



Town Council Meeting Minutes



Thursday, October 29, 2020, at 7:00 PM, in the Matthew Thornton Room

Call to Order

Chairman Koenig called the meeting of the Town Council to order at 7:00 p.m. Present at the meeting were Chairman Koenig, Vice Chairman Boyd, Councilor Rothhaus, Councilor Harrington, Councilor Albert, Councilor Healey, Councilor Woods, Town Manager Eileen Cabanel. Assistant Town Manager/Finance Director Paul Micali was excused.

Pledge of Allegiance

Girl Scout Sarah Hardy led the Pledge of Allegiance.

Announcements

- The upcoming General Election will be held on Tuesday, November 3rd from 7:00 AM – 7:00 PM at your designated polling location. Please be advised that the James Mastricola Upper Elementary School polling location has been moved to the Merrimack High School for the General Election.
- The Merrimack Town Council would like to offer condolences to the friends and family of Michael “Mike” Buteau, who passed away on Sunday, October 11th at the age of 64. Mike served as a full-time officer with the Merrimack Police Department from 1980-1984.
- Upcoming Town Council meeting schedule: The Town Council meets on the first and third Thursdays in the months of November & December. Regular meetings on Thursday November 5, 2020 7:00 PM and November 19, 2020 7:00 PM

Town Manager Eileen Cabanel made the following announcements:

- She announced that she recently recovered from Covid 19. She has been in quarantine and she has tested negative
- The Media Division will be covering Merrimack High School’s Varsity Football game vs. Nashua South this Saturday 10/31 beginning at 6PM. Watch LIVE in three places: Merrimack TV channel 21, our Facebook page, and Merrimack TV dot com.

Councilor Albert extended his deepest sympathies to the family of Mike Buteau. He explained that Mike, who through his work with the MYA made a difference in the kids lives.

Comments from the Press and Public

None

Recognitions, Resignations and Retirements

1. Annual Review with the Town Center Committee

Submitted by Town Center Committee Chair Nelson Disco

Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the Town Center 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.

Mr. Nelson Disco Chairman of the Town Center Committee presented the Town Council with the committee’s annual review. He explained that the committee was established in 2009. The NRPC conducted the iTRaC study and the recommendations that were made as a result from the study’s

findings were to establish a Town Center Committee. The committee was tasked to expedite the implementation of the iTRaC study recommendations.

Chairman Disco stated that the committee reports to the Town Manager. He stated that the committee works with town officials, residents, local businesses and the town conservation commission. The Town Center Committee's purpose was to coordinate the development of local business and create an inviting town center for all to enjoy. He stated that zoom meetings have been held due to Covid. The membership consists of himself, Bill Wilkes, Karen Freed, Matt Shevenell, Bill Cummings, Kyle Fox, and Councilor Rothhaus. He stated that there are 6 open seats for members at large. He advised the Town Council that the Mr. Peter Flood did not seek reappointment.

Chairman Disco outlined work that the committee focused on. The Souhegan River Trail will run from Watson Park to Wildcat Falls. He informed the Town Council that they were awarded a TAP grant in 2015. He advised the Town Council that the committee has run into funding and scheduling constraints with the State. He is hopeful that the project will be back on course for 2021.

Chairman Disco explained that the Souhegan River foot bridge located under the Merrill's Marauders Bridge is closed due to structural deficiencies. He stated that the DPW Director has been proactively looking for funding opportunities.

Chairman Disco spoke about the Woodbury Street Project. He informed the Town Council that the committee applied for another TAP Grant but it was rejected so the committee asked the Town Council to include the project funding in the Capital Improvement planning. The funding was then approved at town meeting. He stated that the Town Council needs to give the committee the approval to begin the design work. He spoke about the Safe Routes to School project that is being delayed until the paving of O'Gara Drive begins. The paving is included in the School District's master plan for the High School.

Chairman Disco outlined a few of the committee's aspirations for the upcoming year. He stated that the committee will continue to work with the School District on the Safe Routes to School project. He informed the Town Council that the committee will continue to work with Nick Lavalley in creating a Town Center Facebook page. He stated that the committee will continue to work with the Department of Public Works on preparing capital improvement plans for the future.

Chairman Disco stated that the committee recommends that the Town Council continue to budget for the construction of these projects. He asked for the Town Council's continued support through the Town Manager and the Department of Public Works. He asked the Town Council to encourage residents to join the committee.

Town Manager Eileen Cabanel suggested the Town Center committee reach out to the Library Director for her vision for the library. Councilor Albert asked if there is a plan to connect the trail by the Souhegan River if the footbridge is ever replaced by Merrill's Marauder with the existing network of trails. Chairman Disco explained that currently there is not a plan for that as the Town does not have the right of way. Kyle Fox stated that the Town does have a sewer easement along the West Chamberlain side only. Mr. Fox stated that additional easements were obtained when the condos were constructed 10 years ago. He advised the Town Council that there is a public trail that runs along behind the development that ties into the network of trails.

Chairman Koenig thanked Chairman Disco and the Town Center committee for their efforts. He encouraged any Merrimack resident interested to join the committee.

2. Annual Review with the Conservation Commission

Submitted by Conservation Commission Chair Steve Perkins

Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the Conservation 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.

Conservation Commission Chair Steve Perkins advised the Town Council that currently the Merrimack Conservation Commission (MCC) has a full membership. He stated the mission of the MCC has not changed; it remains focused on what the Town Charter dictates. He recapped the MCC's accomplishments over the past year. He stated that the MCC receives support from various groups such as the Scouts, Litter Crew, sub-committees and other volunteers who all help to keep the trails maintained. He advised the Town Council that Fish and Game officers attended a meeting to discuss the challenges with hunting and OHRV use. Chairman Perkins stated that the MCC reviews numerous proposed projects to determine if and how those proposals could impact wetlands, town aquifers, storm water management, and potential impacts to conservation lands. He advised the Town Council that despite the pandemic restrictions the MCC found a way to hold a safe annual seedling give-away. The MCC gave away 381 seedlings and the remaining 69 were planted at Wasserman Park and Greater Woods.

Chairman Perkins stated the committee continued to review and revise their recommendations to the Chapter 111. The MCC has held in depth discussions about the potential need of a Conservation Officer. He stated that NH Conservation Officer MacFadzen met with the MCC regarding OHRV use at the Sklar waterfront property. The MCC participated in the Wasserman Park Winter Carnival. The Merrimack Hike club was formed that has been extremely well received.

Chairman Perkins reviewed the MCC's finances as of June 30, 2020: Special Conservation fund \$47,954 Land Use Change Conservation Fund \$924,767 Horse Hill Nature Preserve fund is \$571.

Chairman Perkins highlighted the MCC's goals and activities for 2021. He advised the Town Council that parcel and trail maintenance is the most significant task as it relates to the number of hours. The MCC in the near future will be presenting the Town Council with their recommendations on updates to Chapter 111. He explained that they will work with the NRPC to keep parcel maps accurate. Chairman Perkins stated that currently they are not pursuing any parcels for acquisition. The MCC will continue to implement water control activities and apply the Merrimack Beaver Management Policy. Chairman Perkins stressed that the beaver management is working. The MCC will continue to update the website merrimackoutdoors.org.

Chairman Perkins spoke about the ongoing support from the Town Council and town staff. He stated that Sklar Waterfront property has presented challenges. He stated that in coming months there could be the need to revisit the topic of a Conservation Officer for the Town of Merrimack. He stated that he will continue to work with DPW on the possibilities of a wetlands overlay in the town's GIS system.

Vice Chair Boyd thanked the MCC for their support of the Scouts and their projects. He appreciates the level of stewardship that the MCC has shown. He appreciates the MCC moving in the direction of management and less towards acquisition. Councilor Albert assured the citizens of Merrimack that the conservation land is in good hands with the MCC.

Appointments

None

Public Hearing

None

Legislative Updates from State Representatives

None

Town Manager's Report

- The town was not awarded the FEMA AFG grant for the four firefighters. She thanked everyone who participated in the application process. She hopes that there will be support for adding the 4 additional positions in the budget.
- The Planning Board, on October 20, has recommended to the Town Council (tentatively scheduled for 1st reading on 11/19) a variety of amendments to the Zoning Ordinance, to address repeated ordinance administration and/or enforcement tasks (Definitions, ordinance references, Home Occupations, dimensional requirement clarifications, travel trailers, references and modifications to ensure compliance with the State Building Code, signs) as well as amend the ordinance by updating and reformatting the Telecommunications Tower section.
- The Transfer held another very successful Freon recycling event last Saturday. Merrimack residents recycled 268 appliances at no cost. Eversource and NHSaves are picking up the \$4,020 disposal cost for the residents. In the three years we have hosted this program, 669 appliances have been recycled with a cost savings to Merrimack residents of \$10,035.
- The LED lighting upgrade in the Town Hall buildings began yesterday. The project will replace all lights in the Town Hall buildings, the Ambulance Garage, and Abbie Griffin Park. Light fixtures will include motion sensors which will result in energy savings beyond the saving resulting from the LED technology. The project is expected to take less than two weeks to complete.
- The Exit 11 northbound off-ramp will be closed this Saturday, October 31st for toll plaza canopy removal work. The closure is scheduled for 7 AM to 3 PM, but NHDOT and their contractor will make every effort to re-open the ramp to traffic as soon it is safe to do so.
- Public Works is happy to report that M-R Wood Recycling has completed the grinding of the brush piles at the Transfer Station. The staff has cleaned up the area just in time for leaf season

Councilor Rothhaus asked if there was a rebate associated with the LED lighting upgrade. Kyle Fox confirmed the town will receive a \$16,000 rebate.

Consent Agenda

None

Chairman Koenig moved item #2 from New Business up on the agenda.

2. Girl Scout Gold Award Project Presentation *Submitted by Girl Scout Sarah Hardy*

The Town Council to be presented with and consider the approval of Girl Scout Sarah Hardy's proposed project to construct and install long phone stand/props along trails in Horse Hill Nature Preserve, Grater Woods and Twin Bridge Park.

The Town Council was presented with and considered the approval of Girl Scout Sarah Hardy's proposed project to construct and install long phone stand/props along trails in Horse Hill Nature Preserve, Grater Woods and Twin Bridge Park. Girl Scout Sarah Hardy explained that on a previous

hiking adventure with her parents she witnessed other hikers attempting to take a picture in a manner that was not safe. Her selfie stand project would allow someone to prop up their phone without having to put themselves in an unsafe position. Sarah Hardy presented the specifications for her project. She advised the Town Council that she would welcome their thoughts on the materials and the method of installation. The placement of the selfie stands would be at Horse Hill Nature Preserve, Grater Woods and Twin Bridge Park.

Sarah Hardy spoke about her ability to apply for a grant and to fundraise in an effort to cover the cost of her project. She stated that she would ask for donation of materials. She estimated the cost of her project to be \$438. She thanked the Town Council for the opportunity to present her project and welcomed their feedback.

Councilor Rothhaus stated that cedar wood would be the best material to use. Chairman Koenig appreciates the creativity of Sarah Hardy's project. Town Manager Eileen Cabanel asked how visitors will know the purpose of the structure if they are not familiar with the project. Sarah Hardy explained that she is considering wood burning "Selfie Stand" on the structure. She also is considering posters at the high school and grocery store. Vice Chair Boyd and Councilor Harrington suggested the posters be placed the park kiosk. Chairman Koenig suggested adding information on the trail maps. Councilor Woods appreciates the effort that Sarah Hardy has put into this project because it will benefit the visitors at those locations. Chairman Koenig inquired about the installation using cement or gravel. Sarah Hardy indicated she had not made a final decision and she is open to the Town Council's thoughts. Councilor Harrington pointed out that by using cement it would make it harder to steal. Chairman Koenig agreed with both Councilor Rothhaus and Councilor Harrington on the materials; cedar wood and cement.

MOTION made by Councilor Woods and seconded by Councilor Healey to approve the request of Girl Scout Sarah Hardy to construct and install long phone stand/props along trails in Horse Hill Nature Preserve, Grater Woods and Twin Bridge Park. MOTION CARRIES 7-0-0

Chairman Koenig moved item #1 from New Business up on the agenda

1. Bells of Peace: A World War I Remembrance Proclamation

Submitted by Town Councilor Barbara Healey

The Town Council to consider the proclamation to call upon the residents of the Town of Merrimack to toll bells in remembrance of those who served in World War I at 11:00 a.m. on November 11, 2020 as part of this annual event.

The Town Council considered the proclamation to call upon the residents of the Town of Merrimack to toll bells in remembrance of those who served in World War I at 11:00 a.m. on November 11, 2020 as part of this annual event. Mr. Larry Miller of the Military Officers Association stated that November 11, 2020 will be the 102 anniversary of the ending of World War I. He advised the Town Council that two men from Merrimack were among those who did not come home from the war. Their names were James H. Ferguson and Gilbert Duncan Frasier. Mr. Miller stated that New Hampshire offered up 2000 men to go and fight. Of those 697 did not make it home, Mr. Ferguson and Mr. Frasier were among the men lost.

Chairman Koenig read the Bells of Peace: A World War I Remembrance Proclamation.

MOTION made by Councilor Healey and seconded by Councilor Harrington to issue the Bells of Peace: A World War I Remembrance Proclamation. MOTION CARRIES 7-0-0

Old Business

1. CIP Sidewalk Projects Discussion

Submitted by Town Manager Eileen Cabanel

The Town Council was presented with the status of the CIP sidewalk projects.

Town Manager Eileen Cabanel stated that the back during the budget discussions the Town Council approved \$200,000 in Capital Reserve fund but it was not definitively determined which sidewalk project the Town Council wanted to do. She advised the Town Council that the Town Center Committee is recommending the Woodbury Street sidewalk.

Councilor Albert supports the Woodbury Street sidewalk. He feels that it completes a project that the Town Center Committee worked very hard on. Councilor Rothhaus echoed Councilor Alberts comments. Chairman Koenig asked Mr. Nelson Disco, Chairman of the Town Center Committee to speak to the list of project priorities as submitted by the committee. Chairman Koenig indicated that the Woodbury Street sidewalk is #6 on the list of priorities. Chairman Disco explained that the Town Center Committee changed the priority of the Woodbury Street sidewalk after observing the usage during the school year. Councilor Healey stated that while she does recognize that the students use Woodbury Street before and after school she believes beyond those times foot traffic is not high. She stated that there is only one house on Woodbury Street. She does not agree with putting up \$200,000 for a sidewalk on a street with only one home. She spoke about cost of snow clearing and maintenance. Councilor Healey stated that there are other areas in town with higher foot traffic and a greater safety concern. Chairman Koenig appreciates the points that Councilor Healey brought forward but he does support the project.

Vice Chair Boyd asked for clarification on the location of the sidewalk. Kyle Fox explained the sidewalk would be on the south side. He advised the Town Council that the town has a right of way along the Buckley parcel. Vice Chair Boyd if the road would be striped and parking permitted. Mr. Fox stated that he would look into the possibility but he cautioned that the road would need to be widened. He stated that he will get a cost estimate for widening and parking.

MOTION made by Councilor Rothhaus and seconded by Councilor Albert to approve the Woodbury Street sidewalk project and to provide additional information and cost estimate for widening of the road and adding parking. MOTION CARRIES 6-1-0 Councilor Healey voted in the negative

New Business

3. Grant Acceptance for Town Clerk / Tax Collector's Office

Submitted by Town Clerk/Tax Collector Diane Trippett

The Town Council considered the acceptance and expenditure of a COVID-19 Response grant for the Town Clerk/Tax Collector's office in the amount of \$7,858 made available through the Center for Tech and Civic Life, for the purpose of planning and operationalizing safe and secure election administration in the Town of Merrimack in 2020, pursuant to RSA 31:95-b and Charter Article 8-15.

Town Clerk/Tax Collector Diane Trippett stressed to the Town Council that she is extremely grateful for the COVID-19 relief funds. She stated that this election cycle has been very challenging for her department. She has been able to hire 2 full time temporary employees and 5 part time temporary employees to assist. She advised the Town Council that other town staff have stepped up to help her department. She appreciates the support from everyone.

MOTION made by Vice Chair Boyd and seconded by to accept and expend the a COVID-19 Response grant for the Town Clerk/Tax Collector's office in the amount of \$7,858 made available through the Center for Tech and Civic Life, for the purpose of planning and operationalizing safe and secure election administration in the Town of Merrimack in 2020, pursuant to RSA 31:95-b and Charter Article 8-15. Furthermore to authorize the Town Manager or her proxy to sign necessary paperwork. MOTION CARRIES 7-0-0

4. Discussion on the Holiday Happenings Events related to COVID-19

Submitted by Parks Recreation Director Matthew Casparius

The Town Council to discussed and considered the Parks and Recreation Department's proposed plans related to the Annual Holiday Parade & Tree Lighting and any other events that may take place, in accordance with COVID-19 Guidelines. Parks Recreation Director Matthew Casparius informed the Town Council that he is not comfortable moving forward with the annual holiday parade and tree lighting. He stated that the current pandemic guidelines make these events impossible. Mr. Casparius outlined other safer holiday events that he would like to move forward with:

- Event #1 Santa's Merrimack Tour December 6th
Highlight: The Fire Department will provide Santa transportation in a firetruck along a published route
- Event #2 Lighting of the Abbie Griffin Bandstand December 6th at 4:00 p.m.
Highlight: Santa's welcome and possible performance by the High School Band
- Event #3 Santa Calling December 8th and December 9th
Highlight: Santa calls Merrimack children more details to follow soon
- Event #4 Holiday Food Drive December 12th
Highlight: Drive through at Town Hall, Santa will attend, holiday vehicle decorating contest
- Event #5 Southern New Hampshire Holiday Lights Tour December 11th through December 27th
Highlight: Amherst, Antrim, Fitzwilliam, Jaffrey, Merrimack, Milford, Peterborough and Rindge

Town Manager Eileen Cabanel praised Mr. Casparius for his innovation and adaptability. She appreciates all that he does. Councilor Rothhaus and Chairman Koenig echoed the Town Manager's comments.

5. Purchase Request for Backup Dispatch Console for Police & Fire Communications - TABLED

Submitted by Police Chief Brian Levesque

The Town Council to consider the acceptance of the purchase of a backup dispatch console for Police and Fire communications through the Communications CIP.

MOTION made by Vice Chair Boyd and seconded by Councilor Harrington to table the discussion to Purchase a Backup Dispatch Console for Police & Fire Communications. MOTION CARRIES 7-0-0

Minutes

MOTION was made Vice Chair Boyd and seconded by Councilor Harrington to approve the minutes from the October 8, 2020 Town Council meeting as amended. **MOTION CARRIES 7-0-0.**

Vice Chair Boyd made the following corrections

- page 2 line 11 correct spelling of consummate
- page 3 line 38-39 spacing
- page 5 line 20-21 spacing
- page 7 lines 2 and 5 correct spelling of Pappas

Chairman Koenig made the following correction

- page 5 line 31 insert “as it”

Comments from the Press

None

Comments from the Public

None

Comments from the Council

Councilor Rothhaus wished his daughter Sarah a very happy 29th birthday.

Councilor Harrington encouraged any Merrimack resident who still has an absentee ballot to return to bring it to Town Hall, do not mail it back as there is no guarantee that it will be received in time. She asked those residents who plan to vote in person to be patient.

Vice Chair Boyd encouraged Merrimack residents to participate in the election on November 3rd. He praised the election officials for their efficient handling of preparation and processing of absentee voting.

Chairman Koenig explained that members of the Town Council will be at each polling location offering their assistance.

Adjourn

MOTION was made by Vice Chair Boyd and seconded by Councilor Woods to adjourn the meeting at 9:21 p.m. **MOTION CARRIES 7-0-0**

A copy of the backup material for each agenda item is available for review in the Town Council's Office located at the Merrimack Town Hall.

Submitted by Tracy Doherty