

Approved: August 17, 2017

Posted: August 18, 2017



Town Council Meeting Minutes

Thursday July 20, 2017, 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, Councilor Albert, Councilor Boyd, Councilor Dwyer, Councilor Flood, and Kyle Fox, Director, Public Works Department. Councilor Koenig, Town Manager Eileen Cabanel, and Assistant Town Manager/Finance Director Paul Micali were excused.

Pledge of Allegiance

Chairman Harrington led in the Pledge of Allegiance.

Announcements

Chairman Harrington expressed gratitude towards the Public Works Department (PWD), Police Department, C.S.S.I. Construction, and all who were instrumental in the successful completion of the Amherst Road culvert project.

Regular meetings of the Town Council will be conducted on Thursday, August 17th, September 14th, September 28th, and October 12th at 7:00 p.m. in the Matthew Thornton Room.

The Merrimack Police and Parks and Recreation Departments are once again teaming up to celebrate National Night Out at Abbie Griffin Park on Tuesday, August 1st from 6:30-10:00 p.m. There will be fun and games, and the Parks and Recreation Department will be holding a free movie night showing the movie, Moana, which will begin at 8:30 p.m.

Perfluorooctanoic Acid (PFOA) Information Update - None

Highway Garage Project Update

Councilor Flood stated the Highway Building Committee (Committee) is pleased to announce the selection of a construction management firm to complete the team as it moves forward into the detailed design of the project. Eight firms submitted qualifications packages for the construction management portion of the project. Of those, four were interviewed. The Committee is pleased to have Turnstone Corporation of Milford, NH as its partner for the project. Turnstone completes the team, which includes the Committee and H.L. Turner as the Engineer Architect for the project. The Committee will participate in a kickoff meeting next Wednesday morning, and looks forward to the plans for the new building coming together.

Public Comments

Dave Quimby, 2 Kyle Road

Read a letter he presented to the Parks and Recreation Committee on April 19th:

"I am here on behalf of the Lake Naticook Conservation Association. The Association is dedicated to maintain and improve the quality, safety, and access of Lake Naticook for all to enjoy. The Association appreciates the Town's recent investment to improve access for boating visitors and users of the boat ramp at Veterans Park. The improvements address some of our water quality and storm runoff concerns while also greatly improving access to the lake for the boating public.

In anticipation of an increase in boater traffic this season, our Board of Directors recommends that the Parks and Recreation Committee consider re-posting the park rules adopted when Veterans Park was opened. One rule that our membership recalls being posted in the past that aligns with rules typically posted at State of New Hampshire owned boat ramps to reduce potential boat ramp access conflict, is no swimming at the boat ramp. The Lake Naticook Conservation Association recognizes that the Parks and Recreation Committee must balance all uses of our park lands for the enjoyment of all. We offer this suggestion in anticipation of increased boat traffic potentially conflicting with other park users loitering in the water in the boat ramp."

Mr. Quimby stated he was before the Council to request Councilors discuss this issue and expedite the process of posting the park rules where they can be seen by all users of Veterans Park and the boat ramp to ensure the safety of all.

Chairman Harrington stated the Town is in the middle of revising the Town Code. Parks and Recreation has already submitted, to the Town Manager, suggestions for amendments, which include the requested signage. The Town Council will deliberate when the revisions are completed and brought before the Council for consideration.

When asked, Mr. Quimby stated there is currently no signage indicating no swimming at the boat ramp and there are no park rules posted in the park. Councilor Albert noted he is the Council's representative to the Parks and Recreation Committee, and the issue of posting signage was discussed. It is necessary to have the ordinances approved. However, it is being addressed.

Mr. Quimby commented the Police Officer assigned to Veterans Park has been doing a much better job of enforcing park rules, e.g., issues warnings. However, if there are individuals swimming at the boat ramp, he cannot address that without the signage in place. He spoke of instances on Sunday and Monday evenings where boaters cruise as fast as they can in the little nook by the boat ramp, which is another issue the police cannot address as it falls under the purview of NH Fish & Game. He stated concern with close calls with swimmers.

Chairman Harrington stated the submission of recommended changes includes a recommendation that a new section be added to the code that addresses swimming and speaks to Veterans Park.

When asked if there is any idea of when this could be resolved, Chairman Harrington responded she is aware the Town Manager and her staff are working diligently to get this work completed and to the Council for review. She is of the belief the time is near with regard to Chapter 142. She suggested the Council could facilitate having that Chapter be one of the first it considers.

Councilor Albert commented on the need for careful consideration when putting ordinances in place, e.g., there is the need to identify what is meant by no swimming at the boat ramp; would that simply push the problem down a short distance, and perhaps create another unanticipated/unwanted situation, the need to ensure the language is enforceable, etc. Mr. Quimby stated the desire simply to be to adopt State boat ramp rules; best practice.

Recognitions, Resignations and Retirements – None

Appointments

1. Annual Review with the Economic Development Citizen Advisory Committee

Submitted by EDCAC Chair Susan Lee

Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the Economic Development Citizen Advisory Committee. This agenda item is to highlight the committee's significant actions, current projects, anticipated actions, and to raise any concerns the Council should know or could act on.

Chairman Harrington read into the record a letter from Timothy Thompson, Director, Community Development Department:

"A special thanks to the Economic Development Citizen Advisory Committee for their input and guidance on the development of the Merrimack Development Guide from the staff of the Community Development Department. In particular, from the Planning & Zoning Administrator, Jillian Harris, the primary author of the guide, which she used as her final project in completing the UNH Cooperative Extension's Economic Development Academy. EDCAC helped to inspire this guide, and their feedback helped to improve the document so that we can better assist property owners and developers with the review process."

Susan Lee, Chairman, Economic Development Citizen Advisory Committee (EDCAC), stated this past year EDCAC started working off of its truncated meeting schedule, and wound up, on numerous occasions, voting to meet more frequently. When last before the Council, they were in the middle of designing a business survey to gather input from local businesses about things the EDCAC might do. The responses were not as numerous as they had hoped, but some interesting information was gained; the key piece being that many businesses and even residents are not aware of all of the services that are available to them, and which are identified on the website. That guided the EDCAC in its next project, which was to review the economic development content on the website. The content was originally drafted by the EDCAC in 2009, and when the changeover of website design occurred, Director Thompson transferred the information making a few changes along the way.

The EDCAC reviewed the information and reached consensus it was not as user-friendly as it might be. There were many choices of links that did not necessarily indicate what one could expect to find by clicking. The EDCAC has spent several months and continues to work on a final recommendation on how to reorganize that information so that users will be able to clearly identify how to locate information sought.

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Once the website has been updated, the EDCAC would like to hold workshops to introduce people to what is available through the site. They have already spoken with the Chairman of the Regional Economic Development Center who is willing to participate in putting on a workshop. Director Thompson would be invited to participate as well.

Last November the EDCAC had a guest speaker intended more for general educational knowledge and awareness of the changing society; how communities are changing and things we might want to start looking at now. David Preece, Executive Director/CEO, Southern New Hampshire Planning Commission provided a public presentation on age friendly and livable communities. The presentation encouraged thinking about the types of things involved when planning into the future, and sort of coincided with the Planning Board's presentation on safe streets and how to open up the center of your community to allow for parking, biking, more walking, etc.

During the presentation, Mr. Preece indicated often times the things our young people are looking for are the same things our oldest residents are looking for; that feeling of community.

Ms. Lee commented Dawn Shepherd, the previous President of the Merrimack Chamber of Commerce, has decided to teach English in Thailand. As a result, the EDCAC lost its representation from the Chamber of Commerce. Doug Dowell, who has been on the committee for 9 years, was a fabulous committee member who has found a new passion to follow. His seat is also open.

Chairman Harrington spoke of a recent discussion of the possibility of presentations that could be televised on local cable identifying the different boards, committees, etc., their history, mission, meeting frequency, training, etc.

Ms. Lee was thanked for her commitment to the committee and its work.

Public Hearing - None

Legislative Updates from State Representatives - None

Town Manager's Report

The Merrimack Police Department will be continuing to show a presence on conservation land with patrols and the Merrimack Police volunteers.

Consent Agenda - None

New Business

1. Committee Appointments

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

The Town Council to consider appointing the following individuals to Town committees, pursuant to Charter Article 4-8:

- **Cynthia Glenn** – Conservation Commission (*Full member*)
- **Gina Rosati** – Conservation Commission (*Full member*)
- **Hillary Baird** – Parks and Recreation Committee (*Full member*)

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- **Lynn Christensen** – Planning Board (*Full member*)
- **Michael Redding** – Planning Board (*Full member*)
- **Lynn Christensen** – Zoning Board of Adjustment (*Full member*)
- **Leonard Worster** – Zoning Board of Adjustment (*Full member*)

MOTION made by Councilor Boyd and seconded by Councilor Rothhaus to appoint, as Full members, Cynthia Glenn and Gina Rosati to the Conservation Commission, Hillary Baird to the Parks and Recreation Committee, Lynn Christensen and Michael Redding to the Planning Board, and Lynn Christensen and Leonard Worster to the Zoning Board of Adjustment

ON THE QUESTION

Councilor Boyd expressed his gratitude to the individuals for stepping up to serve in these important positions.

MOTION CARRIED 6-0-0

Oath of Office administered by Chairman Harrington to Gina Rosati and Hillary Baird.

2. 2017 The Most of Merrimack Presentation (formerly Business Expo / Fall Festival)

Submitted by Merrimack Chamber of Commerce President Melissa Ballard Sullivan

Town Council to be presented with the details of the upcoming 2017 The Most of Merrimack event scheduled for Saturday, September 30th.

Melissa Ballard Sullivan, President, Merrimack Chamber of Commerce, introduced herself to the Council. She spoke of the Chamber's excitement in partnering in the presentation of the Annual Fall Festival, and requested the Council's formal approval of this year's event.

The event is proposed for Saturday, September 30th from 10:00 a.m. to 2:00 p.m. at the James Mastricola Upper Elementary School. The school and its grounds would be used for the event as has been done in the past. This year the intent is to rebrand the event with the name The Most of Merrimack, the 11th Annual fall Festival.

Examples of preliminary marketing materials were provided. The event will feature family fun, business to consumer events and classes, and some new twists on comfort foods. The hope is to host a macaroni and cheese baking contest and showcase some of the many businesses that represent the best that Merrimack has to offer.

Being proposed is the same vendor pricing as last year; \$75/inside table and \$35/outside table. For the ease of accounting purposes, the Chamber will once again provide online sign ups and accept payments. All vendors have the opportunity to sign up on the Chamber website. An event specific website with a link back to the payment page will be set up off the Chamber website.

The intent is to limit it to 2-3 vendors per industry especially for the home-based businesses in an effort to provide a high quality and variety event for all.

The Chamber is excited to collaborate with the Town, and requests the Council consider donating \$350 to the Chamber of Commerce to cover the bookkeeping services. The event is starting with \$1,710 in funds, which will be used to book entertainment and assist in marketing. If approved, the Chamber will move forward with the planning and publicity of the event immediately.

Vice Chairman Rothhaus stated he is pleased that someone is picking it up and carrying on with the event, and stated appreciation for the effort that is required.

Councilor Dwyer questioned if the request for \$350 had to be addressed at this time. He asked for clarification \$350 is being requested from the Town, and noted, if that is the case the Council needs to take formal action on the request. Ms. Ballard Sullivan stated the desire was to recuperate the expenses associated with the bookkeeping services for the event. Councilor Dwyer thanked the Chamber for all it has done over the past few years. He stated his support of the request. He questioned if the expectation was that revenue generated would not be sufficient to cover all costs including the bookkeeping cost.

Ms. Ballard Sullivan responded the Chamber did not receive any monies from the event last year. Councilor Dwyer questioned if the Town could make the \$350 donation if the revenue is not sufficient to cover the expense. Ms. Ballard Sullivan stated the Chamber hires a bookkeeper. The desire is to keep those hours clean in regard to Chamber business and the co-mingled event. She was looking to reimburse the Chamber for use of the bookkeeper.

Vice Chairman Rothhaus clarified what was being expressed was that the \$350 cost be paid out of net revenue from the event. It will show up this year as a line in the expense itemization. It was not that a request was being made of the Town to donate \$350, it was simply providing transparency that that expense would be paid through revenue generated.

3. Donation Acceptance for the Parks and Recreation Department

Submitted by Parks and Recreation Director Matthew Casparius

Town Council to consider the acceptance of a donation of labor for the Parks and Recreation Department from the Rotary Club of Merrimack to perform two volunteer projects for improvements to Wasserman Park with a value of approximately \$3,500, pursuant to RSA 31:95-e, RSA 31:95-b and Charter Article 8-15.

MOTION made by Councilor Dwyer and seconded by Councilor Flood to approve the acceptance of a donation of labor for the Parks and Recreation Department from the Rotary Club of Merrimack to perform two volunteer projects for improvements to Wasserman Park with a value of approximately Three Thousand Five Hundred Dollars (\$3,500), pursuant to RSA 31:95-e, RSA 31:95-b and Charter Article 8-15

ON THE QUESTION

Councilor Dwyer stated Tom Riley was the electrician and the Rotary Club member who volunteered his time for this project. Total cost of the project for lights and labor was \$3,500. Councilor Dwyer also thanked Electrical Supply of Milford and Granite City Electric Supply of Nashua for materials.

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Matthew Casparius, Director, Parks and Recreation, stated there would be two pieces to this; the first replacing all of the old light fixtures in the Function Hall and converting them to LED lights. The current fixtures are original to the building. The covers are broken on half of them, and cannot be replaced because they are no longer manufactured.

The other piece is that they are looking at adopting one of the last cabins in need of rehab for fixing of the cabin interior and exterior.

Vice Chairman Rothhaus commented he likes the adopt-a-cabin program. He requested the appreciation of the Council be passed along.

Councilor Albert questioned if something would be put up on the cabin identifying the Rotary, and was informed there would be.

MOTION CARRIED 6-0-0

4. Donation Acceptance for the Parks and Recreation Department

Submitted by Parks and Recreation Director Matthew Casparius

Town Council to consider the acceptance and expenditure of a donation from Merrimack Friends and Families to the Parks and Recreation Department in the amount of \$840, to be used towards the Naticook Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15.

MOTION made by Councilor Dwyer and seconded by Councilor Flood to approve the acceptance and expenditure of a donation from Merrimack Friends and Families to the Parks and Recreation Department in the amount of Eight Hundred and Forty Dollars (\$840), to be used towards the Naticook Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15

ON THE QUESTION

Chairman Harrington expressed gratitude to the Merrimack Friends and Families. It was noted the scholarships make it possible for Merrimack children to attend camp that might not otherwise be able to. This donation would allow four children to attend camp.

MOTION CARRIED 6-0-0

5. Donation Acceptance for the Merrimack Conservation Commission

Submitted by Conservation Commission Chairman Gage Perry

The Town Council to consider the acceptance of a donation from Papergraphics for the waiving of printing fees in the amount of approximately \$815.55 for printed maps for the Merrimack Conservation Commission, pursuant to RSA 31:95-b and Charter Article 8-15.

MOTION made by Councilor Dwyer and seconded by Councilor Flood to approve the acceptance of a donation from Papergraphics for the waiving of printing fees in the amount of approximately eight Hundred and Fifteen Dollars and Fifty Five Cents (\$815.55) for printed maps for the Merrimack Conservation Commission, pursuant to RSA 31:95-b and Charter Article 8-15.

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ON THE QUESTION

Gage Perry, Chairman, Merrimack Conservation Commission, stated the Commission had initially asked for 750 of each of the four maps believing that would result in a supply that would last a little over a year. Papergraphics suggested 1,000 of each of the four maps. The quote received identified the cost of both 750 of each of the 4 maps (\$815.55) and 1,000 of each of the four maps (\$967.60). By going to the quantity of 1,000 each, Papergraphics can avoid cutting into half stock, etc.

Mr. Perry commented the Commission is very happy with the maps. At present, there are four properties for which the maps are being generated. The maps are now in a common format. Councilor Albert commented on having received PDF copies, and questioned if the maps would be posted to the website. Mr. Perry stated the maps will be posted to the MerrimackOutdoors.org website as well as the website of the Nashua Regional Planning Commission (NRPC). The maps themselves include a QR code that would allow users to take a photo of the code on their phone and get the interactive map right on their phone. Councilor Boyd stated how pleased he is with the maps.

AMENDED MOTION made by Councilor Dwyer and seconded by Councilor Flood to approve the acceptance of a donation from Papergraphics for the waiving of printing fees in an amount up to Nine Hundred Sixty Seven Dollars and Sixty Cents (\$967.60) for printed maps for the Merrimack Conservation Commission, pursuant to RSA 31:95-b and Charter Article 8-15. MOTION CARRIED 6-0-0

Old Business – None

Minutes

Approve the minutes from the Town Council meeting of June 22, 2017.

The following amendments were offered:

Page 2, Line 5; replace “Mettinghouse” with ‘Meetinghouse”

Page 2, Line 47; replace “they he does not” with “that they do not”

Page 5, Line 6; replace “Payne” with “Pane”

Page 8, Line 22; replace “mix-used” with “mix-use”

Page 13, Line 35; replace “6-0-1” with “6-1-0”

MOTION made by Councilor Boyd and seconded by Councilor Dwyer to accept the meeting minutes of the Town Council meeting of June 22, 2017, as amended. MOTION CARRIED 6-0-0

Comments from the Press - None

Comments from the Public - None

Comments from the Council

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Councilor Boyd commented on all of the positive activities occurring in the Town's parks this summer, and spoke of his hope that people will take advantage of all that is occurring in Town. He spoke of all of the hard work and effort that goes into these amenities in the community.

Councilor Albert reiterated how well the Amherst Road culvert project was handled. He spoke of the level of coordination that occurred when the culvert collapsed. He stated he was impressed with how the PWD, Police Department, the Town in general, and the citizenry worked together.

Vice Chairman Rothhaus wished a Happy Anniversary to his Bride!

Adjourn

MOTION made by Councilor Dwyer and seconded by Councilor Flood to adjourn the meeting.
MOTION CARRIED 6-0-0

The July 20, 2017 meeting of the Town Council was adjourned at 7:55 p.m.

Submitted by Dawn MacMillan