out if
17 there is something we could do.
18

19 The conversation turned towards the weather; we had rain coming in that evening, and it was supposed
20 to rain for the next 4-5 days. This gentleman had been roofing his garage, and was partially done.
21 They talked about going back and re-tarping the roof. A small crew went back out there. When they
22 arrived at the house the widow was there. They spoke with her briefly saying they would want to tarp
23 up the garage to avoid further damage to her property. She said that would be fine. He talked with
24 several members that were working that day. Master Firefighter Ryan Thomas and Master Firefighter
25 Brennan McCarthy and they all agreed that this project is quite a ways along and they thought they
26 could finish it in a short period of time understanding most of them had some roofing experience, and
27 all of the equipment was there.
28

29 They started roofing. Within a short period of time neighbors started to come over and assist with the
30 roofing, which was really a nice community effort that was happening in the wake of a tragedy.
31 Within about 2 hours they were able to button up the roof. They picked everything up and went home.
32

33 They were also assisted by Paramedic Bill Pelrine, now probationary Firefighter Melissa Winters, and
34 daytime Attendant Marissa Jimenez.
35

36 Social media being what it is, somehow this got out and spread like wildfire. While the department
37 appreciates the positive attention, all they were trying to do was assist this family in a time of
38 difficulty. In the wake of all of the social media, there have been multiple donations made to the
39 Merrimack Fire Department in memory of David Loiselle. The names and message of those who
40 donated were identified in the memorandum attached to the agenda packet. In addition, after the
41 issuance of the memorandum, and additional donation was received from William Weaver.
42

43 Assistant Chief Pierson stated the plan to utilize the donation toward EMS and rescue equipment. The
44 actual equipment has not yet been specified.
45

46 Councilor Koenig expressed his gratitude for the work that was done, and commented although he
47 understands and appreciates that they were not looking for the positive praise, that they were doing
48 their job and doing what they do, that is part of what makes it so touching; that they are interested in

1 doing that, and are not looking for praise. The fact that they are willing to stand out there and help the
2 citizens as much as was pointed out earlier and in this instance as well is really heartwarming to all
3 Merrimack residents.

4
5 Councilor Vaillancourt commented when she saw this on social media she was not surprised because
6 she knows what the Town has for fire and rescue. She remarked this is a reminder of what community,
7 friends, and neighbors do for one another. She expressed her condolences to the Loiselle family and
8 her gratitude to the department.

9 **MOTION made by Councilor Boyd and seconded by Councilor Koenig to accept and expend**
10 **donations totaling Eight Hundred and Forty Dollars (\$840.00) for the Merrimack Fire**
11 **Department to be potentially used for EMS and rescue equipment, made in memory David**
12 **Loiselle, pursuant to RSA 31:95-b and Charter Article 8-15. Furthermore, that the Town**
13 **Manager and/or her proxy be authorized to sign any and all documents necessary to perfect the**
14 **expenditure. MOTION CARRIED 6-0-0**

15
16 **5. Donation for the Merrimack Fire Department**

17 Submitted by Fire Chief Michael Currier

18 Town Council to consider the acceptance of the donation of (2) HP eliteBook Folio 1040 G1-14”
19 laptop computers, valued at \$1,878.00, for the Merrimack Fire Department, pursuant to RSA
20 31:95-e and Charter Article 8-15.

21
22 Michael Currier, Fire Chief, stated businesses and organizations reach out to the department at times to
23 receive support in regard to fire education and/or safety training. The department tries to
24 accommodate that as much as possible. John Manuele, Fire Marshal, coordinates that effort.

25
26 John Manuele, Fire Marshal, remarked unfortunately this matter is also a donation that came about as a
27 result of a tragedy. In this particular case, an employee of PC Connection passed away over the
28 Christmas holidays due to Carbon Monoxide poisoning. Fire Marshal Manuele stated he was
29 contacted by PC Connections to see if there was a safety type presentation that could be given to their
30 employees to make them aware of the hazards. He was able to put something together, and several
31 presentations were conducted. They also filmed the presentation to use at some of their off-site
32 locations. As part of that they asked if an audio/visual component could be included in the
33 presentation. He explained the department did not have the necessary equipment to do that. At the end
34 of the presentation, PC Connection stated a desire for the department to have that ability, and offered
35 to donate two laptop PCs for use by fire prevention to encompass this type of a presentation.

36
37 Councilor Vaillancourt spoke of friends of hers who experienced an incident where they were
38 hospitalized as a result of carbon monoxide in their home. She spoke of the value of training and
39 carbon monoxide detectors.

40
41 Councilor Koenig questioned if the intent was to utilize the laptops specifically for the purpose of
42 audio/video components of educational presentations. Fire Marshal Manuele stated they will be used
43 as part of the presentation. He commented in the case of PC Connection, had they had the equipment
44 at the time they could have interfaced with their overhead projector to display videos, photographs, etc.

45
46 **MOTION made by Councilor Boyd and seconded by Councilor Koenig to accept the donation of**
47 **(2) HP eliteBook Folio 1040 G1-14” laptop computers, valued at \$1,878.00, for the Merrimack**
48 **Fire Department, pursuant to RSA 31:95-e and Charter Article 8-15. Furthermore, that a note**

1 **be sent to PC Connection thanking them for the donation and their continued cooperation**
2 **towards community partnership. MOTION CARRIED 6-0-0**

3
4 **6. Update on CIP Ambulance Purchase**

5 Submitted by Fire Chief Michael Currier

6 The Town Council to receive an update on the approved ambulance purchase from the 2015/2016
7 Capital Improvement Program.

8
9 Town Manager Cabanel noted the purchase was already approved, and an update is not typical to bring
10 before the Council. However, when a shiny new ambulance shows up in Town they like to have had a
11 meeting to inform the public.

12
13 Matthew Duke, Captain, Merrimack Fire Department, stated the Capital Improvement Plan (CIP) for
14 FY16 included \$200,000 for an ambulance purchase. In 2014, the department purchased an AEV
15 brand ambulance. At that time, AEV indicated they would build a similarly equipped ambulance
16 within two years for essentially the same price that was secured in 2014. The department has been
17 very happy with both the product and services over the years from both AEV and the dealer,
18 Professional Vehicle Corporation.

19
20 The 2014 AEV ambulance cost the Town \$160,092.63 with a trade-in. AEV has agreed to build the
21 new 2016 ambulance for the Town at a cost of \$158,364.63. When asked, they quoted the 2016 price
22 for that truck would have been \$167,229. To complete the outfitting of the ambulance with a radio,
23 Power Pro stretcher, lettering, miscellaneous tools, etc. would result in a total expenditure of
24 \$185,785.63. The total expenditure in 2014 was \$177,640.63. In 2014 the department didn't purchase
25 a radio or a suction unit for the ambulance, as the department had something it could move into place
26 there. The two items this year added approx. \$5,700 to the total cost. Chairman Harrington spoke of
27 being pleased with the ability to achieve 2014 pricing. Captain Duke reiterated it was part of the
28 agreement in 2014, which they have upheld.

29
30 When asked when the ambulance would arrive, Assistant Chief Pierson stated they are ready to place
31 the order, and there is a 7-9 month lead time. When asked which vehicle would go out of service when
32 the new one arrives, Assistant Chief Pierson stated it would replace what they refer to as Ambulance
33 220, which is housed at Station 2. That ambulance was purchased in 2005. They measure use in hours
34 and mileage. Currently the ambulance has a little over 114,000 miles and just under 4,800 hours.

35
36 Councilor Boyd remarked in 2014 the Power Pro stretcher was \$13,578 and this year it is listed at
37 \$16,309.04. He questioned the increase in pricing. Assistant Chief Pierson stated the increase is
38 related to both inflation and the additional features for bariatric patients to assist in lifting.

39
40 **7. Recommendations for Appointment of the Representatives/Liaisons to the Parks and**
41 **Recreation Committee**

42 Submitted by Town Council Chairman Nancy Harrington and Vice Chair Finlay Rothhaus

43 The Town Council to consider the recommendations to appoint the following individuals as the
44 representative / liaison members to the Parks and Recreation Committee, pursuant to Charter
45 Article 6-1:

- 46
47 - School Board Representative Member – Michael Thompson
48 - Alternate School Board Representative Member – Shannon Barnes

1 Chairman Harrington stated the School Board has representation on the Parks and Recreation
2 Committee; full-member and alternate member. The School Board has determined Michael Thompson
3 will serve as the full-member and Shannon Barnes as the alternate member.

4
5 **MOTION made by Councilor Boyd and seconded by Councilor Dwyer to approve the**
6 **appointment of Michael Thompson as the School Board Representative and Shannon Barnes as**
7 **the Alternate School Board Representative to the Parks and Recreation Committee, pursuant to**
8 **Charter Article 6-1. MOTION CARRIED 7-0-0**
9 *Oath of Office will be administered at the Joint meeting of the Town Council and Merrimack School*
10 *Board scheduled for June 14th.*

11
12 **8. Disposal of Tax Deeded Properties [Tabled at the May 26, 2016, Town Council meeting]**

13 Submitted by Town Manager Eileen Cabanel

14 The Town Council to consider the disposal of tax deeded properties, pursuant to RSAs 80:88,
15 80:89 and 80:90.

16
17 Town Manager Cabanel noted, at its May 26th meeting, the Council began discussion of a tax deeded
18 property. At that time, it was noted, the Town could choose to retain the property, but would be
19 required, by Statute, to hold the property for three years. The former owner has three years to come
20 back and purchase the property.

21
22 The property is located at 7 Richards Road. A question was posed regarding information in the signed
23 file regarding a request for abatement. Town Manager Cabanel explained the tax bill will be abated as
24 the Town owned the property at the time the bill was sent out.

25
26 Councilor Flood commented the property is in bad condition and people are residing in it. There are
27 two campers and a tent on a relatively small parcel. She stated concern with the instance of people
28 moving out and the property becoming an attractive nuisance. She questioned how that type of
29 situation would be addressed.

30
31 Town Manager Cabanel stated her expectation the Town would clean the property. Those currently
32 residing at the property are not the former owners of record, but are relatives of the former owners.
33 They have received eviction notices. When asked about the campers she stated they would need to be
34 stored as part of the property.

35
36 Councilor Dwyer stated his opinion he would expect, if the trailers are not the property of the former
37 owners, they would be considered debris and disposed of. Once the Town takes ownership he would
38 expect the property to be boarded up and secured. Councilor Flood stated agreement.

39
40 Councilor Boyd questioned if the Town would have the ability to instead collect rental income. Town
41 Manager Cabanel stated the Town would not want to take that approach. When asked if it is possible,
42 Assistant Town Manager/Finance Director Micali stated legal counsel would have to be contacted as
43 there would be issues of liability, etc. What the Town has done in the past is secure the property.
44 Notice is given to the former owners to remove items from the property prior to disposal. The property
45 would be maintained to avoid it becoming unsightly.

46
47 Councilor Boyd asked for clarification the home has to be held for a period of three years, it can be
48 boarded up, and the yard maintained, but the option of tearing down the home does not exist. Assistant

1 Town Manager/Finance Director Micali responded unless it becomes condemned, e.g., is falling down
2 and becomes a liability to leave standing. When asked, Town Manager Cabanel stated it would be the
3 Building Inspector who would have the authority to condemn. Vice Chairman Rothhaus stated his
4 belief the Town Council would have to take such action after receiving a recommendation from the
5 Building Inspector.

6
7 **MOTION made by Councilor Dwyer and seconded by Councilor Boyd that the Town Council**
8 **retain ownership of the tax deeded parcel located at 7 Richards Road and identified as Tax Map**
9 **6A-2/Lot 144 because it could be used in support of future drainage and/or sewer infrastructure**
10 **ON THE QUESTION**

11
12 Councilor Koenig stated the desire to understand the value of the property as it stands today, e.g.,
13 possible sale value, and what the cost is of retaining the property for three years. He commented there
14 would be the cost of securing the building, the liability for a three-year period, and the potential that it
15 could be condemned at some point, which would result in the cost of demolition.

16
17 Town Manager Cabanel stated the assessed value is \$118,900. The Town would lose tax revenue on
18 that value for three years. As the Town has a blanket property & liability policy there would be no
19 additional cost with regard to insurance. There would be a cost associated with securing the property
20 and periodic visits, which could be at the direction of the Director of the Public Works Department
21 (PWD).

22
23 Councilor Flood commented on a similar property that had fallen into disrepair, was foreclosed upon,
24 and sold for \$90,000. She suggested the land has an approx. value of \$60,000. Councilor Koenig
25 noted were the property to be sold (during the first three years), the former owner would see revenue
26 from the sale that exceeded what is owed in taxes, etc.

27
28 Councilor Dwyer requested clarification on the issue of retaining the property for a three-year period.
29 Councilor Koenig explained if the decision were to sell the property that could be done immediately.
30 If the decision were to retain the property, there is a requirement, per State Statute, for the municipality
31 to hold the property for three years. The former owner has three years to come back and purchase the
32 property.

33
34 ***Councilor Dwyer stated the desire to withdraw his motion.***

35
36 Town Manager Cabanel stated the Town can sell the property at any time. It is in the instance that the
37 Town decides to retain the property that the three-year timeframe comes into play. Were the Town to
38 sell the property there are requirements such as notifying the former owner, that proceeds of the sale
39 first pay back taxes, a 15% penalty, etc.

40
41 Councilor Dwyer commented there is the possibility the Building Inspector could determine, at this
42 time, that the building is condemnable. Councilor Flood noted, according to the tax card, there is no
43 central heating.

44
45 Town Manager Cabanel stated the land to be what has value to both the Town and any potential buyer.
46 Councilor Vaillancourt stated agreement with remarks made by Councilor Flood that this is an
47 unfortunate situation for the former owner. However, it is her belief were the Town to retain this
48 property for a period of three years, it would be financially prudent because of the value the land has

1 towards the future drainage project. From a financial perspective she has no concern with retaining the
2 property for three years. Doing so would also provide the property owner three additional years to
3 bring the situation to a different conclusion.

4
5 Councilor Flood suggested the possibility of a drainage easement even if the property were sold.
6 Assistant Town Manager/Finance Director Micali stated what would be needed for the drainage project
7 would be nearly the entirety of the parcel. Vice Chairman Rothhaus stated his belief the Town could
8 not sell the property at auction with a stipulation requiring an easement.

9
10 *Councilor Vaillancourt stated her understanding if the Councilor who seconded the motion does not*
11 *withdraw the second, the motion cannot be withdrawn.*

12 13 **MOTION WITHDRAWN**

14
15 **MOTION made by Councilor Boyd and seconded by Councilor Vaillancourt that the Town**
16 **Council retain ownership of the tax deeded parcel located at 7 Richards Road and identified as**
17 **Tax Map 6A-2/Lot 144 because it could be used in support of future drainage and/or sewer**
18 **infrastructure**

19 20 ON THE QUESTION

21
22 A short discussion between Councilor Koenig and Councilor Vaillancourt took place regarding the
23 implication of specific tax numbers and impact.

24
25 Town Manager Cabanel stated the only number she had at the time included the 15% penalty. It was
26 suggested the approximate amount owed in taxes is \$10,000, annual tax revenue, which would be lost
27 is approx. \$4,000 (\$12,000 over a three year period). In addition, there would be a cost to boarding up
28 the building. Councilor Boyd commented boarding up the property would not be a great cost. The
29 cost would come if the decision were made to fence in the property.

30
31 Councilor Koenig stated his guess the Town would end up spending anywhere between \$2,000 -
32 \$10,000 in physical and legal fees to acquire and secure the property in such a fashion that it doesn't
33 look like an eyesore. The end result would be an approx. value of \$50,000. Councilor Boyd remarked
34 the Town is already out money related to the taxes. If the taxpayer doesn't come back and pay the bill
35 within three years then the Town can do what it sees fit. He remarked there is always a cost that is
36 inherent in trying to secure a piece of property.

37
38 Vice Chairman Rothhaus questioned if there has been communication with the former owner, and was
39 told there has. When asked, Town Manager Cabanel stated a homeowner is aware of the options after
40 being notified for three years, receiving phone calls and registered mail, etc. They know they could
41 have sold the property. Councilor Flood stated her belief there is a personal consideration with family
42 members who have lived on the property for the past 5 years.

43
44 Councilor Koenig stated his appreciation that potentially there is a value for the Town and that for a
45 cost of \$50,000 over a three-year period the Town would gain the property to be able to use for a
46 drainage project.

1 The alternative that hasn't been clearly discussed is that the Town could sell the property, the Town
2 would retain about \$30,000 in taxes, fees, and expenses, and the former owner would receive whatever
3 delta there is. He stated that to be why he wished to have the discussion to ensure the Council clearly
4 understands what the alternatives are. The Town will retain the property and hold it for three years for
5 a drainage improvement project or will sell it, remove the liability, put it back on the tax rolls, and the
6 former owner could receive something back for it.

7
8 Councilor Flood remarked the property sits in the middle of other houses, and questioned if Director
9 Fox would use this property because of its availability when another property might be better suited for
10 the drainage/sewer project. She spoke of a Right-of-Way that comes all the way down from Baboosic
11 Lake Road.

12
13 Councilor Dwyer stated "To dovetail off of Jackie's comments, I think that whole sewer future
14 drainage is a very big longshot. Millions of dollars, it is a huge infrastructure for that entire area down
15 by Baboosic Lake Road and all of those houses. I could not say being here for the last several years
16 and knowing the future budgets that that is a significant project that I see actually happening. I am
17 more convinced with Tom that I don't really see that value or the reality of a drainage project actually
18 coming to fruition down there. Jackie like you said there may be a better property to have if it was to
19 take place. It may not be that spot."

20
21 Chairman Harrington questioned if there might be a compromise.

22
23 Councilor Boyd stated the Town owns property, on paper, the motion on the floor is to retain
24 ownership, which basically stops the Town from collecting taxes. The question is does the Council
25 want to let the tax calculator keep registering and registering or do we stop the clock and make a
26 decision to allow this taxpayer to figure out that she can get back in or if she can't have the Town in a
27 position to be able to do something with it.

28
29 Chairman Harrington remarked the motion provides the power to evict the current tenants. Town
30 Manager Cabanel stated the current resident has already been served with an eviction notice. She is
31 unsure where that process stands. What Councilor Boyd was saying is the former owner will not owe
32 taxes in the years that the Town retains the property because the Town is the owner during that period
33 of time. The clock has stopped ticking on the amount of money except there may be interest on the
34 \$30,000 that is currently owed.

35
36 As some confusion remained, it was further clarified, at this time, the Town owns the property.
37 Therefore taxes are no longer accruing for the former owner.

38
39 As a municipality, the Town can decide to sell the property at any time. Per State Statute, the Town is
40 prohibited from doing anything else with the property for a period of three years. During that three
41 year period, the former owner can come forward, pay the back taxes, fees, etc., and regain ownership.

42
43 Councilor Dwyer stated "That is why this motion is confusing because the first...I moved the Town
44 Council vote to retain ownership so we can keep it for future drainage."

45
46 Councilor Vaillancourt remarked instead of selling it.

47

1 Councilor Dwyer stated “Instead of selling it. I would like to have a counter motion for hypothetically,
2 I’d rather sell it.” “It just seems to be that if we all have the idea if there is any possibility that this
3 future drainage really is a kind of a fantasy, then I would think what we would want, we as a group
4 would want to just take it and sell it, and let the next person give the proceeds as they see fit.”
5

6 Councilor Vaillancourt stated “Tom I have no problem with your line of questioning, with you wanting
7 to know the dollar amount. I have no problem with that. It was your implication when you said I’m
8 okay that you Jody you think that you know. That was what I took offense to, and that is why I said
9 Eileen had the numbers, and I had a pretty good idea of the financials. You are totally within your
10 rights to ask those questions, and I have no problem with that, but I had heard the numbers, and I had
11 an idea about cost, and that is why I made the statement that I did.
12

13 An animated, lengthy discussion ensued between Councilor Dwyer and Councilor Vaillancourt related
14 to drainage costs and impacts.
15

16 Chairman Harrington commented we don’t know what kind of drainage; it sounds like you are saying
17 it is a large drainage system having to do with sewerage. Councilor Dwyer remarked drainage is huge.
18 When they are doing drainage for runoff and we are having these MS4 discussions. It is complicated
19 and it is in the millions of dollars. It would be a bonding issue, etc.
20

21 Councilor Flood stated she also respects Director Fox’s opinion, and she assumes that he can do
22 something with this lot. Whether he can do without it is another thing altogether. She stated she
23 would be abstaining from the vote.
24

25 Councilor Boyd stated his appreciation for what Councilor Dwyer was saying, and stated agreement to
26 do drainage infrastructure is big bucks. He remarked about a year ago he went down to that
27 neighborhood because the roads down there are not paved and whenever it gets rainy and muddy it
28 gets very ruddy down there. He stated his belief the PWD has to go down at some point and regrade
29 those roads at least once or twice a year. The fact that they have to regrade down there is part of the
30 reason why Director Fox is making this recommendation.
31

32 The runoff that is coming off Baboosic Lake and South Baboosic Lake Road is impacting this
33 particular neighborhood in a lot of different ways. People have to drive down that road, have to walk
34 down that road, and the fact of the matter is when you are going from a pervious surface to an
35 impervious surface it has a dramatic effect on the residents of that neighborhood. If able to provide a
36 remedy and a particular level of relief to the people in the neighborhood that are looking to the Council
37 to solve a problem, and if it is a question of taking a piece of property to put in a swale to mitigate
38 some of the water that is going down into that particular neighborhood, he believes that has to be
39 considered. The question then becomes is it a viable option; that is a conversation for another time and
40 place. At this time, the recommendation that is being made is an opportunity to provide drainage.
41 Having been down there and having walked that neighborhood, he can see the need.
42

43 Vice Chairman Rothhaus commented looking at the GIS, it appears to be a larger lot. He questioned
44 the lot number. Councilor Koenig noted Director Fox’s letter indicates the parcel is ¼ of an acre in
45 size.
46

47 Councilor Dwyer stated, after living here for 20 years, what he has witnessed in that neighborhood is
48 neglect. PWD Directors for the past 20 or 30 years would have had many opportunities to do some

1 mild paving and some mild drainage work over the years and have not. He remarked he would not get
2 tied up into what he would call a fantasy project of multiple millions of dollars in three years whether
3 we own this little sliver of land that may or may not really fit into the grand scheme of a drainage
4 project when in reality our Councils and Selectmen over dozens and dozens of years have not even
5 seen fit to pave their roads. That neighborhood, as far as he is concerned, has gotten the short end of
6 the stick for a long time. He questioned why paving hasn't been done down there.

7
8 Councilor Boyd responded the neighborhood has grown from being traditionally beach camp lots.
9 Vice Chairman Rothhaus commented there are also a lot of questions on right of ways down there.
10 There is a lot of confusion. Councilor Dwyer remarked it starts with some paving, and we haven't
11 done any paving. He questioned the level of concern thus far.

12
13 Councilor Boyd remarked the reason why you can't do paving is because you don't have the drainage
14 down there. Paving increases the runoff into Baboosic Lake, and then we get into the whole MS4 issue
15 again. He stated he was looking at it as an opportunity to proactively figure out how to do it so that we
16 are mitigating the runoff going into Baboosic Lake. Whether or not it happens is a different story.

17
18 Town Manager Cabanel suggested if anyone believes it worthwhile Director Fox could be asked to
19 attend the next meeting to provide a more in depth explanation and respond to any questions.

20
21 Councilor Koenig stated "I just wanted to respond to some statements that Ms. Vaillancourt made. I'm
22 sorry, and I didn't mean for you to take offense at my comments about your expressing your
23 understanding of it being a win. However, we're in a public meeting, and my intent has always been to
24 make the public as aware of the information as possible.

25
26 A disagreement between Councilor Koenig and Councilor Vaillancourt ensued about misunderstanding
27 previous statements. Councilor Koenig clarified his intention for public knowledge and Councilor
28 Vaillancourt expressed her concern about possible inappropriate implication.

29
30 *Chairman Harrington called the question.*

31 **MOTION FAILED**

32 **3-3-1**

33 *Councilors Dwyer, Koenig, and Rothhaus voted in opposition*

34 *Councilor Flood Abstained*

35
36 **MOTION made by Councilor Dwyer and seconded by Councilor Boyd that the Town Council**
37 **sell the tax deeded parcel located at 7 Richards Road**

38
39 **ON THE QUESTION**

40
41 Vice Chairman Rothhaus stated his desire to ensure the Tax Map and Lot were identified correctly.
42 Councilor Koenig noted the motion referred to the property as 7 Richards Road and did not identify a
43 particular Tax Map or Lot.

44 **MOTION CARRIED**

45 **4-2-1**

46 *Councilors Vaillancourt and Harrington voted in opposition*

47 *Councilor Flood Abstained*

1 **Minutes**

2
3 Approve the minutes from the Town Council meetings of May 26, 2016.

4
5 **MOTION made by Councilor Boyd and seconded by Councilor Vaillancourt to accept the**
6 **meeting minutes of the May 26, 2016 Town Council meeting of as presented. MOTION**
7 **CARRIED 7-0-0**

8
9 **Comments from the Press** - None

10
11 **Comments from the Public** - None

12
13 **Comments from the Council**

14
15 Councilor Boyd wished the Merrimack High School Class of 2016 the best of success on their
16 graduation, and a life full of happiness, healthiness, and excellence in their personal and professional
17 pursuits.

18
19 Councilor Boyd stated the Economic Development Citizen Advisory Committee (EDCAC) met the
20 previous day. They are working closely with Jillian Harris, Planning & Zoning Administrator, on the
21 development of a business guide that would be made available online and in hard copy to individuals
22 moving to Town, looking to build in Town, etc. It is a 24-page document that provides everything
23 from soup to nuts as to how to go about interacting with all of the Town departments.

24
25 The committee also discussed the Business Expo. The intent is to move forward. The individual
26 responsible for running the Expo., David Shaw, has a new work schedule that forces him to work
27 evenings. It is difficult for him to come before the Council to present. He did have a dialogue with
28 Dawn Shepherd, President, Merrimack Chamber of Commerce. They discussed collaborating on the
29 Business Expo. Councilor Boyd stated his understanding the Chamber will be introduced, in a limited
30 capacity, to becoming more involved in that endeavor, and may have tentatively scheduled that for
31 October 1st.

32
33 Councilor Boyd remarked several years ago the EDCAC did a business survey. They are looking to
34 reinstitute another survey, but gear the questions to be a bit more specific using the previous survey to
35 identify the type of questions to ask the business community. They will be reconnoitering on July 13th
36 where there will be a new slate of officers presenting to run the EDCAC.

37
38 Councilor Vaillancourt noted the Conservation Commission met on June 6th. The Horse Hill Nature
39 Preserve parking lot is closed for the duration of the parking lot project. The Commission discussed
40 the possibility of additional signage informing users. Visitors are able to park at the Watonic Bowman
41 parking lot, and there is some parking available on Naticook Road. It is hoped the project will
42 complete on July 1st.

43
44 A good deal of discussion occurred regarding the Grater Woods property. There is a problem with
45 trails being created by motorized users without the permission of the Commission. This problem has
46 been ongoing, and the Commission discussed ways in which to address the situation. The Commission
47 will be scheduling a Site Walk, which will be publicly posted.

48

1 Councilor Vaillancourt stated the Commission discussed having a NED Pipeline post mortem
2 conversation at its next meeting; what was learned, what would we do differently, what kind of records
3 should be maintained for the future, etc. She spoke of the letter the Town of Brookline submitted to
4 the Federal Energy Regulatory Commission (FERC) requesting reimbursement for the money
5 expended on that endeavor. The Commission asked her if the Council was planning on doing
6 something similar, and requested she bring the issue forward. She stated her understanding legally
7 there is no precedent for reimbursement. She provided the Council a copy of the letter written by the
8 Tad Putney, Town Administrator, Town of Brookline.

9
10 Councilor Vaillancourt stated the total number the Town of Merrimack expended on legal counsel
11 regarding this matter is \$79,596.33. She questioned the will of the Council, and stated her desire to
12 work with the Town Manager to draft a letter to be placed on the next agenda for consideration.
13 Councilor Boyd stated his opinion the letter Mr. Putney crafted was well written, and suggested the
14 same language be utilized.

15
16 Councilor Flood reminded the viewing audience the Parks and Recreation Department is sponsoring a
17 yard sale on Saturday, June 18th from 8:00 a.m. to 2:00 p.m. at Watson Park. Individuals interested in
18 participating can contact her at JackieFlood@Comcast.net or call the Parks and Recreation Department
19 at 882-1046. Proceeds will benefit the parks; particularly Watson Park.

20
21 Councilor Koenig stated the Planning Board met Tuesday night. One of the agenda items was The Fig
22 and The Olive LLC's request to open up a snack and wholesome food & beverage sale space inside of
23 the Residences at Daniel Webster Highway. They have been at the Farmers' Market, and have built up
24 a clientele. They want to open up in the restaurant area at the Residences. That was approved by the
25 Planning Board. At the onset they expect to service the guests at the hotel. They hope to expand to
26 service the public as well.

27
28 A company is looking to build a long-term residence hotel in the parking lot of the former Merrimack
29 Hotel. They want to take over about 2/3 of the parking lot in the front of that building, and put up a
30 four-story, 123-room extended stay hotel. The Planning Board tabled the application. They are trying
31 to subdivide that lot into 2 lots taking a big portion of that parking lot. The Planning Board is looking
32 to legal counsel to understand what ramifications there might be of splitting that property up given that
33 there is an existing "as built" site plan in place that would become null and void by splitting this lot
34 out. The previous hotel would no longer have the parking necessary to run as a hotel. The people
35 presenting the matter would argue that the hotel is not useful as it is anyway and ought to be torn
36 down. That may be true, but at the moment they have a valid plan that is built in place, and it doesn't
37 seem proper for the Planning Board to violate that by splitting up that parking lot.

38
39 Other questions include whether or not there is any value in that property as a hotel and parking lot,
40 and if we destroy it did we just destroy that value versus the value gain from this other rebuild. He
41 commented there are a lot of good reasons to have this hotel built there, but there is a lot of concern
42 about what happens to the other 15 acres that are there with the blighted hotel on it, and how to move
43 that forward.

44
45 The gas station on the D.W. Highway; New World Gas, wants to expand their canopy to double the
46 size to handle four stations instead of the two. They are looking to rebuild and re-modernize that
47 building and re-open. They had to close December 31st when they had to pull the tanks out of the
48 ground as they could no longer receive fuel deliveries into those tanks. They have since been replaced,

1 and now they are looking to expand their ability to pump gas and revitalized that building. That
2 application was approved.

3
4 There was a good deal of discussion regarding what would either be a 17-lot cluster subdivision or a 12
5 lot regular subdivision at 123 Wilson Hill Road and South Grater Road. There are 3 or 4 homes along
6 Wilson Hill Road that have very poor water pumping in their wells at present, and they are very
7 concerned that if you put 12 or 17 houses up the hill behind them it will damage their well water as
8 well. There is question as to whether or not the Planning Board really has authority to judge whether
9 or not someone can develop their land based on how it might impact someone else's well water. That
10 discussion is ongoing.

11
12 Vice Chairman Rothhaus spoke of a building that was used for office space, which is being converted
13 into apartments; Crosswood Path Condominiums. Councilor Koenig stated that came before the
14 Planning Board quite a while ago. The owner came forward with a plan that included a commercial
15 element and a residential element. However, he has been unable to fill the commercial space, and as a
16 result has been losing money on the commercial aspect of it for quite some time. He came before the
17 Planning Board with a request to convert the last commercial building into residences.

18
19 Councilor Koenig commented it has been an ongoing thorn in the sides of the Planning Board as it
20 continues to argue about any of these kinds of planned developments where they talk about
21 commercial property and residential property. He remarked it became quite the contention when
22 talking about the property up by Saint-Gobain and wanting to put in five four-story buildings with a
23 promise to build retail in there as well. There was quite the argument as to whether or not they needed
24 to get started on the retail up front or at least do something to promise retail or commercial use at that
25 property to go as a combined modification of that commercial property into a
26 residential/commercial/retail use. They had finally got approval to build 4 but not the 5th. They
27 haven't started on it at all.

28
29 Vice Chairman Rothhaus commented the reason he asked the question is because that is part of the
30 Planned Unit Development where they plan on a certain amount of commercial and residential to be
31 combined to hopefully provide some synergy. The reason we do it is because it helps in the tax rate;
32 so the impact on the Town is not as great as it might be if it were all residential. He questioned if there
33 would have been a need to go before the Zoning Board of Adjustment for that change or would it be
34 the decision of the Planning Board to force that commercial component on the development in the first
35 place.

36
37 Councilor Koenig stated he is not aware of the legal aspects of it, but is aware it was discussed over a
38 year ago; went through the discussion, planned it out, and decided, with the aid of the Community
39 Development Department, that this was a legitimate way for the owner to proceed.

40
41 Councilor Dwyer commented he was concerned about, and had contacted the Town Manager when he
42 first heard about the Woodspring Suites Hotel. He stated his hope everyone is concerned about that.
43 He commented for him it is the common sense; who builds a multi-million dollar hotel, and will tell us
44 we will leave that old dilapidated hotel standing. Right away the red flags should go up. He remarked
45 we get the right to question developers that want to come into our Town and do things a certain way.
46 This one stinks to high heaven; that they are going to come in, build this beautiful place, oh but we will
47 get to that eyesore later. Something is not right there.

48 Councilor Vaillancourt remarked that is what the Conservation Commission questioned.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

Councilor Dwyer commented he has been on the record before saying he thinks the property is snake bitten. There is some type of curse on that property. It is very weird. Right before the crash it was valued at like \$12 million and then the new owner bought it for \$1.2 million. It has been two decades that the property has been blighted and standing there. We have had tons of flybys, but now this latest one is bizarre. If you want to do a hotel, great idea, but when they said they were going to leave that standing his ears perked right up. He suggested everyone keep this on the radar.

Chairman Harrington stated she would be happy to place a letter to the FERC regarding reimbursement on the next agenda.

Adjourn

**MOTION made by Councilor Boyd and seconded by Councilor Koenig to adjourn the meeting.
MOTION CARRIED 7-0-0**

The June 9, 2016 meeting of the Town Council was adjourned at 9:26 p.m.

Submitted by Dawn MacMillan

