



Town Council Meeting Minutes

Thursday June 8, 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, Councilor Koenig, Town Manager Eileen Cabanel, and Assistant Town Manager/Finance Director Paul Micali.

Pledge of Allegiance

Chairman Harrington led in the Pledge of Allegiance.

Announcements

Chairman Harrington, on behalf of the Council, expressed condolences to the family and friends of Stanley Bonislowski, Jr. who passed away on Thursday, May 25th at the age of 78. Stanley was dedicated to the community, and volunteered his time as a member of the Planning and Zoning boards as well as a member of the Budget Committee. He remarked, his charm, quick wit, sense of humor, and smile are just a few things about Stanley that we will miss.

The Council observed a moment of silence in memory of Mr. Bonislowski.

Regular meetings of the Town Council will be conducted on Thursday, June 22, 2017, July 20, 2017, and August 17, 2017 at 7:00 p.m. in the Matthew Thornton Room.

Chairman Harrington read the following letter into the record:

"Dear Ms. Harrington, it is not often that an opportunity comes along to recognize our Town employees. The important things they do to keep our community safe is something I feel needs to be brought to the board's attention. Let me say that we have been residents of Merrimack for 32 years of which 31 were spent across the street from Town Hall on Church Street. About a year ago we were able to relocate to Island Drive to downsize from our Church Street property.

Having spent the last part of the summer on Island Drive, we noticed that our property had some substantial water runoff from the roadway when it rained causing a big rut along the roadway. This runoff continued on down the roadway side to the end of our driveway leaving some nice sized sand deposits. The water eventually finds its way to the pond at the end of our property, again leaving additional sand deposits in the yard area next to the driveway. The street sweeping operation after the winter sanding did a nice job of cleaning the roadway, but did not solve the sand deposit problem at the end of our driveway.

Over the years that we have lived in Merrimack, we have had numerous opportunities to be in contact with DPW, and Bruce Moreau was my go to person. I know he is retired now, but he came through again for us on Island Drive with providing some nice size stone to fill in the ruts caused by the runoff from the roadway. He provided some valuable follow-up information for Jeff Strong the Highway Foreman Inspector and Lori Barrett, the Operations Manager.

When we spoke to Betsy, she reassured me that a Work Order was still active to address the runoff situation. We have met Betsy face to face, and she is always pleasant when we call for an update. She has been very receptive to our inquiries, and is a very nice person to talk to. It wasn't long after we spoke with her, Lori called to set a time to come to look at the situation we were talking about. It just so happened that May 5th on Friday afternoon it was raining. She and Jeff showed up to see firsthand what was going on with the roadway water runoff. Their attention to our concern and suggestions on how to fix the problem were reasonable and fair. Jeff had his crew come over on Wednesday, May 10th to fashion an asphalt berm at the end of the driveway/roadway to keep the water direction moving further down the street to help stop the sand buildup. This addition of the berm was greatly appreciated.

Jeff called me later in the day to reassure me this was just a start to a more permanent fix. He suggested there were a couple of things he needed to look at first to finalize his thoughts.

We would like to say that this berm was done very quickly after the initial meeting. They got right on it. Wow! Great! Ms. Harrington, these folks, Bruce retired, Lori, Jeff, Betsy are truly great assets to the DPW that keep our community moving safely through all of our seasons. I would like to thank them in the public forum and recognize them for their service as they continue to do this every day. If our letter could be read and be entered into the minutes of your meeting, it would be greatly appreciated. Thank you Ms. Harrington for your time and for the folks of DPW for their service to our community. Bill and Cat Beahrens, 25 Island Drive”

The Parks & Recreation Department is pleased to announce the start of the 21st Annual Summer Concert Series at Abbie Griffin Park. Concerts will be held weekly on Wednesday evenings from 6:00 - 8:00 p.m. from June 21st - August 16th. Each week will feature a variety of musical styles that will appeal to all ages. For a complete listing of concerts visit their website at www.merrimackparksandrec.org.

The Police Department is urging the public to avoid Continental Boulevard/Camp Sargent Road in the area of Thornton's Ferry School this Sunday, June 11th between the hours of 8:00 a.m. - Noon. The annual Triathlon will be in progress and creating long delays for the motoring public. The police urge residents to seek alternate routes during this time period.

Perfluorooctanoic Acid (PFOA) Information Update - None

Public Comments - None

Recognitions, Resignations and Retirements - None

Appointments

1. Annual Review with the Agricultural Commission

Submitted by Agricultural Commission Chairman Bob McCabe

Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the Agricultural Commission. This agenda item is to highlight the Commission's significant

actions, current projects, anticipated actions, and to raise any concerns the Council should know or could act on.

Ron Miner, Agricultural Commission, stated the start of 2017 represents 10 years of the Merrimack Agricultural Commission. He spoke of the loss of Eber Currier, a man of vision, and a great farmer who believed in the promotion of agriculture.

Currently the Agricultural Commission has 5 full-time and 1 alternate member. Each member has experiences in many phases of agriculture including beef and dairy production, sheep farming, bird and wildlife control, arboriculture, nursery, stock and vegetable and fruit production. Members are currently and continually improving skills by taking continuing education classes from UNH instructors and UNH Extension training classes. Currently membership holds a pesticide license and a commercial vegetable license. Earlier this year the Commission completed advanced training to teach pesticide safety to employees at the farm. Safety training is on the farm and at other agricultural sites as needed.

Bob McCabe, Chairman, Agricultural Commission, stated the community garden at Wasserman Park is celebrating its 10th opening. The garden was readied and opened on May 20th. Half of the available plots have already been sold (45-50 plots). There are more for organizations such as Boys Scouts, Girl Scouts, 4H clubs, and other local non-profits that would like to grow fresh vegetables as well as residents and non-residents as plots are available. Realizing that the community garden is but a tenant of Wasserman Park, the Commission hopes to find a permanent site for the garden.

The Winter Farmers Market is in its 2nd year at the O'Leary Center, has a growing variety of vendors, and is supporting farms throughout the year. They are looking to expand the Winter Market. The location is ideal; however, additional signage is needed to advertise the site. The Summer Farmers Market begins June 14th with several new vendors/products. Each year the list and variety changes. Mr. McCabe expressed gratitude to the Morgan family for encouraging the market and allowing for use of their site. With the use of more visible temporary signage the hope is that the customer base will increase.

At monthly meetings, the Commission continually updates the community on agricultural classes, UNH Continuing Education, and seasonal bug alerts. They speak of agricultural news, history, and equine education. They can offer farms and farmers a link to the Natural Resources Conservation Service for farm reconstruction, damage control, forestry concerns, etc.

The Commission continues to donate to the New Boston 4H Fair. They offer financial assistance to 4H individuals and 4H clubs in Merrimack and throughout the county. They offer assistance to agriculture or environmental science majors in high school or college to further their studies. The Commission continues to educate, support, and encourage the advance of agriculture in Merrimack, Hillsborough County, and throughout the State.

Mr. McCabe requested the Council consider allowing the Commission to purchase a temporary sign board to increase visibility of the summer and winter markets. During the summer market signage would be placed at Vault Storage for the Wednesday day only; morning and hours of the market, and in the winter at the O'Leary Center to stimulate that market. The Commission has the necessary funds

to purchase a used sign board. They have spoken with the Community Development Department, sat with the Planning Board, and would like feedback from the Council.

Councilor Boyd stated the only concern he would have is the ability to have temporary signage at Vault Storage, e.g., to ensure it would not be in violation of what the Planning Board passed as it relates to site review. Mr. McCabe stated the Planning Board voted in favor of the request.

Councilor Koenig stated Mr. McCabe appeared before the Planning Board the prior Tuesday, and a lengthy discussion took place. The question of whether or not a Public Hearing is required for a government organization to do something like that was discussed. Given the intent is to only put the sign out on Wednesdays during the day, he felt, and he believes the entire board felt the discussion would be sufficient. They put out sign boards now, and this would just be a bit larger.

Councilor Dwyer commented on the electronic signs the Town has purchased, and questioned why the Commission could not utilize those.

Mr. McCabe commented he is aware there are a few, but in the last few years with the bridge work, they were utilized 100% of the time. The Winter Market has asked for it periodically, and was unable to take advantage of that. He commented timing can also be an issue; were they to shut the market down at 6:00 p.m. would they be returning the sign to a locked facility? Councilor Dwyer stated his opinion it is a Town sponsored event, and he would envision the Highway Department being responsible for delivery and pickup.

Mr. McCabe stated the Commission would not want to impact the Highway Department, and reiterated the Commission has the necessary funds. When asked, he commented he was at a State of Vermont auction on Mother's Day, and could have purchased one for \$250.00.

Town Manager Cabanel noted there are only 2 electronic sign boards owned by the Town, and a good amount of road reconstruction to be done this year.

Councilor Flood spoke of having attended one of the Winter Markets, and remarked she believes it has the same issue that Abbie Griffin Park has; everybody can see it, but people don't know how to get around to it. She suggested it would take some thought in determining sign placement.

Mr. McCabe commented he is aware there will be an issue with registration, insurance, etc. He and Assistant Town Manager/Finance Director Micali discussed that months ago, and he is uncertain if they have figured that out yet. Assistant Town Manager/Finance Director Micali stated he has concerns; insurance on the sign, registering it (Town of Merrimack sign registered under G plate), who would be hauling it, where it would be stored, who is responsible for maintenance of the used sign. He commented he has been at auctions where \$8,000 is what is sought for a re-certified used sign. He noted the Town signs are not utilized as much during the winter months, and the Summer Farmers Market is a lot more visible to traffic going up and down D.W. Highway in that section of Town.

Councilor Dwyer stated the easy solution appears to be not to utilize an electronic sign, but instead use a large A-frame sign. Having heard the concerns stated he agrees the Commission is stuck in a litigious situation with trailering an electronic sign. Mr. McCabe stated he and Mr. Miner both have a

pickup hitch on their trucks, and could transport the sign. The problem would be insurance because a non-municipal employee would be hauling it. They have tried and continue to use an A-frame sign, but it does not generate the traffic needed.

Vice Chairman Rothhaus commented the Town has a policy that allows for the public to utilize Town equipment. He is not supportive of the policy and believes it should be rescinded, but does not think it ever was. He remarked if an individual is qualified to utilize, for example, a piece of heavy equipment, and was able to demonstrate that, it could be used for a Town project.

Assistant Town Manager/Finance Director Micali stated the Town kind of stopped with that because a few pieces of equipment were lent out and returned damaged. Chairman Harrington suggested the Policy be brought before the Council to be officially rescinded.

Councilor Boyd questioned what would stop Mr. McCabe from purchasing the electronic sign himself and assuming responsibility. The response was it could not be purchased with Commission funds. He questioned if there is anything that prohibits someone driving a non G plated vehicle towing something that has a G plate. Councilor Albert responded the only concern is that the trailer is legally registered. Councilor Boyd questioned, in such a scenario, would the insurance on the truck cover any incidents. Assistant Town Manager/Finance Director Micali responded if the trailer falls off the hitch, hits the ground, and goes into a car, because it is registered to the Town of Merrimack, the likely scenario would be that Mr. McCabe would be sued and the Town would be sued, and the Town would be liable because the trailer would be a Town vehicle.

Councilor Flood suggested it to be the type of sign that attracts. Given the markets take place during daylight hours, she is of the opinion a large, visually pleasing sign would attract as much attention. Mr. McCabe noted that is not the case for the Winter Market.

Mr. McCabe stated the Farmers Markets are a Town function, the Commission is doing its best, would like to do better, and would like some help. They have the funds to purchase a used sign. Marketing is too pricey and does not provide the return, they utilize Facebook, etc., but feel they need a sign of size and substance to catch the eye of the people driving down the road.

Assistant Town Manager/Finance Director Micali stated there is a solution for the summer, which can be tried for a few weeks; Dave Yakuboff donated a sign to the Town. It is a billboard with an arrow on top that you put letters in. That can be tried for a few weeks. Mr. McCabe will view the sign, which is currently located at the Fire Station. Councilor Albert remarked he believes what is taking place at the Farmers Market is great, and he would not want to make that job any harder. He admires the efforts to think of ways of improving attendance, but Assistant Town Manager/Finance Director Micali makes good sense regarding the towing, liability, etc. In his experience with electronic signage, maintenance costs are great. He suggested the possibility of putting up several smaller signs some distance, in both directions, leading up to the event. Mr. McCabe stated a permanent sign would be hung under the Vault's Storage sign the following week. On Wednesday mornings they put up two 4 x 4 signs in the grass medium strip. They have done that for the last three years without experiencing any appreciable difference in attendance.

Chairman Harrington suggested signage be placed in other locations around Town that would encourage people to head in the direction of the market. She suggested the possibility of a Farmers Market logo that would be recognizable to passersby. Assistant Town Manager/Finance Director Micali stated the Town has a few properties located south of the Vault Storage, e.g., MYA right before Wire Road and another just before the Post Office. Those locations could be used for placement of signage.

Mr. McCabe questioned how the Council would feel about an electronic sign that was stored at Vault Storage. Chairman Harrington reiterated her belief placing a sign at that location would not bring in people who were not already going there. Councilor Koenig stated he would have no problem with allowing Mr. McCabe to try whatever he wants to try as long as it is not a distraction to drivers.

Chairman Harrington questioned if there is a requirement for the Council to provide approval for such a purchase. Town Manager Cabanel responded the Town is in the process of trying to put together a policy for this very type of instance. She commented the funds the Agricultural Commission has collected over time are accumulating, and there is the need for a mechanism to be put in place for purchases.

Mr. McCabe reiterated the Commission wishes for agriculture to keep going, they need help, and if the Council is going to limit them with regard to what they can donate, all parties need to sit down and have a good talk about it. He reiterated the purpose of the Commission was to advance agriculture in the Town, and questioned why the Town would question what is being done, require policy, etc. Town Manager Cabanel responded the Town questions every expenditure. The Town Manager has to personally sign off on each expenditure. That is why she wished to put a policy together. Councilor Boyd questioned if this was done for the Business Expo., is done for the Conservation Commission, etc. Assistant Town Manager/Finance Director Micali stated the Business Expo. followed the purchasing guidelines for the Town of Merrimack; an explanation would be provided for what was being purchased, how it relates to the event, etc. The Conservation Commission was brought back on, and follows the Town-wide purchasing policy. Councilor Boyd remarked the fact that the Conservation Commission is addressed in the same manner means a good deal because of the fact that it is a volunteer commission just as the Agricultural Commission is.

Councilor Albert questioned if there is the possibility the individual wishing to sell a used electronic sign would be willing to loan it to the Commission on a trial basis. Mr. McCabe responded they have looked on Craigslist for a sign, but are looking at auctions for the lowest price. He stated he does not have a particular seller in mind at this time. He is hopeful it may be that, through the auctions, that he may be able to locate one by the end of the summer. He reiterated he was before the Council seeking permission to purchase. He commented he was hearing other things going on that he was not aware of, and he thinks all parties need clarity. When asked for specifics, he spoke of the funding problem commenting the Commission donates a lot to 4H, and now it sounds like new rules are going to be made. He questioned if there would be a problem with making donations or giving the farmers scholarship money. Chairman Harrington questioned if the Commission votes on those expenditures, and was informed they do. Town Manager Cabanel remarked there is no reason why a policy could not be put together that all parties could agree on.

Public Hearing

1. Public Hearing - Donation Acceptance for the Abbie Griffin Park Entrance Stairway Installation Project [Continued from the April 27, 2017, Town Council meeting]

Submitted by Town Center Committee Members Nelson Disco and Peter Flood

Town Council will hold a public hearing to consider the acceptance of a donation of the Abbie Griffin Park entrance stairway project from the Rotary Club of Merrimack, valued in the amount of approximately \$6,800, pursuant to RSA 31:95-e and Charter Article 8-15.

Peter Flood, Member, Town Center Committee, stated the Committee would appreciate the Town's acceptance of the gift from the Rotary Club of Merrimack. He spoke of the construction of the steps noting Rob Lavoie of All Outdoors Landscaping and Excavation has volunteered to work together with Shawn O'Keefe, O'Keefe Landscaping Co. Those volunteers will construct the stairway in the August timeframe.

Chairman Harrington declared the Public Hearing open at 7:56 p.m.

No public comment was offered.

Chairman Harrington declared the Public Hearing closed at 7:57 p.m.

MOTION made by Councilor Boyd and seconded by Councilor Albert to accept the donation of the Abbie Griffin Park entrance stairway project from the Rotary Club of Merrimack, valued in the amount of approximately Six Thousand Eight Hundred Dollars (\$6,800), pursuant to RSA 31:95-e and Charter Article 8-15, and furthermore that a thank you note be written from the Town to the Rotary Club, Gleason/Ineson, O'Keefe Landscaping Co., All Outdoors Landscaping, and all volunteers that will be assisting in the installation. MOTION CARRIED 7-0-0

Legislative Updates from State Representatives - None

Town Manager's Report

Site Plan for redevelopment of the old Shaw's plaza was conditionally approved by the Planning Board on May 16. The proposed project consists of renovations to the existing 77,000 square foot building (including façade improvements and signage upgrades) to accommodate 10 tenants and to construct two new pad sites within the existing parking area: a 4,000 square foot building proposed to be a sit-down restaurant and a 650 square foot building that is proposed to be a fast food restaurant. The site would be modernized with new paving, landscaping, lighting, and drainage facilities.

The Planning Board continues to work on developing zoning amendments for mixed use development, likely with a new overlay district in portions of the D.W. Highway corridor. The Board will also begin work, in collaboration with Nashua Regional Planning Commission, on work associated with development of a sidewalk and pedestrian plan for the D.W. corridor. Work on these items will continue in the coming months.

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Chairman Harrington noted both Councilors Flood and Rothhaus are on the committee working on the Highway Garage, and requested an update be provided.

Councilor Flood stated the Building Committee is in place. Membership includes Councilors Flood and Rothhaus, Town Manager Cabanel, Assistant Town Manager/Finance Director Micali, Lori Barrett, Operations Manager, and Kyle Fox, Director, Public Works Department (PWD). The committee has started its work. The existing condition survey of the property on Turkey Hill Road has been completed. The survey company is compiling the field data to create the Existing Conditions Plan. The Geotechnical Engineers have taken 5 boring samples for analysis, and the Geotechnical Report should be issued sometime next week. The Architect/Engineer for the project, H.L. Turner of Concord, NH, developed a Request for Qualifications (RFQ) for solicitation of interested construction management firms. The RFQ was sent this week to ten firms. The RFQ was on the Town's purchasing website page for other interested companies. The RFQ process schedule is: mandatory briefing session for interested companies on June 15th at the Highway Garage, the construction manager proposals are due to the Town by June 29th.

The Building Committee will review the proposals and develop a short list of firms to interview and have more developed project scopes and a more detailed picture, including the cost. The committee expects to be able to update the Town Council on the selected construction manager on July 20th.

H.L. Turner has begun the detailed design of the project, and will incorporate the survey and geotechnical information into their work. They will continue to work on the design of the project throughout the construction manager search process.

Vice Chairman Rothhaus noted the committee discussed a cost advantage to starting the project at the beginning of the year.

Chairman Harrington requested, and the Council agreed, to include the topic of Highway Garage Update following PFOA Information Update, on future agendas.

Councilor Boyd questioned the will of the Council with regard to posting weekly updates on the Town's website, as the project moves along. Chairman Harrington stated her agreement with updates being posted.

Consent Agenda – None

Old Business - None

New Business

1. Souhegan River Local Advisory Committee (SoRLAC) and Lower Merrimack River Local Advisory Committee (LMRLAC) Nominations

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

The Town Council to consider the nominations to reappoint Nelson Disco as a member on the SoRLAC and reappoint George May as a member on the SoRLAC and the LMRLAC.

MOTION made by Councilor Boyd and seconded by Councilor Dwyer to reappoint Nelson Disco as a member of the Souhegan River Local Advisory Committee (SoRLAC) and George May as a member of the Souhegan River Local Advisory Committee (SoRLAC) and the Lower Merrimack River Local Advisory Committee (LMRLAC)

ON THE QUESTION

Councilor Boyd expressed his gratitude to Messrs. Disco and May for their continued service to the community. **MOTION CARRIED 7-0-0**

2. Donation Acceptance for the Parks and Recreation Department

Submitted by Parks and Recreation Director Matt Casparius

Town Council to consider the acceptance and expenditure of a donation in the amount of \$300 from the Merrimack Lion's Club to the Merrimack Parks and Recreation Department for the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15.

MOTION made by Councilor Boyd and seconded by Councilor Koenig that the Town Council approve the acceptance and expenditure of a donation in the amount of Three Hundred Dollars (\$300) from the Merrimack Lions Club to the Merrimack Parks and Recreation Department for the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15

ON THE QUESTION

Councilor Boyd expressed gratitude to the Lions Club for the donation to help the children in the community.

MOTION CARRIED 7-0-0

3. Request for Withdrawal from Infrastructure Capital Reserve Fund – Amherst Road Culvert Replacement

Submitted by Deputy Public Works Director / Town Engineer Dawn Tuomala

Public Works requests that the Town Council authorize the withdrawal and expenditure from the Infrastructure Capital Reserve Fund for a failed culvert on Amherst Road.

Dawn Tuomala, Deputy Director, PWD/Town Engineer, stated in April Lori Barrett and Jeff Strong called her out to visit the site of a culvert failing, located on Amherst Road; just off of Continental between Executive Park Drive and Turkey Hill Road. There is significant commuter traffic flow in and out of that area. Although there are no traffic counts for that exact area, further up on Amherst Road there is something in the order of 5,000 cars/day. She stated her assumption when you add in Turkey Hill Road it is likely 8,000 – 10,000 cars/day. Councilor Koenig commented there is enough traffic there that there is a police officer assigned at the corner of Amherst and Turkey Hill every weekday morning.

Deputy Director Tuomala provided a PowerPoint [presentation](#) (copy attached). A photo was shown of the culvert. Mr. Strong has gone out nearly every day to check on the status of the culvert while consideration began as to what can be done to address it. Another photo was shown that depicted the

condition of the culvert after only a few weeks. The amount of destruction is increasing to the point where it is compromising the area of another culvert. The area of the break cannot be identified; it is further back, which means it will continue to deteriorate. Naticook Lake and Greens Pond feed into the culvert. When it is known there will be a heavy storm, the water is held back and then let out slowly. During the Memorial Day weekend there was a good amount of rain, which worsened the situation. The Saturday after Memorial Day a company was called in to place riprap stone along the side to try to hold that back. The top edge is within a 1.5' of the guardrail. A company was contracted with to do the preliminary survey work.

Existing conditions were identified as a 36" metal pipe going from one side of the road to the other (100' long). It is a fairly small pipe for the amount of area it is taking. Being proposed is replacement of the 36" pipe with a 60" (3' to 5' diameter). There are 1,425 acres of land behind this pipe. In order to figure out flows and what is needed, you have to know the area feeding into it. Fourteen hundred and twenty five acres is a substantial drainage area coming to the pipe.

The existing culvert is 18-20' below existing ground grade. The metal has corroded along the bottom of the existing pipe. The outlet end is sitting upwards because the pipe is crushed at some point back. The 60" replacement pipe would be concrete or possibly a high density plastic. A pipe with a thicker wall is needed because of the depth involved. The replacement pipe would be placed in the same location as the existing to minimize disturbance to the area. The design/engineering will be done in-house.

Deputy Director Tuomala stated she has spoken with the New Hampshire Department of Environmental Services (NHDES), and been informed they will grant the Town an Emergency Permit to be able to do the work. That will be followed with a formal application.

Regardless of how the situation is addressed, the road will have to be closed for the work to take place. Motorists will have to either go up Turkey Hill Road or go back up Amherst and then go out Naticook Road, Meetinghouse or down Baboosic Road. What is proposed is the same as the Amherst Road culvert that was done just up from Meetinghouse Road where the road was only closed for 10 calendar days. There would be an incentive if the work could be done sooner. If the timeframe for completion is exceeded, it would be at a cost of \$2,000/day. Some of the work will be able to be done prior to road closure.

Deputy Director Tuomala stated the alternative to be pipe jacking, which would go underneath Amherst Road at a cost of somewhere in the neighborhood of \$500,000, would have a huge environmental impact; in addition to jacking you have to build jacking pits on both sides (14' by 28'). They have to be concrete and would be in the middle of the brook. In addition, the road would have to be shut down as a crane would be sitting in the middle of the road to put the pipes down.

The decision was made to go with the conventional pipe replacement. The total cost is \$260,000. Presently, the drainage improvements fund has \$200,000 allocated for next year. Deputy Director Tuomala stated the request of the Council to be for the additional \$60,000 needed to come from the Infrastructure Capital Reserve Fund.

Councilor Albert questioned when the project would begin, and was informed the expectation is the end of July to the first of August. Councilor Albert spoke of the need for a significant media blitz to ensure the public is aware of the project. Deputy Director Tuomala stated the Town's electronic signs will be out in full force along with notifications on the website, etc.

Councilor Boyd questioned if the work would be temporary or permanent, and was informed it would be permanent. He questioned what would be done to stabilize Amherst Road once the pipe goes in. Deputy Director Tuomala stated the erosion was coming from the bottom due to water coming from around the pipe rather than through it. It was noted headwall(s) would be included (cost includes 2 headwalls). Deputy Director Tuomala stated she is also contemplating whether to extend the outlet end and be able to grade the slope a little gentler (fairly steep). The road will be stable upon project completion.

Councilor Albert questioned if the project would result in any widening of the road, and was informed that would not be necessary if the road is closed. Councilor Koenig commented the road should be widened because of the pedestrian and bicycle traffic that occurs in that area. Councilor Albert suggested widening the road to be something to think about. Deputy Director Tuomala responded on the inlet side there is a little bit more room (a little flatter). She suggested the possibility of moving the guardrail over, and stated she would consider that in her plans. Councilor Koenig remarked there needs to be some concern as to where pedestrians go when getting to the other side as once past that area to the hotel there is nowhere to walk until you get back in the street. He suggested the outlet side might be the better side to have a little more space, if possible. It was noted such a change would add cost to the project. The sentiments spoken by members of the Council were that it would make sense to address that situation while the culvert/road work is being done.

Councilor Dwyer spoke of the plan for 280 apartments in front of the new hotel by the old Merrimack Convention Center. Councilor Flood spoke of the safety in walking facing the traffic, and questioned if there is any means of providing space for foot traffic on both sides. Councilor Boyd remarked if a single side is widened, the roadway could be restriped so that both sides are balanced for pedestrian traffic.

MOTION by Councilor Boyd and seconded by Councilor Dwyer to authorize the withdrawal and expenditure of Sixty Thousand Dollars (\$60,000) from the Infrastructure Capital Reserve Fund for a failed culvert on Amherst Road

ON THE QUESTION

Councilor Koenig requested additional information relative to the required additional funds. Town Manager Cabanel explained \$200,000 has already been budgeted in FY18 for drainage in general. Councilor Koenig questioned if there was a plan for how that \$200,000 was going to be used. Deputy Director Tuomala stated this project was #3 on the list. The 1st project will be sitting for some time because it has a cost of about \$10 million and has to do with Baboosic Lake and the MS4, and the other one is Wilson Hill Road, which will be in this year's budget (\$100,000).

Councilor Koenig questioned, and was informed the current fund balance is \$436,000. He questioned what the best estimate would be for a cost to widen the street by 3-4'. Deputy Director Tuomala stated

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she was not prepared to answer that. Councilor Koenig suggested she come back before the Council seeking the additional funds.

Councilor Boyd suggested the motion could be amended to an amount not to exceed \$100,000, and commented the Council has had tremendous success with the PWD managing their budgets, and stated his belief that sum would be sufficient. Town Manager Cabanel stated her opinion the \$60,000 needs to be approved at this time, and if additional funds are needed to accomplish the requested change, the department can come back before the Council with another request. Deputy Director Tuomala remarked it might be two separate projects. The culvert needs to be done, and she is uncertain if she could get a contractor to be able to do the additional work. Councilor Boyd stated his desire to see it done all at once.

MOTION CARRIED 7-0-0

Minutes

Approve the minutes from the Town Council meeting of May 11, 2017.

The following amendment was offered:

Page 9, Line 37; insert “narrowed” before “focus”

MOTION made by Councilor Boyd and seconded by Councilor Albert to accept the meeting minutes of the Town Council meeting of May 11, 2017, as amended. MOTION CARRIED 6-0-1

Chairman Harrington Abstained

Comments from the Press - None

Comments from the Public - None

Comments from the Council

Councilor Albert reminded resident dog owners to get their dog(s) licensed.

Councilor Boyd offered his condolences to Maryanne Bonislowski and the rest of the Bonislowski family. He commented Stan and Maryanne are very good friends of his wife and in-laws. They were at his wedding long before he got immersed in serving the community of Merrimack, and he learned a bit from Stan. He is saddened at the loss of a very good member of the community who was well respected and put in the due diligence to serve.

Councilor Boyd offered his condolences to the Thomas family on the passing of State Representative Joseph Thomas. He commented Joe was larger than life, a great human being with a big smile and big laugh. He served our community with character and integrity.

Approved: June 22, 2017

Posted: June 26, 2017

Councilor Koenig stated at its last meeting, the Planning Board approved the Site Plan for Student Transportation Inc. to move their bus lot to the lot next to Vault Storage (back of Summit Realty building). The project calls for demolition of portions of the existing building, construction of a new maintenance/operations facility, fueling location and school bus parking. He remarked there are some residents that are concerned over traffic. There were traffic studies, which were verified by the peer review consultants, and suggested the traffic impact during peak hours is not that significant. The Highway Committee discussed it as well. The final decision was that there was not significant enough impact that would require widening the street, etc. He noted the new condition of most of the buses and that they would be refueled onsite, which entails putting in a fueling station and having all of the required safety mechanisms to be in place. Student Transportation purchased the entirety of the building, and will be utilizing a portion for their offices. He also noted that the landscaping/appearance of the site would be improved.

Vice Chairman Rothhaus questioned the outcome of the Planning Board vote, and was informed it was 5-0-0. When asked if the property is within the wellhead protection area, Councilor Koenig stated it may be, but he was uncertain.

When asked if there was any discussion relative to idling, Councilor Koenig stated the buses have very strict restrictions on idling, and that information was presented to the Planning Board.

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

The June 8, 2017 meeting of the Town Council was adjourned at 8:41 p.m.

Submitted by Dawn MacMillan