

Approved: May 23, 2013

Posted: May 24, 2013



Town Council Meeting Minutes

Thursday, April 25, 2013, at 7:00 PM, in the Matthew Thornton Room



Chairman Rothhaus called the meeting of the Town Council to order at 7:00 p.m. Present at the meeting were

Vice Chairman Yakuboff, Councilor Boyd, Councilor Dwyer, Councilor Koenig, Councilor Mahon, Town Manager Eileen Cabanel, and Finance Director Paul Micali. Councilor Harrington was excused.

Pledge of Allegiance

Chairman Rothhaus led in the Pledge of Allegiance.

Announcements

Regular meetings of the Town Council will be conducted on Thursday, May 9, 2013 and May 23, 2013 at 7:00 p.m. in the Matthew Thornton Room.

It is time to register for a summer of fun at Naticook Day Camp. The Parks and Recreation Department is busy preparing for the season with camp dates from June 24th through August 15th. Naticook Day Camp is ACA Accredited, offers daily Red-Cross swimming lessons, daily lunch, and a huge variety of activities. Age groups are 5 through 14. The weekly rate is \$185.00 for Merrimack residents and \$237.00 for non-residents. Please visit the Town website or call the Parks and Recreation Department at 882-1046 for more information.

The Parks and Recreation Department will host a bus trip on Wednesday, May 8th. Join us on tours of New Hampshire's oldest and largest wineries as well as Swan Chocolates in Merrimack. The motor coach will depart Wasserman Park at 9:00 a.m. The price is \$65, which includes transportation, tickets for tours, samples, lunch, and driver's gratuity. Please visit the Town website or call the Parks and Recreation Department for more information.

The Skate Park, located on O'Gara Drive, is open for the season, as weather permits. For hours of operation please visit the Town website.

The Merrimack Police Department and DEA Drug Take Back Day is Saturday, April 27th from 10:00 a.m. -

2:00 p.m. at the Police Department. Drop off unwanted and unused prescription medications for appropriate disposal – no questions asked. The Merrimack Police Open House is scheduled for May 11th from 10:00 a.m. - 2:00 p.m. There will be displays and demonstrations from our K-9, Gunny, as well as a Taser demo.

The next Household Hazardous Waste and Electronics collection is scheduled for Saturday, May 4th from 8:00 a.m. - 12:00 p.m. at the Milford Public Works Garage. There is a \$10 fee and a maximum of 10 gallons or 20 pounds per vehicle. For more information call the Solid Waste Division at 424-2604.

There will be minor traffic delays while D.W. Highway and Baboosic Lake Road are closed tomorrow evening for the annual MYA Youth Baseball Parade. The parade will start at Town Hall and Our Lady of Mercy Church and end at Bise Field at the MYA building on D.W. Highway (Kids Kove). Road

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closures and traffic delays should be limited and begin around 6:00 p.m. Please seek alternate routes (Joppa Road and Turkey Hill Road).

Comments from the Press and Public

Roger Blais, 4 Peaslee Road, President, New Hampshire Right Riders

Stated the Merrimack ATV/dirt bike club, New Hampshire Right Riders (Riders), was started in 2005 during the development of the Horse Hill Nature Preserve (HHNP) Master Plan. At that time, it was recommended a club be created to work with the Town's various committees in the development of safe and legal riding areas. The first project of the Riders was the construction of the track on West Road, which has run well for many years. The track gets a great deal of use, and many have stated, without it, there would be no legal area to ride. The track was dedicated a few years ago as the Jonathon Simeone Memorial ATV Park, something the Riders are very proud of.

Mr. Blais thanked the Town, the previous Selectmen, and the Town Council for assistance the Riders have received at the park. He remarked, as a club, they are committed and have a good core group of members to get work done. He noted, when volunteers were sought, a few years ago, to help install signposts at Grater Woods, the Riders was the only group to respond.

He stated it was not his intent to criticize the Grater Woods Stewardship Plan (Plan), spoke of the amount of work that went into its creation, and commended the Merrimack Conservation Commission (MCC) for completing the task. However, also stated there to be several items not included in the Plan, which the Riders would like to discuss and request the Council consider for inclusion. He added, they do not wish to delay the approval process and are overall very happy with the Plan and its contents.

The four areas the Riders wished to address were stated as:

- The Plan currently states the necessity for several infrastructure items to be addressed prior to future trails being developed. The Riders believe only one of the items is required in advance of the club beginning its work towards developing future trails (Page 79; item a). Mr. Blais noted the Riders had volunteered to address the issue years ago; however, approval to move forward was delayed. The Riders do not believe completion of the other four items (b-e) should hold up trail work, and are concerned completion could take several years.

Councilor Dwyer noted the Council had only just recently received the final draft version of the 84-page plan and the written copy of the concerns expressed by the Riders, and stated there would be no final decisions made at this time. He welcomed Mr. Blais to continue speaking to the issues raised in the Riders written comments; however, remarked the Council will have the necessary time to sift through all concerns raised, and added it is understood there needs to be a good access point for motorized vehicles.

Councilor Dwyer stated he had received a good many calls from constituents believing the Plan was going to come to some conclusion this evening, and wanted to assure the public that was not the case.

- The Riders would like to see the South Grater Woods Road entrance from Wilson Hill identified for OHRV access. He noted, at present, the only approved access for OHRV is Conservation

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Drive, which is not yet complete. South Grater Road is an area with a clearing, which is currently being used by hunters, etc. He noted the land is that of a conservancy foundation and the Deed includes language stating the land is for public use and shall remain in its natural state forever.

- Trail suitability assessments made by the MCC, in the past, have been called into question by the Riders. They would like to see language added to the Plan identifying an appeal process whereby a neutral party, having some expertise, would mitigate conflicts. Mr. Blais provided the example of Trail D1 (Page 15).

Councilor Mahon noted there are portions of Grater Woods that are, by law, strictly under the control of the MCC. They are charged, by law, with managing that property. He noted the area where D1 is identified is one of those areas. Councilor Boyd requested clarification of the location referred to, and was informed trail D1 would be to the left of Trail D2, which can be viewed on page 80 of the Plan (other side of beaver pond). When asked where the access point would be, Mr. Blais stated it would come off of South Grater Road. Councilor Mahon clarified he did not state the Council could not mediate, but that he is unaware of the legal mechanism that would be required for that to occur.

- The Riders request the D1 trail be reviewed for inclusion as a future trail. Mr. Blais stated the trail was not included in the Plan based upon a vote by the MCC. Mr. Blais noted the minutes of the MCC's January 7th meeting cover the lengthy discussion that took place regarding this issue.

Mr. Blais called attention to the disparity between the amount of trails identified for motorized use (1.2 miles) versus non-motorized use (6.3 miles). Councilor Boyd noted there is the potential of adding another 4.1 miles of motorized use.

Recognitions, Resignations and Retirements

1. Recognition of the Retirement of Stephen W. Curtis

Submitted by Human Resources Coordinator Sharon Marunicz

The Town Council will present a recognition plaque to Stephen W. Curtis in recognition of his retirement from the Town of Merrimack Highway Division of Public Works after more than 24 years of full-time service, effective April 30, 2013. Steve began his full-time employment with the Town April 1, 1989.

Adam Jacobs, Operations Manager, Highway Department, congratulated Stephen Curtis on his excellent career with the Town of Merrimack. He stated Mr. Curtis was a former E4 in the Air National Guard and a military police officer at Pease Air Force Base during his tenure. His initial employment application stated 20 years of plowing experience putting him at almost 44 years of plowing experience today.

Mr. Curtis worked in the Parks & Recreation Department until it was reorganized and moved to the Highway Division in 1997. Before that he had worked 17 weeks a year with the Highway Department and the remainder with the Parks & Recreation Department. He has been the Town's primary sidewalk, snow removal, and street sweeping employee as well as roadside and landfill mowing operator. Mr. Jacobs remarked these are all solo activities and Mr. Curtis has been excellent as a self-motivator and efficient at route planning. He added he has also been able to learn four different languages, using Rosetta Stone tapes, in the process. He has maintained what has been regarded as one of the hardest if not the hardest plow routes in Merrimack; consistently and quickly responding for

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winter storms. Mr. Curtis recently achieved the status of Master Road Scholar through the UNH Technology Training Center, which is the highest level attainable.

Mr. Jacobs commented in an evaluation performed by Bruce Moreau in 1991, it was recommended Mr. Curtis develop a more aggressive take-charge attitude, and it appears he took that to heart and has not looked back since. Also in his file is a thank you letter from a former Director of Public Works thanking Mr. Curtis for helping out during an armed robbery police chase where he provided traffic control. Mr. Jacobs concluded his comments by noting several national events that occurred over the course of Mr. Curtis' career, and thanking him for a job well done.

Mr. Bruce Moreau stated he had been Mr. Curtis' supervisor since his date of hire. He remarked any time he had had criticisms of Steve, as he does with everyone he supervises, Steve always reminded him that he hired him. He wished him well in his retirement.

On behalf of the Town Council, Chairman Rothhaus presented Steve Curtis with a plaque in recognition of his loyal and dedicated full-time service to the Town of Merrimack.

Appointments

1. July 4th Family Fun Day/Midway Presentation

Submitted by Rotary Club of Merrimack Member Pete Giacapuzzi

The Town Council to be presented with the Rotary Club of Merrimack's ideas and plans for the upcoming July 4th Family Fun Day/Midway.

Steve Russell, President, Rotary Club of Merrimack, commented last year's event was successful in that it broke even in terms of costs. This year, the Club is off to a good start and anticipates even better results. He displayed a diagram of the setup used last year and identified major events that took place. He noted, although the center stage area was set up for demonstrations/games, etc. temperatures were high making those events impractical.

Mr. Peter Giacapuzzi noted some changes that would occur this year with the relocation of the family (large) tent towards the area of home plate to allow additional visibility and the second tent being placed in the area of the bleachers (near third base line). Mr. Russell remarked, although it is not yet known precisely where each activity will be located, they intend to have 2 tents versus 3, as it was believed with 3 there were too many activities occurring simultaneously. The Opening Ceremony will take place at the conclusion of the parade when more residents are present, and additional opening events are in the planning stages. The events of the day will be "very much like last year, only better". Mr. Russell showcased photographs of last year's event, and stated his belief the major food vendors from last year will all return and be enhanced by additional specialty food vendors. They are working on gaining commitments from the entertainment venues present last year, non-profits groups, volunteers, etc. Last year non-profit volunteers worked nearly 180 hours, which resulted in donations to their organizations of nearly \$2,000. He identified the major sponsors that were present last year and will be supportive again this year and noted the addition of Dunkin Donuts as a major sponsor.

Mr. Russell commented one of the things learned from last year's event was that signage placed around town was too small and did not have enough contrast to allow for easy reading. He questioned whether the Council would be supportive of utilizing larger signs (4' x 8'; black on white) in areas such as park locations as well as smaller signs (4' x 2') in other locations, displayed approx. 2 weeks in

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advance of the event. He noted media sources such as the Internet, Facebook, and Twitter, would also be used for advertising.

Mr. Giacapuzzi suggested Fraser Square could be an area where a sign could be placed, and questioned whether there would be limitations with regard to size. He stated a desire to place a banner at the property considered as a location for the library as well as at the library. Chairman Rothhaus recommended the issue be discussed with the Town Manager. Councilor Dwyer commented the available budget is what will place limitations on the size of signage.

Mr. Russell spoke of the website www.Merrimack4th.com, which includes the schedule of events, a map of the parade route, links to sponsors, etc. He questioned whether Council members would consider volunteering for the dunk tank. Councilor Boyd volunteered, and noted Maureen Mooney has started a Twitter feed @Merrimack4th. The Merrimack Patch has also begun advertising efforts.

Town Manager Cabanel requested clarification of whether the new vendor schedule would apply to vendors participating in this event. She informed the Council she has been questioned and has stated her belief, as a Town sponsored event, there would be no fee; however, wished for clarification from the Council. Councilor Mahon questioned the language in the Ordinance, and was informed the Ordinance states the Town Council has the authority to waive the fee. Councilor Boyd suggested the topic be placed on a future agenda for discussion.

MOTION made by Councilor Dwyer and seconded by Councilor Yakuboff to waive the vendor fee during the Rotary's handling of the 4th of July Festival/Midway. MOTION CARRIED 6/0/0

Town Manager Cabanel remarked, during the topic of the vendor ordinance, a discussion ensued regarding whether or not the fee would be imposed upon the Ribfest event this year or if the fee would be waived this year and the participating vendors provided with the ordinance language and notified the fee would be imposed next year. She questioned the will of the Council. Councilor Boyd stated he could understand why the Council would entertain a motion to waive the fee for the Rotary at this time; however, believed a discussion of whether or not to waive the fee for the Ribfest to be an item that should be posted on a future agenda. Chairman Rothhaus stated his agreement, and requested a discussion item be placed on a future agenda.

Public Hearing - None

Legislative Updates from State Representatives - None

Town Manager's Report

The construction of the Pavilion at Watson Park is scheduled to begin on Saturday, April 27th. The project will continue through the following weekend and is expected to be completed by May 5th.

The construction of the Wire Road Bridge over Baboosic Brook is nearing completion. The contractor base paved yesterday and the finishing details are scheduled over the next 2 weeks; including the guardrail, top coat of pavement, final slope work, line striping, etc. The planned opening to traffic is May 10th. The road may be ready for opening a week earlier weather permitting.

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The Council was asked whether a Ribbon Cutting Ceremony was desired given the bridge construction is very unusual and the first of its kind in the State. Rick Seymour, Director, Public Works Department, explained it is the only Northeast Extreme Tee (NEXT) Beam bridge in the State. He added the old bridge was a stone and wood bridge (from the '60s), which was replaced by a metal culvert (torn out) and now by this NEXT Beam bridge, which is constructed to withstand a 100-year flood. The Council was agreeable to a ceremony.

Consent Agenda – None

Old Business

1. Second Hand Shop Update

Submitted by Finance Director Paul Micali

The Town Council to consider accepting the contract language for the independent contractor and the Town of Merrimack to run the second hand shop.

Town Manager Cabanel stated the reason Director Micali and others are sitting at the center of the room is not because she considers this to be a controversial item from which she is trying to stay away, but rather because the idea of the Second Hand Shop came from the internal Recycling Committee as a way to make recycling easier and more efficient. She spoke of the issue of the traffic bottleneck occurring in the recycling center, which slows down and perhaps even discourages participation in the recycling process. She stated those seated center stage took the initiative to visit the Bedford, NH facility, which has been operating successfully for many years, and have brought forward a recommendation for the Merrimack facility that would assist in the recycling effort not only by recycling materials but pulling those recyclables from the waste stream resulting in a cost savings for the Town.

She stated, should the Council not endorse the idea, her recommendation would be to put an end to the concept of a swap shop altogether, as what is being proposed is a means of providing monitoring for activities taking place. She also stated her support of the proposal for a six-month trial period.

Director Micali noted, at its December meeting, the Council approved the expenditure of \$5,000 to acquire and relocate the classroom sized trailer to the transfer station and provide for electricity to be run to the trailer and metered separately. Those activities have been completed and were done slightly under budget. The trailer has two entry points; one with double doors, which would likely be dedicated to the operation and one with a single door, which would likely serve as an office space. The need exists for stairs to be placed leading up to the doors. Should the Council approve the contract, the intent would be to involve the individual who would be running the facility in the decision making process regarding the stairs, e.g., one large platform, individual steps for two separate areas, handicap ramp, etc.

With regard to the contract itself, the Town would retain ownership of the structure and would maintain liability and fire insurance on the structure. The operator of the shop would be responsible for his/her own liability insurance. Another concern raised was with items simply being left in the area. As a means of addressing that concern, the operator is being asked to be onsite during hours of operation for the transfer station for the first 6 months. The desire is for the shop to be successful and for the individual to become known to residents, get a feel for the items being dropped off, and ensure items that require payment for disposal, e.g., televisions, microwaves, propane tanks, are not left.

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Another concern was the visual aspects of the shop. The contract includes a clause that provides the opportunity for the Town, at any time, to request items be removed and the property cleaned.

The initial lease is for a period of 6 months. After that initial period there is the opportunity for two additional one-year leases. If not successful or should the Council determine not to continue, the effort would cease. Director Micali noted the contract also includes a clause that provides for a 30-day written notice to terminate the contract. He stated the operator would be responsible for additional costs; electricity, phone, etc.

Director Micali stated, as of December 20, 2012, the Town of Merrimack is no longer in contract negotiations with any one client, and will be issuing a Request for Qualifications (RFQ). He stated the belief in order for the venture to be successful the successful bidder would have experience running a second-hand shop, thrift store or a facility of similar nature. He remarked concerns have been raised the operator would make a good deal of profit; however, contract language states: “.....agrees that he/she is solely responsible for all merchandise in the building and recognizes the limited value of what he/she is selling, and therefore shall make every effort to assure that patrons of the shop are treated in a courteous and respectful manner, and that the purpose of the shop is to first remove such matter from the Town waste stream, not individual profit which may be secondary results of the activity.”

Chairman Rothhaus remarked, when the discussion first came about, although he was pleased with the effect of items being removed from the waste stream, his concern was with how the recycling was being handled. He commented when visiting the facility during the week, he would find himself dealing with the bottleneck of traffic that existed because of the activity. He stated his appreciation for the contract language, which includes the ability to end the endeavor if it is not deemed successful. Councilor Boyd remarked he had reluctantly supported the proposal initially, but did so in the hopes the proposal would alleviate the bottleneck situation. He questioned what would come of the trailer should the program not succeed. He noted a \$5,000 cost was incurred in the moving of the trailer, and questioned whether an additional expense would be incurred for its removal. Director Micali stated there to be several uses for the trailer onsite. As an example he noted the employees running the transfer station have a small unpleasant office area, which could be replaced by the trailer. Councilor Boyd questioned whether a Merrimack resident would be provided the opportunity to bid should he/she meet the qualifications of the RFQ. Director Micali responded if the individual meets all of the established qualifications there would be no issue with him/her being a Merrimack resident. Councilor Boyd questioned how a non-profit organization would be viewed, and whether the Council should consider language that would allow a non-profit to respond to an RFQ. He stated his desire the Town consider language that would allow for such an opportunity, and spoke of the ancillary benefits that would result, e.g., revenue being put back into the community.

Councilor Dwyer stated his disagreement with such a proposal. He stated the decision was made to move the operation because the situation, as it existed, was unsafe. The swap shop was created for profit, e.g., so that an individual would rent the facility and run a business albeit with small profit margins. Councilor Dwyer suggested non-profit organizations would not be interested in renting the trailer to be able to run the operation. Vice Chairman Yakuboff questioned whether it is believed the existence of the swap shop would draw people in from other towns, and stated a concern non-residents entering on the premise of visiting the swap shop could gain entry to dispose of their waste. He also questioned the cost of liability insurance. Director Micali stated that has been discussed; however, the difficulty would be in the location of the shop and the need to track non-residents. The discussion has

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been not to allow entry by non-residents at this time. It was noted the swap shop would be added to the existing insurance policy.

Chairman Rothhaus echoed the concerns made with ensuring the facility is open to Merrimack residents only and suggested language be added to the contract to address that concern. Director Micali stated the need to display a sticker in order to gain access. Vice Chairman Yakuboff suggested the contract language also address the disposal of inventory should the 30-day termination clause be exercised as well as the condition of the trailer, and who would be financially responsible for those items. Director Micali stated the trailer was chosen as it was sitting at the Highway Garage unutilized. It is a portable classroom, which was sold to the town, along with a second trailer, for the total cost of \$1.00. Town Manager Cabanel agreed language could be added to the contract to address the concerns stated.

Vice Chairman Yakuboff reiterated his concern the swap shop would be an attraction to non-residents, and asked Director Seymour if he is of the belief the costs associated with the waste stream would in fact increase due to non-residents gaining access. Director Seymour suggested there would be no more risk of that occurring than is the case currently. He commented the Town of Bedford allows non-residents to visit their swap shop; however, their facility is located near the entrance, which allows for a certain amount of isolation. He stated his belief; overall, it is a move in a positive direction as the need exists to increase recycling efforts. It is hoped the swap shop will help maximize materials that can be pulled out of the waste stream. He added it is becoming a management nightmare to manage people that are at the current swap shop grabbing things in front of other people resulting in fighting, etc. He remarked, when he was the Public Works Director in Nashua, they closed their swap shop because it became a haven for people who unfortunately did not have a lot of income and utilized the materials for resale at yard sales, etc. He remarked dishonest people will always find a way around the rules; however, you cannot manage for the dishonest people you have to manage for the 99.9% majority that will do what they need to do correctly.

Councilor Mahon suggested the contract include language that speaks to how inventory would be liquidated in the event the 30-day termination clause were utilized. He also suggested the paragraph that speaks to the purpose of the shop is broad, open-ended, and does not provide an objective way to determine how disputes would be handled. Chairman Rothhaus stated his opinion he appreciated the context for its broadness and would not want to identify who would determine what is appropriate, etc. He suggested bidders will gain an understanding of the intent through the language, and reiterated if the shop is not deemed successful, it will be closed. He added, as a sticker is required to gain entry, the facility is restricted to residents. He commented he has spoken to a few residents about the prospect. They both stated they had spoken to individuals who utilize the current facility to retrieve product for resale, which he can appreciate; however, the overall nuisance that the current arrangement creates during the week would have left him with the desire to simply close the area if an alternative had not been brought forward.

Councilor Dwyer stated the Town is the landlord in this process, if the tenant does not work out, 30 days' notice to vacate is provided. If the property is left damaged, the Town seeks legal remedies. He agreed the paragraph speaking to profit should be removed from what he perceives as a lease as opposed to a contract. He stated his belief the project will be successful.

Director Micali noted the contract was vetted by legal counsel, and stated language could be added to address removal of inventory in the event the 30-day termination clause is exercised. The language

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related to profitability could be removed, as suggested, and the individual bidders could simply be informed of the intent of the shop and the limited profit that is anticipated.

Vice Chairman Yakuboff suggested the Town Manager make the recommended changes, have them reviewed by legal counsel, and bring the contract back before the Council for final disposition.

MOTION made by Councilor Boyd and seconded by Councilor Yakuboff to table until the Council's May 9th meeting to allow staff two weeks' time to consult with counsel and address the language concerns brought forward. MOTION CARRIED 6/0/0

Director Micali requested any other concerns be made known to the Town Manager so that they could be addressed.

There being no objection, the Council recessed at 8:27 p.m.

The Council reconvened at 8:32 p.m

New Business

1. Grater Woods Stewardship Plan Review

Submitted by Conservation Commission Chair Tim Tenhave

The Town Council to receive the Grater Woods Stewardship Plan from the Conservation Commission along with a presentation highlighting key points in the Plan. Council to take appropriate action.

Matt Caron, Vice Chairman, Merrimack Conservation Commission provided a PowerPoint presentation (copy attached). Gage Perry, Commissioner, Merrimack Conservation Commission noted the Council had been provided with a copy of the draft Stewardship Plan for Grater Woods (Plan), and the PowerPoint presentation was simply intended to provide an overview of the Plan and how it is envisioned it will move forward.

Commissioner Caron spoke to the history of the Plan. Commissioner Perry noted the Plan is broken down into multiple sections, which are not intended to undergo much change over time. At the back of the Plan are appendices, which are expected to experience modifications over time as the Council, the MCC, and the needs of the property change. Including these items in appendices allows for changes to the document without changing the upfront goals and stewardship principals that designed the document to begin with.

Section 1 identifies how the property is being reviewed and the main goals of the MCC for all properties. Beyond that are sections that are specific to the Grater Woods property. Section 5 - Trails, is the most extensive listing all existing trails and recommendations for use. Section 7 - Access and Parking, lists existing parking and access areas. Appendix E is where future projects are identified, and will be the section that experiences the greatest amount of change. Appendix E identifies some of the projects the MCC is looking to complete, e.g., trails that can support OPDMD devices for handicapped and mobility impaired individuals, addressing wet areas that are currently being used despite such use being a violation, etc. Once the Plan is accepted the MCC can move forward in addressing the infrastructure needs so that projects of a more recreational nature can begin.

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Commissioner Perry stated the website, Merrimackoutdoors.com, will be the main interface for residents who want to review the Plan to understand the uses of the property and as a means of communicating with the MCC. He noted the Commission has already received numerous e-mails expressing interest in the property. Commissioner Caron commented, although hundreds of hours of public comment were received during the course of the creation of the Plan, during the last opportunity for public comment, not a single member of the public provided comment. Commissioner Perry remarked the Plan began in 2007 when the school and the Town collaborated to create the Gateway Trail, which runs from the school property to Beebe Lane. The group began as the Merrimack Middle School Outdoors Club, transitioned into the Friends of Grater Woods, and later the Grater Woods Sub-Committee, which was disbanded once the Plan was surrendered to the MCC.

Speaking as the Council Representative to the MCC, Councilor Mahon noted the Plan includes a compilation of a lot of previous studies and current updates on those studies, which were intended to provide a framework for what is included in terms of trail use, conditions, and future plans. He emphasized the way the Plan is set up is reflective of the Council's desire, expressed to the MCC, to develop a comprehensive plan to address development and maintenance of all of the facilities. He commented the Council's initial concern was with what appeared to be the lack of a coherent plan laid out for the lands under MCC control.

Councilor Mahon remarked the Council was provided with the characterization of the trails and shown the lengths of the trails in certain areas. He stated the need to understand some of the trails were classified the way they were because of soil and slope conditions. He noted the MCC walked the property last year and made adjustments to the trail classifications while also confirming the initial information brought to them in 2011 still held true. He remarked compared to what had been previously presented to the Council, the document before them is much more focused and flexible.

He agreed there has been a great deal of public input received, a lot of which revolved around the mixed use of the property, and the MCC tried to reasonably accommodate those uses in the entire property while still trying to maintain the environmental integrity of the property. He stated his opinion the Plan is not perfect, although he does not believe anything of this scope would be, but it is flexible enough so that, as time goes on, the MCC can make and recommend changes. He remarked, based on the experience with the Horse Hill Nature Preserve (HHNP), it is likely, once the Plan is put in place, there will be a large uptake in use in the area.

He stated his understanding most of the infrastructure projects identified would be completed within a short period of time. Commissioner Caron informed the Council he spent a portion of the day at the parcel (Red Maple Trail) with the Forester working on the final pieces before the RFP is put out to bid (over the summer). Another large project is the access at the bottom of Gateway Hill (currently a wetland). Crossing a wetland will be a difficult project, but is first on the list of projects once the Grater Woods Subcommittee is reformed.

Vice Chairman Yakuboff echoed Councilor Mahon's comments regarding the level of detail contained in the report. He stated a concern with the issues raised by Mr. Blais, and questioned whether the MCC intends to address them. Commissioner Perry stated the issues Mr. Blais brought forward have already been addressed by the MCC, and will continue to be addressed moving forward. As an example, he referred to the meeting minutes for the Commission's discussion of the D1 trail, which outline the very lengthy discussion that took place. He stated the MCC did not yet want to identify it as a potential trail as there are concerns with the area. The desire is to walk the area, review and

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perhaps flag where a trail could be placed. At this time (mud season) a review of the area may result in a decision the area is not suitable for a trail; however, if reviewed at a later time, it may be determined usable. He reiterated the MCC did not wish to include in the Plan trails they felt could be contentious.

Vice Chairman Yakuboff stated his understanding Mr. Blais has concerns with the length of time required to complete the infrastructure projects listed as b through e and the delay that will cause in the Riders beginning any of their work. When asked for a timeframe for completion, Vice Chairman Caron responded the MCC is just as anxious to start work on the property. He noted he and Commissioner Perry were part of the Sub-committee and have been working on the Plan for years without being able to act on it. They are very anxious to get out there and do the repairs. He commented they have been trying to line up Eagle Scout projects as a means of getting some of the work completed. When asked again for a timeline, Commissioner Perry stated repair of the Gateway Trail has been looked at by the Forester and two local contractors; in both cases they have said it is not an unusual job (basically road grading), and they can start as soon as the funding and access through the school is available.

Projects such as that can be done quickly and are greatly impacting the use of the trails. As far as a timeline, he stated he does not have one, but noted it is work that could have been done a few years ago if access had been provided. They have been awaiting completion of the Plan to begin that process. Commissioner Caron commented much of the timeframe depends upon when the Plan is approved by the Council. Once the Council has approved the Plan and access is granted, the MCC is prepared to allocate the funding and get the road grading completed (Gateway Hill).

With regard to the Beebe Lane access, Commissioner Perry stated the MCC has had numerous discussions with police and fire; they don't have access to the section of property once you come off of Beebe Lane. The construction of a bridge can be completed in short time once the plan is approved. He used the example of three bridges constructed on the school property in the course of one day back in 2007.

Commissioner Perry stated none of the projects are large, are all volunteer driven, and he believes can be completed within a few weeks' time. Vice Chairman Yakuboff noted the Riders are willing to volunteer and questioned how long it would be before they could be provided access. He commented the projects are identified in Appendix E rather than included in the major portion of the Plan. Commissioner Perry stated Appendix E identifies the list of projects the MCC intends to complete.

Councilor Koenig asked for clarification of the area being discussed. Commissioner Perry stated Gateway Trail is what was called the Woods Road. It is the main trail running through the center of the property from the school all the way out to Beebe Lane. Gateway Hill, formerly known as Suicide Hill, is a relatively rocky, steep hill coming out closer to the Beebe Lane side and joining up with the trail (access point off of Woods Road). When asked where the work needs to be completed, Commissioner Caron explained, if you look at the road that runs from the middle school to Beebe Lane and think of it as one level, Suicide Hill tees off of Woods Road is very steep and goes up to another level, which connects into Amherst. Along the top is South Grater Road. While Suicide Hill goes up very steep, at the very bottom there is a water flow, which many would deem a wetland. At this time, if a user was to come down Suicide Hill, to get into the lower part, they have to cross a wetland, which is why the project is the first one identified under infrastructure projects to be completed.

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When asked what kind of a trail is down Gateway Hill, Commissioner Caron remarked the largest motorized use would be that of a four-wheeler. When asked if that would be an allowable use, he stated it would (Category A). When asked if Woods Road is a Category A as well, Commissioner Perry stated most of it is (sections are on school property). Commissioner Perry provided clarification by pointing out the areas being discussed on a map.

Town Manager Cabanel questioned whether the Plan includes identification of trails where OHRV use is being considered or a decision has already been made to allow or disallow that type of use. Commissioner Perry stated each trail is broken down in Section 5 – Trails (page 45), which includes recommended traffic for each trail. He remarked as the trails change, over time, the recommendations can also change. The current recommendations are based upon the current condition of the property.

Councilor Koenig touched upon Section 1 - Stewardship Principals and Goals, which he believes to be critical. The principals and goals are identified as: 1) Develop and Maintain a Healthy Sustainable Forest, 2) Manage Wildlife Habitats, 3) Manage Wetland Resources - Large and Small, 4) Provide Compatible Recreational Opportunities, and 5) Establish an Educational Program for All Ages. He commented for some time he has heard of the desire to obtain 500 acres as that is what is needed to sustain a wildlife community. Now he is hearing a great deal about dividing the property into sections to accommodate both motorized and non-motorized uses. He questioned how the MCC can ensure compatible recreational opportunities are provided that merge with the principal and goals established for the property. Commissioner Perry remarked the recommendations take into account the different areas and where the trails are proposed, e.g., proximity to wetlands, types of soils, physical layout, etc. He added each section/trail is marked with the MCC's recommendations on how it should be managed and how it balances the uses on the trail. He stated the Gateway Trail is a large, well-made trail that can support traffic (designed to support emergency vehicles). Motorized vehicles traveling on it should not have much of an impact. Trails will continue to be monitored for their use. He commented the MCC is fortunate to have members such as Commissioner Caron who is federally recognized as a licensed trail guide/designer and is of great assistance to the MCC in determining how trails will be used and what can be supported.

Councilor Koenig stated his concern with the amount of motorized traffic and potential impact(s). He remarked he walked Suicide Hill a few years back and believed it would be impacted by travel and could be severely impacted by motorized use. He stated his belief the ATV park created was intended to try and give people an area for recreation, and that just because the Town has a large piece of land does not mean it has to be separated and opened up to motorized use. He stated, with all due respect to the Right Riders who have done a great job, there are those who do not pay attention to the rules and traverse the wetlands, which is an issue he is not sure can be appropriately managed.

Councilor Dwyer stated his recollection when the property was purchased it was intended for multiple uses and motorized use was specifically mentioned. He remarked he has read the Plan and believes motor vehicle use was marginalized to a thumbnail, e.g., kept to a small section. He is concerned the purpose for purchasing the property has been altered. He suggested there should be a parking lot constructed for motorized users, etc. He reiterated his feeling this group of users has been squeezed out of the plan for the property.

Councilor Boyd thanked the MCC for the work they have done in streamlining the Plan. He commented when he sat on the Planning Board years ago and the Board was looking at a development on Wilson Road he referred to Grater Woods as the last pasturing of pure wilderness in Merrimack,

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which is something he continues to believe. He noted his agreement with Councilor Dwyer that this particular wilderness available to the Town is open to everybody for different types of uses whether it is motorized or otherwise. He stated that to have been the intent when the Town was looking for the creation of a Stewardship of Grater Woods. He too has read the report and agrees with the comments made that the Riders have been marginalized. However, he believes there to be a remedy available, which is reflected on page 81 of the report under #7 of Appendix E - Old Blood Road (Future Secondary Access). He has been in the area, seen the trails, and believes there to be tremendous potential. He remarked, the developer/owner of that site has had access issues, which he believes provides a remedy for the Town to explore looking at that parcel. He noted it connects with South Grater Road, there are existing trails that would provide a suitable venue for motorized vehicles without wetland impact, and would also expand the stewardship of Grater Woods by expanding trail use. He added rather than marginalizing OHRV users you would be providing a special section of the facility for them to use for recreational purposes. He stated his desire to see language included in the Plan speaking to future development (if not with D1 for ATV usage). He remarked if you go down Old Blood Road and look at the first logging road going up, there is a clearing on the left hand side that would be suitable for parking.

Commissioner Perry noted that parcel is not owned by the MCC. Councilor Boyd remarked his point is consideration should be given to future development of the forest to attract additional users to the property. By saying future secondary access, it does not describe the potential uses that could be available. He questioned whether the Town could legally put up a gate on a Class VI road and was informed it could.

Councilor Boyd remarked the intersection of Bean and Baboosic Lake Road is the other end of Old Blood Road, and questioned why that was not considered as a proposed pedestrian access point. Commissioner Perry stated his belief the Town is not allowed to make any modifications to a Class VI road. Commissioner Perry stated the road classification would have to be changed to allow for modifications, and noted when the road comes across Marty Drive, it is through wetlands. Commissioner Caron stated such a project would be cost prohibitive. Chairman Rothhaus noted a road was reclassified for the Horse Hill Nature Preserve; however, that was done to provide for emergency access.

Commissioner Perry stated the same would be the case for Wilson Hill. It is a great access point for motorized vehicles; however, the property is owned by the Conservancy, which prohibits a parking lot from being created. Councilor Boyd remarked a Stewardship Plan should go beyond addressing what currently exists and identify potential future possibilities. Councilor Boyd offered his assistance with the scout project being planned to address the area of the small brook on the Beebe Lane side of the Red Maple Trail.

Councilor Boyd questioned the secondary access, via Wilson Hill, from South Grater Road (page 62). Commissioner Perry stated the section of the map highlighted in grey is private property. Councilor Boyd commented realistically any future plans for Grater Woods would involve the MCC looking to purchase pieces of property along that particular road. He questioned whether that should be included under future planning within the Plan. Commissioner Perry stated the MCC has its goals and objectives for maintaining property and acquiring property that meets certain criteria, and added property such as this would be considered if it became available.

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Councilor Boyd commented he found the information on forest stands to be fascinating and the learning piece he took away from reading the Plan along with the educational component. He remarked those are pieces of the Stewardship Plan that highlight why the Town cares so much about this property. He questioned, if the Hemlock Woolly Adelgid insect is such a threat, why the State still is investigating as opposed to creating a mitigation plan for towns to consider addressing.

Commissioner Perry responded, on a broad scope, any time you introduce any alternative that also has repercussions. He stated the MCC cannot introduce its own plan; however, works alongside the UNH Cooperative Extension and follows their lead. Commissioner Caron noted the Forester is attending a meeting in the first week of May to discuss this. Councilor Boyd spoke of mention of cross-jurisdictional efforts with the Amherst Conservation Commission (ACC), and questioned whether that is believed to be realistic or a future prospect. Commissioner Caron stated his opinion it is realistic especially given the ACC has recently purchased a piece of property just over the border. He noted the ACC owns some of the Merrimack property, and that he has been attending their meetings as well. Councilor Boyd spoke to ACC's existing trails and the potential for users to be able to traverse both sets of trails. Commissioner Caron remarked the contiguous nature of the properties (Merrimack's Grater Woods, Amherst's Grater Woods, the private property that goes down the hill and across into Pond Parish and then from there into Bedford) is what makes Grater Woods such a great piece of open space.

Vice Chairman Yakuboff pointed out the disparity between the types of uses allowed on 6.3 acres versus those allowed on 1.2 acres of the property and reiterated commented made that the property is intended to be utilized for all recreational activities. Commissioner Perry stated there have been numerous times when the Riders have been before the MCC and the Friends of Grater Woods, the Plan has a special trail made just for their use, and a lot of changes have been made to the Plan solely to support them. At present, the Plan identifies what exists today. The MCC has not yet been able to move forward with maintenance and trail changes because the Plan was not complete. He stated he did not want the Council to have the impression the MCC was not allowing the Riders out there; that is not the case, they purposely included the Appendix E so they can start identifying additional locations for trails/projects. At present, the trails identified are those brought forth by the Riders less the one trail (D1), which they have a problem with on paper. Until there is the opportunity for the MCC to walk the area and make an assessment of it, it will not be identified in the Plan. They are not saying it will not be included in the Plan, they are saying right now, on paper, it is already a problem. They have people that know the area well, there are deed restrictions, and the property meets up with Amherst, a town which does not allow motorized vehicles on their property. These are some of the considerations that have to be addressed.

He added they are addressing the issue and that is the reason there is a special Category D trail in there just for motorized vehicles, which was included because of the Riders. They are not ignoring them or turning their backs to them at all. At present, they cannot do anything new. He noted they have already made some great trails in the area, they just have not been placed on the map yet because the MCC has not had the opportunity to walk them, survey them, or map them out. He reiterated the Plan depicts what exists today.

MOTION by Councilor Dwyer and seconded by Councilor Boyd to accept the draft of the Stewardship Plan and table it until August 22nd to allow the Council the opportunity to review it and make modifications

ON THE QUESTION

Councilor Dwyer remarked the MCC has done a great job in the creation of the Plan; however, the Council is not the reason it took five years to reach this point. Councilor Mahon clarified the Council instructed the Commission not to do any additional work and charged the Commission with the creation of the Plan. Councilor Dwyer noted it took several years to complete. Councilor Mahon stated the Commission received the plan from the sub-committee in the spring of 2011, started working on it in earnest in late fall/early winter of 2011. Councilor Dwyer stated the former Chairman had the plan back in 2008. He stated his impression it has taken five years for the Commission to complete its charge with regard to the Plan. Chairman Rothhaus pointed out the Plan has gone through multiple phases. Councilor Dwyer restated it has been a long time getting to this point.

Councilor Mahon questioned the intent of the Council with regard to conducting a Public Hearing. It was the general consensus of the Council a Public Hearing should be conducted. Chairman Rothhaus stated the Public Hearing could be held prior to August 22nd. Councilor Koenig requested clarification on the action of accepting the Plan. Councilor Dwyer stated it is being accepted as a draft.

AMENDED MOTION made by Councilor Dwyer and seconded by Councilor Boyd to receive the draft of the Stewardship Plan and table it until August 22, 2013.

ON THE QUESTION

Councilor Koenig requested clarification on what would occur with the Plan prior to August 22, 2013. Councilor Dwyer responded the concerns raised would be addressed. Councilor Boyd reminded the Council of the upcoming retreat, and suggested it could be an opportunity to discuss the issues. Councilor Mahon stated he would not support the motion as he believes it postpones action further than is necessary. He suggested if the desire exists to conduct a Public Hearing that should occur prior to school letting out to gain the greatest level of participation.

AMENDED MOTION made by Councilor Dwyer and seconded by Councilor Boyd to receive the draft of the Stewardship Plan and table it until June 27, 2013. MOTION CARRIED 5/1/0
Councilor Koenig voted in opposition

Director Micali questioned the will of the Council with regard to the number of meetings to occur between the Public Hearing and the June 27th meeting, and was informed the Public Hearing should be scheduled for the first meeting in June.

Councilor Boyd commented he witnessed work being done on the access at Conservation Drive, and questioned the status and whether the MCC is coordinating with abutters. Commissioner Caron responded the MCC has had attendance at some of its meetings by the abutters. The basketball hoop has disappeared. The access point is intended and in the Plan as a motorized access point, e.g., where trailers would be parked. When asked, he stated he has not received pushback from the residents. Commissioner Caron stated there are residents of that neighborhood that have 4 wheelers that enter through that access point. He noted there are a lot of signs of ATVs going up and down that hill, which at present is not sustainable and why the MCC has proposed the gentle curve. Also, the access point will be gated to prohibit cars from entering. He added the Public Works Department will also use that access point to conduct maintenance on a drop culvert in the area.

2. Town Council Committee Assignments

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Submitted by Town Council Chair Finlay Rothhaus and Vice Chair David G. Yakuboff, Sr.
The Town Council will determine committee assignments for the current year.

The following committee assignments were made:

Adult Community Center Representative; Councilor Harrington
Conservation Commission; Councilor Mahon
Economic Development Citizen Advisory Committee; Councilor Boyd
Heritage Committee; Councilor Yakuboff
Highway Safety Committee; Councilor Rothhaus
Parks & Recreations Committee; Councilor Dwyer
Planning Board; Councilor Koenig
Planning Board, Alternate; Councilor Boyd
Nashua Regional Planning Commission; Councilor Koenig
Town Center Committee; Councilor Rothhaus

3. Town Committee, Commission, and Board Appointment Committee Make-up

Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair David G. Yakuboff, Sr.
The Town Council to determine the process to share the workload for the upcoming committee interviews.

Councilor Boyd stated he was in the process of wrapping up something he presented to the Council 6 months ago regarding the volunteer appointment policy. Included as part of that proposed policy was a section dealing specifically with this particular committee make-up. He stated his belief the sentiment was the Town Council Liaison to a particular board/committee/commission would be responsible for chairing the interview process, but that the process would be open to attendance by all members of the Council, thereby alleviating some of the responsibilities the Chairman and Vice Chairman have traditionally taken on in the past as it relates to committee interviews.

He suggested that be the process moving forward along with a stipulation the Chairman or Vice Chairman can sit or whomever they deem to be their proxy. Chairman Rothhaus clarified interviews would be conducted by the Chairman, the Council Liaison, and any other member of the Council wishing to attend. Councilor Mahon stated a concern with the possible unintended consequence of a quorum of the Council. Director Micali noted all Appointment Committee meetings are posted thereby eliminating the concern of a quorum of the Council being present. Councilor Mahon questioned the level of participation by other members of the Council. Chairman Rothhaus stated his experience the process is relatively informal. Councilor Boyd suggested it could be that the Chairman, Vice Chairman and the Council Liaison should make up the interview team, but that the Liaison conducts the interview.

Chairman Rothhaus stated his agreement with the suggested process and questioned the will of the Council. No objection was stated.

Director Micali noted a request has been made that the Council consider the day of the week on which these meetings would be conducted. Councilor Boyd recommended consideration be given to conducting interviews on either the Monday or Tuesday of the week prior to a regularly scheduled Town Council meeting to provide ample opportunity for Councilors to review the recommendations put forth and the credentials of the applicants. Chairman Rothhaus was in agreement. Director Micali stated he would instruct staff to begin scheduling the meetings with that in mind once the summer

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schedule is approved. Chairman Rothhaus requested consideration also be given to the meeting dates of the particular boards/committees/commissions for which candidates are being considered.

4. Review of Quarter Ending March 31, 2013 Financial Statements

Submitted by Finance Director Paul Micali

Finance Director Paul Micali will review the key financial information for the third quarter of the 2012-13 fiscal year.

Director Micali informed the Council, as of this time, he is projecting an approximate \$400,000 shortfall in revenue, the majority of which is due to interest income not reaching the \$300,000 budgeted amount. Also, indications are revenue generated by building permits will not reach the anticipated \$125,000. There are sufficient appropriations due to vacant positions in the Highway and Fire Departments and savings in other areas, which should eliminate the need to look to the fund balance to cover revenue shortfall. In fact, there may be funds added to the fund balance at year end as a result of savings on the appropriation side of the ledger.

He provided a PowerPoint presentation addressing FY13 costs associated with overtime, the New Hampshire Retirement System, Health Insurance and a chart providing a revenue comparison for FYs FY09 - FY13. With regard to overtime costs, he explained the major spike in FY13 is related to the winter months, e.g. number of plowing events, etc. He noted the overtime for the Fire Department is slowly reducing, and plans have been put in place to continue efforts towards reducing overtime expenses. When asked if the figures shown for FY13 are projected through year end, Director Micali explained the figures are actuals through March 31st of each year.

With regard to the New Hampshire Retirement System, Director Micali noted the rates are staying pretty consistent within the Police Department and small decreases are shown within the Fire Department and Group 1, which covers all other employees. The decrease shown in Group 1 can be attributed to vacancies.

Councilor Boyd questioned whether information is available for FYs 14, 15, 16, etc. Director Micali responded the rates have drastically increased for both police and fire, which will result in increases in FY14; however, that increase has been budgeted for. Town Manager Cabanel stated there would be an approximate \$360,000 increase collectively across all departments although primarily police and fire. She added the figure does not include the Waste Water Division.

With regard to Health Insurance, Director Micali remarked it remained somewhat stabilized between FY12 and FY13. The Town remains at \$2.4 million for costs associated with health insurance. He noted the Town experienced an approximate 5% rate increase between FY12 and FY13; however, due to vacancies, the actual cost resulted in a slight reduction. In FY14, an additional spike of 15.6% will be experienced, which has also been budgeted for. Director Micali reiterated his belief there will be sufficient appropriations to address the \$400,000 projected revenue shortfall (through year end).

Director Micali stated revenue from building permits is down by approximately \$50,000 (budgeted \$125,000). He commented some of the solid waste recyclables have resulted in a disposal cost (recyclable revenues will be down approx. \$100,000). Interest is up approximately \$2,000 from FY12 and a spike of over \$100,000 has been seen in auto registration revenue. It is believed budgeted revenue for auto registrations will be reached (\$3.9 million).

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Director Micali stated interest would remain low for at least the next 12 months if not longer, noted the Federal Reserve will not make a move until unemployment reaches a certain percentage. Current projections are between 18-24 months. Interest for the Town will remain in the \$50,000 range for the first three quarters and reach approximately \$75,000 for the full year (approx. \$300,000 budgeted). When asked why the earned interest would be substantially lower than projected/budgeted, Director Micali responded all indications were the current economic state would have changed and interest rates would have begun climbing this year, which is not what has occurred. Town Manager Cabanel noted the FY14 budget line item for interest was decreased by \$175,000.

Vice Chairman Yakuboff touched upon the increase in costs associated with overtime for the Fire Department. Director Micali noted the cost associated with overtime for the department through March 31, 2013 is approximately \$316,000 compared to \$362,000 in the prior year. Vice Chairman Yakuboff questioned the rationale for the overtime in the Fire Department. Town Manager Cabanel responded in FY12 a spike was experienced due to several employees being out on disability, FMLA, etc. for significant periods of time. As a result, there were funds remaining in the salary line items to cover some of the overtime costs. She remarked the department is currently staffed at 32, including Captains and Lieutenants, where it was previously staffed at 36. The policy has historically been for there to be 8 employees on shift at all times. Difficulties arise when there are employees out sick, taking vacation time, on Worker's Comp., FMLA, etc. She stated she and the Chief have discussed this at great length to determine the appropriate level of staffing. The Chief understands the need for an action plan to reduce overtime and enact policy changes regarding staffing levels, vehicle use, etc.

5. Establishment of a Highway Garage Committee

Submitted by Town Councilor Dan Dwyer

The Town Council will consider establishing a committee for the Highway Garage.

Councilor Dwyer commented, over the past few years, the Council has engaged in lengthy discussions about the Highway Garage. Last week the Council toured the facility along with a consultant hired to provide a space needs assessment. He stated his desire for a subcommittee to be formed consisting of members of the Highway Department, Council, and any others interested in assisting in addressing the issues faced at the facility. The subcommittee would report its findings back to the Council. He suggested the makeup and work of the subcommittee be modeled after the one formed to address the south fire station.

MOTION made by Councilor Dwyer and seconded by Councilor Boyd to authorize the formation of a subcommittee for the Highway Garage project consisting of 9 members; two members of the Town Council, two members of staff, three members of the Highway Department, and two members of the public. MOTION CARRIED 6/0/0

Town Manager Cabanel spoke of the process that took place at the last Council meeting. She commented the tour of the Highway Garage was enlightening and the efforts put forth by the department to keep the facility running admirable. She suggested the discussion got off track when focus shifted from the \$20,000 price tag to outlining the basics of what the consultants believe needs to be done and providing options. She stated her belief the knowledge that should have been gained by the presentation is the need to address three areas; 1) people areas including the lunchroom, bathroom, showers, office space, locker rooms, etc., 2) mechanic bays, and 3) whether or not a facility should be constructed to provide enclosed storage of all or a portion of Town owned vehicles.

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Town Manager Cabanel stated her opinion the focus of the subcommittee, at this time, does not need to be on the actual design, but rather obtaining pricing based upon the size of each component. Councilor Dwyer echoed the assessment made by the Town Manager. He stated the importance of Town facilities being constructed and maintained in accordance with the same rules and regulations placed upon the private sector. He spoke of the bleak conditions at the facility, and stated something needs to be done to address the issues that exist to ensure the safety of employees and visitors to the site.

Minutes - None

Comments from the Press - None

Comments from the Public

Roger Blais, 4 Peaslee Road

Spoke of the skepticism with regard to how different users of Grater Woods could co-exist, and stated OHRVs have been in the area alongside walkers, bikers, etc. for 25-30 years with limited control. He stated his belief with the land being managed and trails identified for particular uses, any problems can be resolved. He suggested there would not be a lot of usage by dirt bikes and OHRVs as he believes more riders prefer to utilize the track. He stated there would not be usage by non-residents. He suggested if the problem areas coming in off of Marty Drive and Beebe Trail could be controlled through education, the issues could be resolved. Mr. Blais commented if walkers have an issue with sharing the land with OHRVs, the Horse Hill Nature Preserve is a wonderful place to walk and not be bothered by noise, etc.

Councilor Koenig responded he does not have a problem with OHRVs and is not worried about people interacting with motorized vehicles. What he is concerned with is if this is a conservation area and the intent is to conserve for wildlife and other aspects of nature, the amount of trail work he saw drawn on the map appeared extensive, which causes concern about how that level of activity would impact the wildlife. He reiterated the intent was to obtain 500 acres to allow for a habitat suitable for the wildlife. He added he is not proposing the 500 acres be dedicated strictly to wildlife and the public should not access the area, but believes non-motorized vehicles and walking traffic is a great deal less invasive on the habitats.

He added if the land is divided too much with trails of motorbikes you will disturb the wildlife to the point you might as well not even consider trying to make it a conservancy for wildlife. He stated there are a fair number of trails in the Plan identified as Category A, which allow motorized vehicles and a lot of areas proposed to allow such activity. He stated his hope the overall desire for the area to be a conservancy area remains at the forefront of everyone's thoughts.

With regard to the comment made that the trails would not have much use, Councilor Koenig was unsure that would be the case. Mr. Blais stated his belief the trails would be utilized, but added it is not the type of area where you would stay all day and ride.

Comments from the Council

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Councilor Dwyer informed the Council David Shaw of the Economic Development Citizen Advisory Committee (EDCAC) has stepped up to help David McCray in the transition year for the Fall Festival. Mr. McCray was looking at taking a lesser role and passing the baton on to someone. The EDCAC was approached and agreed to do it. David Shaw took the role and has contacted David McCray. They will both come before the Council at its next meeting to share the plan for the upcoming festival.

Chairman Rothhaus remarked the Horse Hill Nature Preserve was billed as a place that would be all encompassing, which is where he believes a lot of the consternation comes about. He commented the Stewardship Plan for Grater Woods is extensive and something the members of the Council as well as the public can review for the next few weeks.

Town Manager Cabanel informed the Council Kyle Fox, Deputy Director, Public Works Department, would be before the Council at its May 9th meeting to discuss a very important matter regarding stormwater and the new MS4 regulations for the next 10 years. She noted a coalition group has formed, which represents 70 some odd percent of the geographical area of the State. The group has come together to discuss how the data has been collected, its age, etc.

The New Hampshire Department of Environmental Services (NHDES) has been very involved in the gathering of the information, which is what the EPA is basing its directives on. Therefore, NHDES is likely not 100% on the side of the Town with regard to modification of the plans. NHDES, on the Town's behalf, has requested a 90-day extension (until August 31st). By that time the Town will be able to identify a plan that will be manageable over time. She remarked everyone recognizes that clean water and proper treatment of ground water is important; however it has to be done in a manner that is scientifically based and with timely and consistent information.

Councilor Boyd questioned whether the Nashua Regional Planning Commission (NRPC) has weighed in as part of the process. Town Manager Cabanel stated her belief the group has been of an AdHoc nature, and she did not see representatives from the NRPC at the meeting she attended (1 of 3 held). Councilor Boyd requested the NRPC be contacted to ascertain whether or not they have formulated an opinion on the issue. Councilor Mahon stated his belief none of the regional planning commissions are involved in the endeavor, but rather the local communities as the permit holders/applicants.

Councilor Koenig noted he would not be present for the Council's next meeting at which the summer schedule is expected to be discussed. He stated his preference the Council meets once during the months of July and August.

MOTION made by Councilor Mahon and seconded by Councilor Boyd to adjourn the meeting.
MOTION CARRIED 6/0/0

The April 25, 2013 meeting of the Town Council was adjourned at 10:11 p.m.

Submitted by Dawn MacMillan