

Approved: February 27, 2020

Posted: February 28, 2020



## **Town Council Meeting Minutes**

Wednesday, January 22, 2020 at 6:30 PM, in the Matthew Thornton Room

Chairman Koenig called the meeting of the Town Council to order at 6:30 p.m. Present at the meeting were Vice Chairman Boyd, Councilor Albert, Councilor Harrington, Councilor Healey, Councilor Rothhaus, Councilor Woods, Town Manager, Eileen Cabanel, and Assistant Town Manager/Finance Director Paul Micali.

### **Pledge of Allegiance**

Chairman Koenig led in the Pledge of Allegiance.

### **Review of Proposed FY21 Budget**

#### **Community Development**

If excluding the Capital Reserve deposits and expenditures, the budget is essentially 0.14% less than FY20. The major factor in keeping the budget level is a modification to how the department handles Planning Board and Zoning Board minutes. The previous recording secretary resigned at the end of September to retire. The full-time Secretary in the office now handles meeting minutes during the day from the video. A small overtime line of \$750 has been added in the unlikely event some additional time is needed in order to meet statutory deadlines.

Timothy Thompson, Director, Community Development Division, stated the department is at full staff. The GIS project aerial photography and photogrammetric mapping has been completed, and the information forwarded to the GIS consultant, VHB. The hope is that it will be integrated into the GIS system in the coming months. The bike/pedestrian plan for D.W. Highway was adopted by the Planning Board, and is now an appendix to the 2013 Masterplan. That puts the Town in a good position to work with DOT to add pedestrian amenities outside of the urban compact area; something the Town has been unable to do since 2013 when DOT stated, in the absence of a plan, they would not allow the Town to require developers to provide those things. It also puts the Town in a good position in terms of funding for State and Federal transportation dollars.

The major project accomplished over the course of the year was the complete overhaul and separation of site plan regulations from the subdivision regulations. Staff is currently working on a few tweaks to the zoning ordinance looking at areas of the ordinance where we have had consistent administration or enforcement issues. Once completed, they will tackle the subdivision regulations.

Vice Chairman Boyd asked about the primary objective relative to Line Item #01-21-8388-0 Economic Development; economic development activities. Director Thompson stated the line has always been a set aside in the event there is a need for any work. At one point, there was effort to do an economic development website upgrade. That was backed away from following a submission of RFPs working with the then EDCAC committee. The bang for the buck with redoing the website isn't the same as it was 4-5 years ago. The line item is intended in the instance there is the need to get a consultant to look at a project, e.g., fiscal impact analysis.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Councilor Albert questioned Line Item #01-21-8393-0 Conservation, noting actual expenditures in FY19 were \$28,634 and requested for FY21 is \$2,000. Asked if he was aware of the reason for the large appropriation in FY19, Director Thompson was uncertain. Asked if any requests were received for additional funding, he indicated there were none. The differential is believed to be the cost of the Grater Woods Ecological Inventory project (\$20,000<sup>+</sup>). Councilor Albert questioned if the work being done with regard to ordinances would look to add some teeth regarding violations. Director Thompson remarked we have probably a dozen or so separate sections they are reviewing. Staff has looked at areas where there have been requests for things that either were found to be unenforceable or instances where there has been difficulty administering the language of the ordinance.

Asked if the department continues to employ a part-time secretary, Director Thompson stated the department has a full-time secretary and a part time secretary (24 hours/week). There is a \$3,500 reduction based on the recording secretary, which was a separate position.

Asked about Line Item #01-21-8910-0 Capital Reserve Fund Purchases, GIS update & maintenance (\$10,000), Director Thompson stated the funds to be intended for the integration of the new data into the current system. Proposed for the coming year is the \$20,000 allocation to the CRF and the \$10,000 expenditure. Two 2 years ago April there was early snow, which prohibited the flyover. The entire project was delayed until the 2018 season. This is the last bit of funding to integrate the information into the new system.

Councilor Healey questioned Line Item #01-21-8352-0 Education & Training; specifically the increase of approx. \$2,000 for the coming year. Director Thompson stated the amount to be that which he has historically budgeted. Given staff turnover in years past, it has not been fully utilized.

### Public Works Department

Kyle Fox, Director, Public Works Department (PWD), provided a presentation (can be viewed [here](#) (tape counter 14:49)) addressing the six (6) divisions within the Public Works Department. A description of the responsibilities of each division was provided along with identification of FY21 goals:

#### *Solid Waste Disposal*

Responsible for the receipt and disposal (transfer) of more than 10,000 tons of materials each year, and compost of more than 1,100 tons of organic material. The department maintains and monitors the two closed landfills and facilitates the maintenance of the swap shop.

- Continue to look for ways to make the transfer of materials out of the facility as inexpensive and environmentally friendly as possible.
- Continue to partner with Eversource/NHSaves to offer free recycling events for our residents.
- Focus educational outreach on the Reduce and Reuse components of the recycling triangle.

Overall, the budget is down almost 1.9% (\$35,610). Operating and personnel expenses are up 6.4% (\$95,640) and include personnel, operating expenses, and capital outlay.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Line Item #01-09-8355-0 Solid Waste Disposal, is up \$55,800 due to increased costs of tipping fees (\$71/ton to \$71.50/ton) and single stream fee (\$57.50 to an aggregate \$92).

Director Fox noted the presentation provided the Council at its January 9, 2020 meeting. Recycling is projected to be over \$100/ton. The figure included in the budget takes into account that the first 5 months of the fiscal year remaining at the \$57.50 rate. The 5 month and anticipated 7 month average was used to determine the \$92 amount budgeted.

Line Item #01-09-8359-0 Other Outside Services shows an increase of \$10,000. It is a new expenditure in the budget for testing and maintenance of 3 point of entry filtration systems at homes near the landfills.

Line Item #01-09-8370-0 Landfill Monitoring shows an increase of \$14,500. NHDES is requiring a lot more PFAS testing and data extrapolation and model formulating on how chemicals are traveling, and the interface between groundwater and surface waters as part of annual reporting.

Line Item #01-09-8910-0 Capital Reserve Fund Purchases shows a decrease of \$130,000. In the current year, the department is replacing the old loader, which was quite expensive. Planned expenditures for FY21 include the live floor trailer (3<sup>rd</sup> of 4), replacement of the 2003 fork lift and one of the skid steer loaders.

Councilor Albert questioned if revenue is gained through any of the recyclables. Kristopher Perreault, Foreman, Solid Waste Department stated revenue is gained through metal recyclables. Director Fox stated the revenue, after hauling, to be approx. 3.3 cents/pound. Over the last calendar year, the Town netted \$63,000 in scrap metal.

Councilor Healey referred to Line Item #01-09-8370-0 Landfill Monitoring when questioning how often the cartridges are being switched out. Director Fox stated it to be approx. every 9 months. Two of the properties were set up by the State who had a contract with a company in Manchester to do the testing (yearly) and service. The 3<sup>rd</sup> was added last January. Testing is at 3 points; twin filters. They take a raw sample, a test at the mid-point between the filters (to be certain the first filter is working), and a test after. Every test has been non-detect. Asked, he stated they are tested for everything. Town Manager Cabanel will look to see if a better price can be achieved.

Asked if the cost would be \$275/month for an individual to have those tests on their home, Director Fox stated that to be his belief.

Councilor Albert questioned the savings that could be achieved if removing glass from the equation. Director Fox stated it would result in savings. He does not believe it would be great. The proposal received from one vendor had indicated were glass removed, it would cost the Town \$5 less/ton for the single stream. The Town could pay \$35/ton through NRRRA to dispose of the glass, but the Town would have to haul it out to Rochester. Asked for his opinion as to whether it is worth a change, Director Fox responded perhaps. There are a great many considerations, e.g., when removing anything from the stream, it will require more time in the transfer station, employee safety, etc. The department is and will continue to look into the feasibility.

### *Highway*

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Maintains the Town's infrastructure including 175 centerline miles of roads, 14 bridges, 5 Town parks, 4 burial grounds, 2 boat ramps, 50 acres of athletic fields, community ice rink, and Wasserman Park.

- Continue to perform all of our functions in a professional manner, giving top customer service to our residents.
- Look for opportunities to provide public service for the Town including participating in outreach programs such as touch a truck events and other educational outreach opportunities.
- Improve overall condition of our road network through the continued use of our milling machine attachment to repair distresses before they become potholes.
- Develop databases for our operations to assist with reporting and tracking of our duties and responsibilities.

Asked about the kind of feedback received on the use of the milling machine attachment, Lori Barrett, Operations Manager, stated her anticipation it will hold up better than patching potholes (addresses the problem before potholes result).

Overall budget is up \$870,697 or 15.6%. Personnel costs are up \$79,562. Nearly \$35,000 is contractual raises/benefits. Being proposed is the addition of a Foreman position at nearly \$45,000 (funding for 6 months in FY21). Primary needs for the position are related to the stormwater program and to help with the operations supervision.

Under Line Item #01-08-8359-0 Other Outside Services, proposed is bringing in the crushing machine to crush gravel/asphalt that residents bring in (\$25,000). A product is made that is used for shoulder leveling and other fill areas. Asked what would happen if this was not funded, Director Fox stated the pile would continue to grow and be at a great cost the following year. He spoke of being informed earlier in the day that the department is out of material for shoulder gravel work next summer. The material is needed. The line has not been funded for the past 4 years or so.

Operating expenses have increased (\$19,635 or 2.4%). Capital expenditures are up (\$771,500). Line Item #01-08-8502-0 Buildings - planned for FY21 is the repair of the old salt shed (used for cold storage, e.g., ice rink, cold patch, picnic tables/benches) roof (\$30,000); Line Item #01-08-8505-0 Infrastructure/Paving, an increase of \$390,000; paving \$190,000 / Woodbury sidewalk \$200,000 (one side of road), an increase in Line Item #01-08-8510-0 Capital Reserve Fund deposits (\$120,000), and an increase in Line Item #01-08-8910-0 Capital Reserve Fund Purchases (\$230,000).

Asked why Woodbury Street was chosen for sidewalk work, Director Fox responded first and foremost as it was part of the Transportation Alternatives Program (TAP) Grant received. The Woodbury project was foregone to utilize the grant funding received to support the Souhegan River Trail. The Town reapplied the following grant year and was unsuccessful. Town Manager Cabanel stated, as the desire was to address sidewalks, she requested the Director provide a list of five areas of sidewalk that would cost in the \$200,000 range so that one could be done each year and be paid for out of fund balance. Woodbury Street was his top priority because of the connection from D.W. Highway to the high school. Chairman Koenig noted the concern with that area has been discussed for years.

Councilor Albert questioned if the need is greater in that area or on D.W. Highway. Director Fox stated he could put together a presentation on the five projects being proposed.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Councilor Rothhaus spoke of sitting on the Town Center Committee, which is where he received his education on Woodbury Street/Greek Hill. In the warmer months, during the school year, that road is packed with kids. He believes the area to be a good starting point because of the age group utilizing it.

Councilor Woods questioned if Woodbury is complicated in terms of the list of potential projects. Director Fox remarked the reasons Woodbury rose to the top of the list was relative to the TAP Grant, it is part of the Town Center Master Plan (created by the Town Center Committee in 2009), and the cost per foot being much less than the Daniel Webster side. The reason being drainage will not be as large a challenge because of topography, can build it with the bituminous curb and 3' panel and then the sidewalk (typical subdivision type sidewalk). On Daniel Webster, the granite curb has to be utilized because we need the vertical face (not enough space for a 3' panel). There are right-of-way concerns on Daniel Webster as well as utilities. On Woodbury, the right-of-way should be able to be easily addressed with the School Board.

Town Manager Cabanel noted the list of projects includes Twin Bridge Road; 1,000' to connect D.W. Highway as part of the U.S. Bridge replacement project to the trail system and Twin Bridge Park that leads to Kids Cove and Bice Fields, D.W. Highway at the Chamberlain Bridge to Railroad Avenue or Frasier Square. It is 600' of sidewalk on the west side of D.W. Highway and 155' in front of Frasier Square. The 4<sup>th</sup> is East Chamberlain Road to Wright Avenue; construct approx. 950' of sidewalk on the west side of D.W. Highway from the second parcel south of East Chamberlain Road to Wright Ave. connecting internally to an existing sidewalk section at the New World Gas at 392 D.W. Highway. The fifth is Baboosic Lake Road from the Library to O'Gara Drive (north side) 1,500' to connect the existing sidewalk adjacent to the library to O'Gara Drive past the Police Station.

Chairman Koenig stated the desire for another presentation prior to any engineering work beginning so that a final determination can be made as to the direction to be taken.

Councilor Healey questioned how the sidewalks would be maintained, and was told of the 2 pieces of equipment that maintain approx. 13 miles of sidewalk. A future question of the Council is the level of services is to be provided. Currently, there are three priorities; schools, sidewalks connecting businesses to cluster housing, etc., and the remaining (subdivision). Based on the severity of the winter, there is a high likelihood not all sidewalks will be addressed. Town Manager Cabanel spoke of the liability involved. Councilor Albert questioned sidewalks within subdivisions. Director Fox noted if the road is accepted by the Town, the Town is responsible for maintaining the sidewalk.

Line Item #01-08-8910-0 Capital Reserve Fund Purchases, includes drainage improvements (\$250,000; increase of \$50,000), Gail Road drainage repair/improvement project (\$350,000), Depot Street boat ramp repair (\$150,000), Seaverns Bridge canoe launch riverbank repair (\$50,000), 2 one-ton trucks (replacing model years 2008 and 2011) (\$120,000), 6-wheel dump truck (2009) (\$180,000), ¾ ton pickup (2008) (\$40,000), and landscape trailer (1996) (\$15,000).

Town Manager Cabanel stated the CRF expenditures are not expenses that can be eliminated to impact the tax rate. She provided information on the allocations that would be addressed through use of fund balance. The Town Council has repeatedly been told that the amount of funding put towards roads is woefully inadequate. Most of the funding being proposed to be used out of fund balance is intended to catch up on road improvements.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Councilor Albert questioned the Seaverns Bridge canoe launch, and was told it has been used as a canoe launch for many years. The area has experienced drainage issues. Jersey barriers were put in a number of years ago to keep cars out. When Seaverns Bridge Road and Amherst Road were rebuilt a few years back, some widening was done on the north side of Seaverns Bridge Road to allow for parking there. The canoe launch is an embankment of the river (nothing developed).

Councilor Albert stated a willingness to discuss the possibility of the Fields Farm site with the Conservation Commission. Director Fox remarked at some point something needs to be done to stabilize the bank. It would be less expensive to do a bank restoration and not have the canoe launch there. Dawn Tuomala, Deputy Director/Town Engineer, was at NHDES earlier in the day talking about this project. They gave her what looks like a good idea. He and Commissioner Tenhave have both agreed the Fields Farm property would be a great amenity for the Town, but it is not without a large expense and time commitment. The Town's part of the project was going to be the canoe launch, but the Conservation Commission would have to do everything else; create pathway in, develop trails, roads, etc. It takes a lot of commitment from a volunteer board to get a project like that done. Town Manager Cabanel noted the Seaverns Bridge canoe launch has been there for many years, and the Town has not funded any work on it in the past.

Councilor Harrington reiterated the budget identifies all expenditures. Nearly \$1 million in expenditures are proposed to be funded through fund balance, and will not impact the tax rate.

Councilor Healey spoke of Line Item #01-08-8341-0 Sand & Salt, commenting on the issue of rising sodium levels in the groundwater in the area. She questioned if the budget is sufficient to cover a substitute product. Director Fox stated, if having to go with an alternate product there would not be.

Councilor Harrington noted there to be no salt routes near groundwater. The salt that is being seen is not coming from the Town. She commented on it being a State road that is salted. Director Fox remarked Merrimack is quite rare in that all of Merrimack's drinking water comes from wells. The sources of salt that get into the wells are municipal, State, businesses, and private road owners. In 1984 a salt policy was implemented in Town, which includes no salt, low salt, and limited salt routes.

In 2012, the Town worked with NHDES and NHDOT on a pilot project where they dropped their salt usage. It was really quite effective. For some reason they didn't stick with that. He suspects the reason is that when budgets are properly funded you have enough staff to go and scrape snow and keep the roads passable, but when budgets get tight and you start losing people, one way to counteract that is to put more salt out, so you don't have to make as many return trips. Town Manager stated it to be unacceptable; it is not allowed in the Wellhead Protection Area. Someone needs to tell the State they have to stop using salt. With the support of the Council, the Town Manager will contact the State.

Councilor Albert questioned if the boat launch was ever constructed at the wastewater treatment facility, and was informed it was not. The project remains on the Capital Improvement Plan. The Mast Road property turned out to be much more difficult than anticipated, e.g., steep banks.

Asked about Line Item # 01-08-8354-0 Traffic Control Devices; if he has planned for additional speed limit signage and/or bike signage on the roads along the Town lines, Director Fox responded he has not. Signs cannot be added without the permission of the Council. If the Council were to update the Town Code to include additional signage, it would be done. He does not believe bike width signs

**Approved: February 27, 2020**

**Posted: February 28, 2020**

work. What has been done and continues to be done on the main roads, with the exception of D.W. Highway and Continental Boulevard, is that as roads are paved, they are being striped with 10' lane widths (previously 12'). Feedback has been positive.

Line Item #01-08-8359-0 Other Outside Services, includes \$35,000 for pavement markings. Vice Chairman Boyd spoke of areas of Bean Road where the yellow is not clear. He questioned if that would be restriped, and if there is a plan for which roads get restriped and repainted and at what intervals.

The response was that traffic marking paint listed under Line Item #01-08-8354-0 Traffic Control Devices is what is done in-house; stop bars, arrows, crosswalks. Under Line Item #01-08-8359-0 Other Outside Services, the \$35,000 (\$5,000 increase) covers the long lines, which is done by an outside company. There is a plan on what needs to be done. It is known when a road is paved they need to come back the next year as it tends to get absorbed quickly. Bean Road is one of those.

Simply addressing the banking at Seaverns Bridge would be at a cost between \$25,000 and \$35,000.

Asked about Line Item #01-08-8361-0 Street Lights, Director Fox stated prior to the LED project, the line item cost was over \$100,000. The \$57,000 listed is the accurate number.

Regarding Line Item #01-08-8260-0 Telephone, Assistant Town Manager/Finance Director Micali stated the consolidated communication for the new facilitating is at a cost of \$4,200 above what was in the budget last year. The lines for the new facility have been brought in to include the alarm system, fire alarm system, and a service line. The contract is currently for a 12-month period at \$350/month. Cell phones have increased from 3 to 4 with the new foreman coming on board.

Asked about Line Item #01-08-8322-0 Maintenance-Grounds; specifically costs associated with the fields, and whether revenue generated by the users go towards covering costs, Assistant Town Manager/Finance Director Micali noted the Parks and Recreation Department does receive some revenue when the fields are used for tournaments. Most of that revenue is identified in that department. What the Highway department is responsible for is ensuring nets up. The reason the net is up is to provide for additional parking. In addition to the men's softball, there are a few soccer fields. The desire is to get as many cars as possible into the parking lot and off Amherst Road.

### *Equipment Maintenance*

Maintains the Town's fleet of vehicles and equipment (240 units) for Police, Fire, Public Works, Community Development, and General Government.

- Continue to improve our knowledge of the new vehicles that departments purchase.
- Work with departments to identify cost saving approaches to maintenance of the fleet.

Overall budget has increased \$9,876 or 2.1%. Personnel costs are up \$9,392 or 2.1% resulting from contractual raises and benefits.

Councilor Woods questioned if improving knowledge of new vehicles involves staff training, Ms. Barrett stated it does. The mechanics are sent to emergency vehicle training programs and software related training.

*Wastewater Treatment Fund*

Responsible for processing more than 700 million gallons of wastewater from residents and businesses each year and returning the water to the Merrimack River in a state that meets or exceeds all local, State, and federal regulations. Maintain 9 pump stations and 98 miles of sewer pipe. Waste that is removed from the water is turned into a Class A bio-solid (compost) that is available to residents and businesses as a soil amendment.

- Finalize the design plans for the Phase III upgrade and begin construction on the \$22.6 million project.
- Continue to look for ways to improve operations in a manner to lower our energy consumption.
- Work with the various stakeholder groups to help establish appropriate limits for our wastewater discharges.
- Continue to develop our Asset Management program.

The budget is funded through user fees, not tax base.

The overall budget is up \$420,811 or 9.3%. Personnel and operating expenses are up \$125,799 or 3.3% based on contractual raises and benefits (\$38,925), and a proposed new position, Assistant Chief Operator (\$94,652). Line Item #31-10-8245-0 Sewer; contractual cost to Nashua for Pennichuck Square flows is increasing (\$10,091). There is a reduction (\$10,174) in Line Item #31-10-8311-0 Chemicals, which is the result of process optimizations

Capital expenses increased by \$295,012. Line Item #31-10-8502-0 Buildings covers surveillance cameras for 3 of the 9 pump stations at which vandalism issues have been experienced. Line Item #31-10-8505-0 Infrastructure (\$28,656) would cover the cost of hinged style sewer manhole covers (50). They would be purchased and placed in inventory. As roads are repaved the new manhole covers will be installed. Line Item #31-10-8510-0 Transfer To Other Funds, shows an increase of \$150,000 in CRF deposits. Line Item #31-10-8910-0 Capital Reserve Fund Purchases, shows an increase of \$109,356 (replacing 2005 vacuum truck; \$440,000).

Councilor Albert questioned what is being vandalized at the pump stations, and was informed at Souhegan they managed to get inside the barbed wire fence area, destroyed a door, the exhaust, and there is some creative painting. Councilor Albert spoke of the need to have the Police Department involved. Asked about the cost of damage, Sarita Croce, Assistant Director of Public Works/Wastewater, commented two of the stations are going through an upgrade and repairs will be able to be made. The desire is to ensure, once repaired, the same type of damage does not occur again.

Councilor Healey questioned how the surveillance cameras would provide the needed help, and was told the exact use has not yet been determined. Just the presence of cameras is a deterrent.

Asked about the fluctuations in Line Item #31-10-8242-0 Natural Gas, Assistant Director Croce responded the department has had some trouble with natural gas specifically in the compost facility. All the HVAC units operate on natural gas. You are continuously exchanging air out of the compost facility and moving it to a biofilter. You don't want the air to stay inside because then you damage your infrastructure. If you have a hole or an area where it is not sealed well, fresh air will come in, the



**Approved: February 27, 2020**

**Posted: February 28, 2020**

HVAC unit will try and heat that air, and you end up spending more on the heating end of things. In the past month, the HVAC contractor was brought onsite to review the units and ensure they are optimized. By way of mitigation, they will reduce the temperature. You don't want a dewpoint issue or moisture forming inside that will start to corrode the infrastructure.

Vice Chairman Boyd questioned why the position of Assistant Chief Operator was placed under Line Item #31-10-8143-0 EMPLOYEE INCENTIVES/Raises. Town Manager Cabanel stated that has been done throughout the budget so it is an easily identifiable, standalone number (position would be supervisory; salary amount listed is inclusive of benefits).

The Assistant Chief Operator will take on a lot of the daily duties currently performed by the Chief Operator, and will work with the staff to maintain the plant. This will allow the Chief Operator to focus on the larger issues and some of the issues associated with addressing emergencies/plant upsets. One of the things the department needs to do with PFAS is get up to speed on some of the process changes that can be made in compost so that the compost facility can remain viable. Also from the perspective of looking at phosphorous and nitrogen, our new permit is actually going to have a nitrogen monitoring requirement, which means that a limit is just around the corner. We need to start looking at process optimizations and what we will need to do in the future to address some of these things.

Vice Chairman Boyd remarked he believed with the MS4 permit the big issue for Merrimack was phosphorous and out in the Seacoast it was nitrogen. Director Fox stated it to be a different permit than the MS4 with different requirements. Just because there is a nitrogen limit on the wastewater discharge doesn't mean we will have that on the MS4 program.

Councilor Albert questioned Line Item #31-10-8245-0 Sewer, and was told the Pennichuck pump station actually goes to the City of Nashua. It includes the neighborhoods off of Naticook, the south end of Continental Boulevard, the whole Pennichuck Square plaza and the residences there. The Master Plan calls for that pipe being turned east on Continental Boulevard and eventually recapturing all of those flows to our plant.

Town Manager Cabanel commented she has spoken with the department concerning looking outward to see what can be done in terms of wastewater being viewed as more of a regional thing. A few years back Amherst approached the Town looking for the Town to make the investment to take the pipe up there. The cost to the Town would have been \$1 million to put in the piping and then pay them to process it. Councilor Rothhaus commented we have done that with a development in Bedford and they did not take care of what they were supposed to in their pump station. We had a deterioration because they did not do it properly.

Chairman Koenig noted the increase to be fairly steep. Assistant Director Croce stated there to be a fairly regular schedule of increase. Assistant Town Manager/Finance Director Micali stated his belief this is the first increase in the last 3-4 years. Assistant Director Croce noted the number is also based on flow. There were a number of units in Pennichuck Square that were vacant for some time. The residents are billed for the sewer cost.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

### Proposed Issuance of Debt

Assistant Director Croce provided a presentation on the WWTF Phase III Pump Stations & Phase IV Upgrade (can be viewed [here](#); tape counter 2:00).

The WWTF accepts wastewater from industrial, commercial, and residential sources. When it comes in, it comes into preliminary treatment (main pump station). Once it leaves the main pump station it travels all the way around the building and to the 3 primary clarifiers. The purpose of the primary clarifiers is to remove about 50% of the particulate matter. A lot of the particulate matter are the large items; flushable wipes, sticks, stones. Following primary clarification it goes to secondary treatment, which involves treating the organics with wastewater; all of the stuff you need microorganisms to eat. It is a very important component because this is what gets rid of the majority of the strength of the wastewater. What is also done during this period of time is removal of some of the nutrients.

One of the things that happens with primary solids removal is the generation of two waste streams; solids, which go to the sludge holding tanks and the wastewater that goes to the secondary treatment where you have the secondary treatment where the microorganisms are working and removing the organic material from the wastewater. You then go to the secondary clarifiers and the same thing happens; remove the solids (microorganisms) and have what looks like very clean water that goes to disinfection. The disinfection is a very important part of the process. If you go back to the 1800s you will see there were a lot of epidemics, which were caused by disease in the water. The water is treated with bleach, which is what kills the bacteria that can cause those problems.

The second piece is called solids handling. The primary and secondary clarifiers have solids that they generate that go to the sledge holding tanks. The solids have anywhere from 1-3% solids and the rest is water; we have to dewater it. We dewater the solids and then take the dewatered sludge to our compost facility and make compost or Class A biosolids. The compost is mixed with sawdust and treated with temperature to kill the pathogens that are also in there. When it comes out on the flip side there is a material that can be used by residents of Merrimack and be sold.

When talking about the goals of the project last year, one of the major goals identified was to replace the equipment that was original to the facility (1970). In 1970 \$5 million was spent to construct the WWTF. That would be about \$60 million today. About 50% of the equipment purchased in 1970 remains at the WWTF (useful life is 15-30 years). Another goal was to address safety issues. There have been ergonomic safety issues associated with doing some of the preventative maintenance and treatment. Code in 1970 differed greatly from that which exists today. There are a few code related issues that require addressing e.g., ADA compliance. Another goal was to address issues with flushable wipes.

Flushable wipes are indeed flushable. The problem is that they don't degrade. They will be addressed with a new screenings building. As part of the Phase III project, approval was received for \$13.1 million. The Souhegan Pump station, Thornton's Ferry pump stations, and the main pump station will be upgraded.

Discussed was the outreach that has and continues to occur on this matter. Chairman Koenig suggested the need to get our Representatives involved in efforts to have the word "flushable" removed from the packaging.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Part of the project approved included the design for the full project (\$1.4 million). The first activity that occurred in the design project was the hiring of a 3<sup>rd</sup> party engineering company to review the 30% design document. It was required by NHDES and is a very important component of the project. The good news is after the project was reviewed it can be stated the cost of \$22.6 million is the cost, and there should not be any overruns based on the reviews conducted to date.

In terms of actual design activities, some topographical surveys and geotechnical investigations were done (involved completing borings of soil in the area for the screenings building and in the area where the sawdust shed will be placed). A radio path survey was done, which had to be done to get a frequency you can communicate on as a license is required to do so. A hazardous waste survey is being done this week; looking at lead and asbestos in all buildings. The permits that will be required for the project are rather extensive and include everything from local permits, NHDES permits, and an air permit. As the project is progressing, they are making detailed improvements to the design itself.

Some of the milestones; 60% design will be completed by the end of April, 90% by the end of September, and the project should be ready for bidding before the end of the year (December). Construction could start by March of 2021.

What is left is the Headworks Building, the primary and secondary clarifiers, sludge handling/pumping systems, sludge holding tanks, compost facility & amendment storage building, and instrumentation upgrades.

Project scope for the Headworks Building includes a new emergency power system. The generators are the 1970 vintage. You are required to have backup power at a wastewater treatment plant. The membrane roof will be replaced and the laboratory space modified and expanded. This will allow the opportunity to hopefully help with the stormwater program in the event they need analysis done. Much of the analysis could be done by our laboratory. ADA compliance upgrades (elevator) will be addressed as well as miscellaneous building system upgrades.

There are 3 primary clarifiers; the mechanisms in 2 of them were preplaced as part of the Phase II Upgrade. One needs to be updated. All 3 of the secondary clarifiers are original and need to be updated. With the secondary clarifiers an Algae removal system will be put in place. It was explained there is a troth of sorts around the clarifier; clean water goes into the troth and as it goes into the troth algae grows. The brushes will go around continuously and remove that algae. Currently operators take a broom brush and scrub.

Regarding the compost facility; a substantial upgrade was done as part of the Phase II Upgrade. There remain some items to be addressed; replacement of 6 exhausts fans, select exterior wall panels, select ductwork not replaced under Phase II, and amendment storage building with prefabricated metal building and concrete base slab. The storage building was condemned by an engineer in the fall of last year. It is currently not being used.

The cost of the project was \$22.62 million. The Town approved \$13.1 million last year leaving \$9.52 million that is requested to be included as a Warrant Article this year to complete the remaining upgrades to the project.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Funding for everything in the WWTF comes from sewer user fees, not taxes. Property taxes will not be impacted as a result of these projects.

One of the things discussed last year was the proposed increase to sewer rates by 12% over a 6 year period and then 5% in July of 2025. The sewer rate in FY19 was \$242 and in FY20 the increase of 12% brought the rate up to \$271. When reaching FY26 and the 5% increase, the rate would be \$357.

The average sewer rate in the State in FY18 was \$590. The \$242 is 5<sup>th</sup> lowest. At the current rate, it is 9<sup>th</sup> lowest, and in FY26 we will be 13<sup>th</sup> lowest (based on FY18 data). Rates are flat regardless of usage. The rates quoted are residential rates. Industry and commercial entities pay based on actual water usage. The hope is that the data will be updated prior to the March Deliberative Session.

Asked about the exhaust fans on the compost shed and whether there are scrubbers on the stacks, Assistant Director Croce explained it is a biofilter; organic matter and as the exhaust goes through the biofilter it absorbs the organic matter.

Councilor Harrington questioned if the department plans on providing the presentation at various forums throughout Town as was done for the last phase of the project, and was informed that is planned. The presentation will be posted to the Town's website.

Councilor Rothhaus questioned how the flushable wipes are disposed of when removed from the system, and was informed they go to compost. In compost you have an environment where you raise the temperature, heat everything up, and it is a very active environment that will help degrade it. If you use a flushable wipe and have an outhouse someplace and wait a year to clean out your outhouse, it will degrade. What happens in a sewer system is from the time they use it until the time we get it is a very short period. All it does is clogs everything up as it goes.

Director Fox noted the bond was split up into two years, but doing the project as one project will be less costly. Councilor Rothhaus stated his recollection the reason for breaking that up was to maintain the fund balance required to safely and responsibly operate the facility. Director Fox added it also allowed the project to get further along in the design process and have the third party review.

Assistant Director Croce commented value engineering is an interesting process; if you do it at 60% design sometimes you may get a little more information out of it, but then what you have to do is go back and redo design and it ends up costing more money. If you do it at 30% design you have enough of the information available that you can actually do a technical assessment on what is being proposed.

***Vice Chairman Boyd departed at 9:06 p.m..***

### ***Buildings and Grounds***

Maintains the buildings and grounds of the Town Hall campus including Abbie Griffin Park, the Police Station campus, and the John O'Leary Adult Community Center.

- Work with contractors to facilitate the replacement of an HVAC unit (1 of 6) on the Police Department roof, the upgrade to LED lighting in the Town Hall buildings, and the upgrade of windows in the west wing of Town Hall.

**Approved: February 27, 2020**

**Posted: February 28, 2020**

- Continue to provide timely service to all of the users of our facilities while performing preventative maintenance on systems to maximize useful life.

Overall budget up \$72,911 or 22.2%. Operating and personnel expenses are up 0.9% or \$2,765.

Capital projects, Line Item #01-17-8502-0 Buildings, includes replacement of the HVAC unit at the Police Department for dispatch area (\$5,500), replace main valves for Town Hall fire sprinkler systems (\$15,000), upgrade lighting in Town Hall buildings to include the ambulance garage and Abbie Griffin Park to LED lights (\$52,146), and Town Hall window replacement project – west wing (\$10,000).

Town Manager Cabanel noted the allocation for upgrading the lighting in Town Hall buildings is included on the list of items to be funded through capital reserve.

Director Fox spoke of the desire to replace the main valves for the fire sprinkler system in the Town Hall building. There have been a number of close calls with that system over the past few years where the system has tripped. Luckily, the fail safes kept the sprinklers from activating. The desire is to replace that before a disaster happens. The sprinkler system originates in the basement of the other building. It comes in and splits off to the two systems. In both buildings there is a dry system meaning there is not water in the pipes. The way the water stays out of the pipes is with compressed air. There are compressors that turn on as air leaks, fill it back up, and pressure the pipes to keep the system dry. The 3” main that comes into the building in the basement has two big valves. When the system trips, if there were a fire, those valves open up and that is what allows the water to flow. It is the compressed air that keeps those valves closed. The two most recent trips never had the cause identified. What is assumed is that it is wearing of those valves. As we are pumping compressed air into the system, the valve isn’t fully closing anymore.

Chairman Koenig noted the department request for Line Item #01-17-8502-0 Buildings, was \$137,646 and the Town Manager’s proposed budget identifies \$82,646. Director Fox stated the difference to be the cost of the space needs study for the Town Hall and the repaving of the lower Police Department and John O’Leary parking lots. The parking lots were pulled given the uncertain future of the Police Department facility. Assistant Town Manager/Finance Director Micali stated the John O’Leary parking lot will be looked at when the MYA parking lot is done (trying to get in the paving project for this year). The space needs study is moved to potentially this year, if funding is available.

### Public Works Administration

Responsible for the upper level management of the 6 divisions of Public Works, the engineering of capital improvement projects, developing the yearly paving program, and the compliance with environmental regulations.

- Continue department wide initiative to foster professionalism, ethics, and teamwork
- Develop ongoing MS4 program through new staff
- Enhance GIS and asset management capabilities
- Increase solicitation of public input into capital projects
- Continue to develop information sharing of the department’s goals and accomplishments through social media platforms.
-

**Approved: February 27, 2020**

**Posted: February 28, 2020**

Overall the budget is up \$104,988 or 25.5%.

Proposed is the addition of the position of Environmental Coordinator (Grade 16) \$100,224 (salary and benefits). The position would focus on MS4 stormwater requirements and assist with asset management and GIS.

Town Manager Cabanel remarked every State has stormwater requirements. Most states take them on themselves through their state DES. New Hampshire is 1 of 4 states that do not do that. The EPA has decided the State will have the cleanest stormwater possible. The requirements placed upon the State have been mandated, are overkill and cost millions of dollars.

Director Fox stated the Clean Water Act is what the EPA is using for the permit requirements. In 2003, Merrimack received the very first stormwater permit requirement (five-year permit). In 2008, the EPA drafted the new permit and it was so terribly onerous, expense wise, that all communities fought back. The permit got delayed. Another permit revision was put out in 2013 that had the same result. Another one came out in 2014 and they said this is it. But it was still just as onerous. That was followed by a lawsuit that the Town participated in. A number of positive changes, somewhat recently, came out of that. Eventually the EPA said we don't care what you say, we are doing it anyway. In a prior presentation a cost comparison was provided of hiring a consultant or an employee to perform these required tasks. The cost of a staff person is much less expensive.

Asked if penalties have ever been imposed on a community, Director Fox stated a penalty was imposed on Plaistow in the first permit timeframe. Deputy Director Tuomala noted in September the EPA went to Nashua unannounced and did their own sampling. They just informed Nashua of the testing.

Councilor Harrington commented on Concord not being involved in this. A select area needs to respond to this yet there is a large area that is not required to. Director Fox commented inclusion in the program is based on urbanized area from the census. They consider this area as part of the Boston urbanized area. A coalition of 16 communities are working together and sharing resources to reduce cost.

The position of Environmental Coordinator and a portion of the Foreman position being requested are necessary to fulfill the requirements of the MS4 permit.

Town Manager Cabanel stated the requested new positions to be that of Environmental Coordinator (full-time), Foreman (6 months for the coming year), and a full-time person at the WWTF (not funded through property taxes).

Asked about the number of additional positions in the overall budget proposed for the coming year, Town Manager Cabanel stated the Police Department requested 2 full-time people (1 of the 2 would be hired mid-year), the Health Inspector position from part-time to full-time, and the request of the Fire Department would come forward the following night.

**Comments from the Press** - None

**Comments from the Public** - None

Approved: February 27, 2020

Posted: February 28, 2020

**Comments from the Council** - None

**Adjourn**

**MOTION** made by Councilor Healey and seconded by Councilor Harrington to adjourn the meeting. **MOTION CARRIED** 6-0-0

*The January 22, 2020 meeting of the Town Council was adjourned at 9:30 p.m.*

Submitted by Dawn MacMillan