

Approved: August 15, 2013

Posted: August 16, 2013



Town Council Meeting Minutes

Thursday, July 18, 2013, at 7:00 PM, in the Matthew Thornton Room



Vice Chairman Yakuboff called the meeting of the Town Council to order at 7:00 p.m. Present at the meeting were Councilor Boyd, Councilor Dwyer, Councilor Harrington, Councilor Mahon, Town Manager Eileen Cabanel, and Finance Director Paul Micali. Councilor Koenig arrived at 7:06 p.m. Chairman Rothhaus was excused.

Pledge of Allegiance

Councilor Mahon led in the Pledge of Allegiance.

Announcements

The next regular meeting of the Town Council will be conducted on Thursday, August 15th at 7:00 p.m. in the Matthew Thornton Room. The Council will resume its regular meeting schedule in September, and meet will on Thursday, September 12th and 26th at 7:00 p.m. in the Matthew Thornton Room.

Openings are available for the last 4 weeks of Naticook Day Camp. Registrations continue to be accepted. For more information, please call the Parks and Recreation Department at 882-1046.

The New Hampshire Department of Environmental Services (NH DES) has issued a cyanobacteria lake warning for those who recreate on Horseshoe Pond. The warning relates to bacteria capable of producing toxins harmful to humans and pets. NHDES advises lake users to avoid contact with the water in areas experiencing a surface scum or blue-green clouds. NHDES also advises pet owners to keep their pets out of water having surface scum or blue-green clouds. NHDES will return to the water body on a weekly basis until the cyanobacteria bloom is no longer evident; normally a lifespan of one week.

Comments from the Press and Public

Pastor Joubert, Board Member, Merrimack Chamber of Commerce

Spoke of the intent to reconstruct the information center booth, which was hit by a car in late March, and requested guidance on the approval process. Town Manager Cabanel questioned how the booth has been used, and was informed it has been used to disseminate information relative to Chamber events, which has proven useful given the Chamber's hours of operation. Pastor Joubert stated the Chamber board has discussed how to best utilize the booth for quite some time (he has been involved in those discussions since January). Discussion was ongoing when the booth was destroyed in the accident; however, reached the point where the Chamber is close to having a volunteer structure in place to keep the booth updated.

Chairman Yakuboff noted inclusion on the agenda of a request for the Council to support the construction of a monument to honor Veterans at Fraser Square. He suggested Pastor Joubert may wish to remain present to hear that discussion. Pastor Joubert commented if determined there is a

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better location for placement of the information booth the Chamber would be open to discussion. He offered to provide members of the Council with a letter.

Councilor Dwyer noted this to be the first time the Council has been approached since the booth was destroyed, and commented he does not believe it to be a coincidence the item is brought up during a meeting where a proposal for a monument at Fraser Square appears on the formal agenda. He commented the area has been an eyesore for several years. He reiterated no one from the Chamber has broached the subject until this time, and the structure was removed several weeks ago. It was believed the area was abandoned by the Chamber. He stated, for the record "I'm against having the Chamber use that site."

Pastor Joubert stated, for the record, "It is totally coincidental that I'm here under the terms that there is something else being planned. I knew nothing of that during the presentation of this letter." He noted a review of the minutes of meetings of the board of directors would confirm the issue has been a common topic and one that just recently turned to discussions of informing the Town of the intent to address the booth. Councilor Dwyer remarked any entity is welcome to present proposals to the Town for consideration. Pastor Joubert stated a desire to work with the Council.

Recognitions, Resignations and Retirements

1. Acceptance of Resignation from EDCAC Member Richard Tucker

Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair David G. Yakuboff, Sr.

The Town Council to consider the acceptance of the resignation received from Richard Tucker of the Economic Development Citizens Advisory Committee.

MOTION made by Councilor Boyd and seconded by Councilor Mahon to accept, with regret, the resignation of Richard Tucker from the Economic Development Citizens Advisory Committee

ON THE QUESTION

Chairman Yakuboff thanked Mr. Tucker for his service to the community. Councilor Boyd expressed his gratitude and commented Mr. Tucker brought to the committee a good perspective as well as a sense of levity to the discussions. **MOTION CARRIED 6/0/0**

2. Recognition of Town Committee Members

Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair David G. Yakuboff, Sr.

The Town Council will present certificates to the following individuals for their service to the Town of Merrimack:

Allen Lindahl - Agricultural Commission

Gregory Michael – Economic Development Citizens Advisory Committee

Richard Tucker – Economic Development Citizens Advisory Committee

Chris Woods - Economic Development Citizens Advisory Committee

Alexis Keef - Heritage Commission

Chairman Yakuboff presented certificates recognizing the dedication and service Allen Lindahl, Gregory Michael, Richard Tucker, Chris Woods, and Alexis Keef have provided to the Town of

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Merrimack. Mr. Michael was present to receive the certificate, and remarked he enjoyed participating as a member of the EDCAC, and if not for his expanded schedule and belief if unable to serve diligently it is important to step aside and allow someone else to serve, he would be continuing.

Appointments

1. Fraser Square Veterans Monument

Submitted by Town Council Vice Chair David G. Yakuboff, Sr.

Looking for Town Council support to consider erecting a monument at Fraser Square to honor the Veterans.

Chairman Yakuboff informed the Council the project was brought forward by Mr. Brian Snell. Mr. Snell stated Duncan Fraser was a WWI Veteran shot in the line of duty. Mr. Snell, who served in the Marine Corps himself, stated his desire for the square to represent the fallen in addition to veterans. In an effort to see that take place, he brought forward a proposal for a Veterans Memorial.

The intent is for a 26' x 30' round memorial with approximately seven 30" black granite stones strategically placed in a circle with a bronze medallion affixed to the front of each representing the branches of service; Army, Navy, and Air Force, and directly in front a POW MIA, then the Marine Corps, Coast Guard, and Merchant Marines. In the center of the memorial would be a fallen hero's memorial, which would be a bronze statue of boots, an M16, and helmet. That will also be on black granite and approximately 2-3' off the ground.

A few ideas for fundraising opportunities have been discussed such as individual granite bricks (6 x 6 or 12 x 12) blocks, challenge coins, which would have the fallen hero logo with the American flag as a backdrop on the front and on the back either "Fraser Square" or "Merrimack Veterans Memorial". T-shirts could be sold, which would also depict the challenge coin symbol as well as the words "Merrimack Veterans Memorial" and "For all of those that served and those that never came home." Presently there is no set design. What was presented represented the leg work that has been completed to date.

Mr. Snell read into the record a letter received from the American Legion:

"Dear Mr. Yakuboff, as Commissioner, and on behalf of the membership of the Merrimack Memorial Post 98 of the American Legion, I would like to express our total support for this recommendation to erect a Veterans Memorial at Fraser Park. The American Legion is a non-profit Veterans organization that wholeheartedly supports the efforts and further honoring the recognition of those that have fought and served in this great nation. Our membership is up over 250 Legionnaires, 80 Ladies Auxiliary members, 120 Sons of the American Legion stand in support in any way we can. Sincerely, Sal"

Chairman Yakuboff stated it important to note the VFW has stated a letter is forthcoming; it simply has not yet arrived. The VFW voted to support the project at a recent board meeting. He noted Mr. Gleason has also expressed his support.

Councilor Mahon questioned the timeline for project completion. Mr. Snell responded he has been looking towards either Memorial Day or Veterans Day 2014. Project cost will be based upon final

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design. Mr. Snell stated a desire to receive input from the Council. If in support of the project, he will move forward with finalized design/drawings and a project cost.

Chairman Yakuboff stated his belief fundraising efforts would be hugely successful. Councilor Boyd stated his support of the conceptual proposal as presented. He remarked the Council, from a policy perspective, has made a commitment to creating some semblance of a town center, which is what is being seen with Abbie Griffin and Watson Park. To utilize Fraser Square to honor the memory of a man involved in the war to end all wars, and then to accentuate that with the proposal honoring all armed services presents a nice gateway into the downtown. He stated his belief the project will be well received.

Councilor Mahon questioned when a concept might be available for consideration. Mr. Snell stated he can meet with Mr. Gleason later in the week and together they can move forward towards getting the design phase nailed down. Chairman Mahon suggested target dates for milestones be identified by the Council, and suggested the first could be a request for the conceptual design to be presented to the Council at its first meeting in November. Councilor Dwyer noted a request could be made to be placed on an earlier agenda should the information become available.

Councilor Dwyer commented it is ironic that the square is already named after a fallen soldier. The proposed project would appear to be a good fit. He noted Pastor Joubert and any other individual/entity also has the opportunity to present to the Council.

Chairman Yakuboff remarked another issue discussed is the management of funds. The desire is for the Town's Finance Director to establish an account into which revenue could be added and expenses paid from. Councilor Boyd questioned whether the Council took similar action with regard to management of funds for the Fall Business Expo., and was informed it had. Councilor Harrington stated her full support of the project.

Councilor Koenig stated his opinion the design is impressive and the desire and interest is extremely well thought out. He remarked he would like to see such projects come before the Council prior to reaching the point where they are packaged and ready to go. He stated his respect of the armed services and his belief the proposed memorial is a great idea. What he is not sure of is the impact it would have on Fraser Square and the Town as that is not an aspect included in the proposal. He reiterated it is a good project and a good idea; however, he is frustrated that items are brought before the Council as a take it or leave it proposal.

Mr. Snell stated that not to have been his intention. He wished for the proposal to be comprehensive enough to identify for the Council how the square could be financed, etc. He had believed having the support of the American Legion and VFW would be advantageous when coming before the Council. Councilor Mahon remarked the project is not complete. He noted after speaking with Mr. Snell he made the suggestion he solicit support from the Veterans organizations. What the Council is being asked to support is the idea. The concept that would then come before the Council is what the Council will address in the next few months. He reiterated he wished to establish milestone dates requiring updates to the Council to avoid ending up in a situation where fundraising efforts fall short causing the project to stall and the Council not being aware of lack of forward progress and provided the opportunity to consider alternatives.

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Councilor Harrington noted information was provided in the Council's packet in advance of the meeting. Councilor Koenig stated the information contained within the packet is identified as being provided by Councilor Yakuboff. This is the first opportunity the Council has had to hear from Mr. Snell and learn of the progress being made. Chairman Yakuboff commented he made it clear at the start of the discussion the project was brought forward for consideration by Mr. Snell. He explained his name was attached to the agenda item as he offered to put the item on the agenda after being approached by Mr. Snell requesting information on how to get the proposal before the Council.

Mr. Scali stated the American Legion is well prepared to provide assistance up to and including fundraising efforts. He also stated his pleasure with the proposed location of the memorial.

MOTION made by Councilor Boyd and seconded by Councilor Mahon that the Town Council endorse the concept of a Veterans Memorial proposed at Fraser Square, and furthermore that Mr. Snell and any of his supporters come back to the Town Council to present a more concrete finding no later than Thursday November 7, 2013. MOTION CARRIED 6-0-0

Public Hearing

1. Public Hearing – Acceptance of the Roger Duhamel Pavilion

Submitted by Rotary Club of Merrimack Member Peter Flood

The Town Council will hold a public hearing to authorize the acceptance of a donation of the 900 square foot timber frame Roger Duhamel Pavilion in Watson Park that was completed in a coordinated effort from the Pavilion Subcommittee and Rotary Club of Merrimack to the people of Merrimack/Town of Merrimack, valued at approximately \$75,000, pursuant to RSA 31:95-e, RSA 31:95-b and Charter Article 8-15.

Mr. Peter Flood stated the wish of the Rotary to gift to the Town the Roger Duhamel Pavilion as built.

Chairman Yakuboff opened the public hearing at 7:46 p.m.

No members of the public addressed the Council.

Councilor Mahon questioned the necessity of acceptance, and noted votes have been taken on several occasions; authorization for expenditure of funds and transfer of funds for construction. He believes acceptance was implied when providing authority to construct. Councilor Koenig questioned the status of the pavilion, e.g., whether it is considered to be complete and as presented to the Council. He specifically questioned construction, landscaping, etc. Mr. Flood responded much of that is left to be done at the discretion of the Parks and Recreation Department and Parks and Recreation Committee. It is his belief the Rotary Club would assist in future efforts. He stated the desire for the Council to accept the as built foundation and structure. He reiterated there is much more to be done in terms of bringing electricity to the site, landscaping, and perhaps pavers that could serve as a fundraiser.

Councilor Dwyer remarked the Parks and Recreation Department personnel and others may have ideas on how to landscape the area, which would be open for discussion. He commented whether or not there is electricity to the pavilion will require leadership to spearhead such an effort. Councilor Koenig stated his belief the original presentation included items such as stone, rock, and gravel built up around the posts to protect them from rain splash and landscaping around the area. He remarked if the

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plan has been changed so that the project will only be taken to 80% completion and the desire is to present it and let someone else be responsible for the remainder, he would want to understand that is in fact where the Rotary is coming from.

Mr. Flood stated the Rotary received an estimate of \$8,500 to bring electricity to the pavilion. The Rotary Club is not presently in a position to scrape up another \$6,000 - \$8,000 for the electricity. Bringing water out there is believed crucial for the landscaping if it were to be done. He stated there to be one thing the Rotary would try to accomplish, which is the stone around the edge so that water hits the stone rather than dirt. Part of the initial concept had low stone pillars; however, it worked out better to have the posts the way they are now, and be able to decorate around the pavilion with good landscaping in the future.

Councilor Dwyer stated the structure is beautiful, and he looked at it as a \$70,000 gift. He remarked he would not ask the Rotary to do more, and he believes others are still evolving with the project and it will be different and soon. Mr. Flood stated the value they place on it currently stands at about \$60,000.

Mr. Flood recognized the efforts put forth by Bill Wilkes, former President, Merrimack Rotary Club. Councilor Harrington commented her expectation was that the landscaping was separate. She suggested there to be opportunities for others to become involved in that aspect.

Chairman Yakuboff closed the public hearing at 7:57 p.m.

MOTION made by Councilor Mahon and seconded by Councilor Boyd to thank the Rotary, volunteers, and the organizations that supplied support to the project, and accept the pavilion as presented

ON THE QUESTION

Chairman Yakuboff thanked the Rotary and those who volunteered.

MOTION CARRIED 6-0-0

Legislative Updates from State Representatives - None

Town Manager's Report

Town Manager Cabanel informed the Council of a call she received earlier in the week from Money Magazine informing her Merrimack has been selected as one of the top 50 communities in the country. The magazine is seeking photographs of the community that signify what Merrimack is all about. Nicholas Lavallee, Media Services Coordinator, is going around town acquiring photos of areas such as the Outdoor Classroom at the middle school, the Horse Hill Nature Preserve, Abbie Griffin Park, etc.

Consent Agenda

A brief discussion ensued regarding whether the items identified should be removed from the Consent Agenda. The Council determined the items would be addressed under Old Business.

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Old Business

1. Demolition of 15 Bishop Street

Submitted by Town Council Vice Chair David G. Yakuboff, Sr.

The Town Council to consider the demolition of the house at 15 Bishop Street as previously discussed at the Council Retreat/Work Session.

Director Micali stated the Town purchased 15 Bishop Street when the courthouse was being constructed in 2008. The year before last he and the Town Manager were approached by a gentleman wishing to move the house to another location in Merrimack. Due to costs and other issues the gentleman never returned to the Town with an offer. About 4-5 months ago he entered the house and noticed a musty smell. While in the house last week he noticed the smell is becoming more pungent in the basement area. After further investigation he encountered mold in the basement. He suggested the Town would either need to demolish the house or expend funds on mold remediation. The house was being used for dead storage; however, most items have been removed. No copper or recyclables have been removed. The house has been winterized, the propane tank removed, and water shut off. There is an oil tank in the house, which has been drained. The oil burner appears fairly new and a decision should be made as to whether the desire exists to salvage that and move it to another facility. The only location in Town that uses an oil burner furnace with forced hot water is at Wasserman Park.

Director Micali spoke with an excavator regarding demolition and re-grading of the property. The basement of the house would have to be filled, which would increase the cost of demolition. At present it is believed the area would be left as a grassy slope. There is the potential to use the site to place a storage shed. The estimated cost to demolish the structure and backfill is \$4,600. Disposal of materials will be an additional cost anticipated to be approximately \$5,000. Councilor Dwyer remarked the property has been discussed for the past three years. Nobody wants it, the Town does not need it, it is an eyesore, and it is time for it to go.

MOTION made by Councilor Dwyer and seconded by Councilor Harrington to authorize the Town Manager to address the demolition of 15 Bishop Street

ON THE QUESTION

Councilor Boyd questioned whether savings could be achieved through a controlled burn. Director Micali stated he has spoken with the Fire Department, and with the tree cover and the proximity to the courthouse, it would be a tricky burn. **MOTION CARRIED 6-0-0**

2. Lake Naticook Milfoil and Veterans Park Boat Ramp Update

Submitted by Town Manager Eileen Cabanel and Parks and Recreation Committee Member/Lake Naticook Assoc. (LNCA) Board Member Laura Jaynes

The Town Manager and members of the LNCA would like to update the Town Council with information relative to the milfoil treatment and the boat ramp at Lake Naticook.

Murray Collette, President, Lake Naticook Conservation Association, stated approximately 24 acres of the lake was treated on June 4th, and significant monitoring of the progress of that treatment has occurred over the past 5-6 weeks. The State had two independent surveys performed in early July. At this point, there is no evidence of living Milfoil remaining in the lake. There is decomposing Milfoil

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on the bottom of the lake. After receiving the information from NHDES, the Town re-opened the boat ramp.

The Lake Naticook Conservation Association (LNCA) has taken steps to try to help mitigate the chance of a reoccurrence. NHDES has provided training on how to monitor the weeds. The lake has been divided into 7 sections with 14 individuals signed up to survey the lake on a monthly basis. A process has been established whereby a single point of contact will report back to NHDES so they can send out divers or other treatment in a timely fashion should it be deemed necessary. Diver costs for this year are covered by the State. The State has a budget in place should a chemical treatment be needed in the fall.

The chemical remains detectable in the lake, which means the chance of new growth over the next 4-6 weeks is likely very low. There remains a restriction on drinking. He remarked there is no one on the lake that they are aware of who drinks raw lake water, but there are several that have wells that are fed from the lake. They are being cautious and using bottled water. There is also a water restriction for watering plants as the chemicals are a herbicide.

The LNCA has joined the New Hampshire Lakes Association, a non-profit group that does advocacy across the state. That was done as a means of gaining advice, additional training, and access to grants for how to do lake hosting at the boat ramp. The lake host program is a program the organization sponsors, usually through grants issued to a municipality or organization to hire a college student or someone to be at the boat ramp to educate boaters and assist in Milfoil inspections. He recommended the Town consider applying for such a grant and in 2014 go through the process of potentially staffing a grant-paid individual at the boat ramp. In the meantime some minor training and pamphlets have been provided.

Mr. Collette noted a grant process is in place to apply for up to 50% of the cost of future treatment. The LNCA recommends the Town start to budget for Milfoil treatment for Lake Naticook and/or any other water body in Town. The State has already put the Town on the list for an application for grant funding for next year. At this time, the request is for approval to pass out information on Milfoil at the boat ramp during the remainder of the year, and the recommendation that the Town apply for lake hosting grants, and perhaps either through the Parks and Recreation Department or the Conservation Commission, go through the process of selecting a person to monitor the boat ramp in subsequent years.

Mr. Roger Gettel, Vice President, Lake Naticook Conservation Association, added the situation, going forward, is primarily that of education. He stated the desire of the LNCA to work with local media to provide education on the background of the problem, the types of steps necessary for boats, and what the average person can do to prevent transferring Milfoil from one water body to another.

It is believed signage could be improved upon. Currently signage consists of two signs, which were provided by NHDES. Mr. Gettell suggested a possible Eagle Scout project could be the construction of a kiosk for posting of information relative to the lake. Councilor Boyd commented he looked at the boat ramp a few weeks prior, and is of the opinion the current signage is deplorable. He questioned whether the Public Works Department could generate signage for posting. Town Manager Cabanel stated the appropriate language would be sought, and the department tasked with creation and placement of signage.

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Mr. Collette noted significant erosion at the boat ramp. He stated runoff from the road and the fields is likely bringing sediment and nutrients into the lake that will undermine its long-term health. He suggested the issue be addressed. Councilor Harrington questioned considerations the Council should have related to the request to disseminate information. Town Manager Cabanel stated her opinion materials to be distributed would be the standard literature generated by NHDES. When asked, Mr. Gettel stated his belief the literature is provided by the New Hampshire Lakes Association.

MOTION made by Councilor Harrington and seconded by Councilor Boyd to authorize the distribution of official literature to users of the boat ramp. MOTION CARRIED 6-0-0

MOTION made by Councilor Boyd and seconded by Councilor Harrington to affirm the decision of the Town Manager to open the boat ramp. MOTION CARRIED 6-0-0

Mr. Collette questioned whether the Council wished to discuss the concept of lake hosting, with the LNCA assisting in the grant application process and the hiring of an individual, educated by the New Hampshire Lakes Association, to provide the education and inspection on a more regularly basis than can be provided by volunteers. Town Manager Cabanel noted additional information would be needed such as whether there is cost sharing, and, if so, what that cost would be. Mr. Collette stated his understanding the deadline for grant applications is in the January/February timeframe. He stated additional information could be provided.

The Council recessed at 8:30 p.m.

The Council reconvened at 8:35 p.m.

New Business

1. Request for the Discontinuance of a Portion of Old Blood Road and Adjacent Un-named Class VI Right of Way

Submitted by Meridian Land Services President Kenneth Clinton and Attorney Gregory Michael

Land owner is seeking this discontinuance due to; 1) That portion of Old Blood Road identified, is unnecessary to the public benefit as a result of the Planning Board approval of certain road improvement modifications and 2) The so-called 'un-named' Class VI right of way serves no public benefit as it provides access solely to property of the land owner, pursuant to RSA 231:43 and RSA 231:45-a.

Gregory Michael, Esq., informed the Council as a result of work done in the area including subdivision of three lots along Old Blood Road, a request is being made for discontinuance. The Applicant came before the Council in 2007, after receiving Planning Board approval, and had a portion of Old Blood Road discontinued. They maintain an easement in the area to allow access on the un-named Class VI road. Attorney Michael stated he has never been convinced it is a Class VI road. It goes nowhere and Meridian Land Services owns the area around it. It is nothing more than a continuing encumbrance in the area they intent to propose for a cluster.

Attorney Michael remarked discontinuance of the area has always been intended. He read Note 14 of the Planning Board approval, which states: Upon completion of the relocated portion of Old Blood Road and the acceptance of a Phase II subdivision plan, which provides a dedicated right-of-way, the

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Applicant will petition the Town Council to discontinue the unused portions of Old Blood Road and the un-named Class VI road.

Councilor Koenig stated the Planning Board has discussed this at length for quite a few years. He agreed wholeheartedly the un-named road serves no benefit especially with Meridian owning the property on all sides of it. The easement that was put in place in order to reach the un-named road becomes unnecessary as well.

MOTION made by Councilor Koenig and seconded by Councilor Dwyer to discontinue the portion of Old Blood Road identified in the presentation as no longer necessary and also discontinue the Un-named Class VI right-of-way in the area as indicated by the maps and material presented. MOTION CARRIED 6-0-0

2. Reappointment of Merrimack Representative to the Nashua Regional Planning Commission

Submitted by Merrimack Planning Board Chairman Robert Best

The Town Council to consider the reappointment of Anant Panwalker as one of Merrimack's representatives to the NRPC, as recommended by the Merrimack Planning Board and pursuant to RSA 36:46 (III).

Chairman Yakuboff stated Mr. Panwalker was unable to be in attendance.

MOTION made by Councilor Harrington and seconded by Councilor Boyd to re-appoint Anant Panwalker as one of Merrimack's representatives to the Nashua Regional Planning Commission. MOTION CARRIED 6-0-0

3. Recommendations for Appointment of the Representatives/Liaisons to the Parks and Recreation Committee

Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair David G. Yakuboff, Sr.

The Town Council to consider the recommendations to appoint the following individuals as the representative /liaison members to the Parks and Recreation Committee, pursuant to Charter Article 6-1:

- Melanie Lesmerises – Merrimack Youth Association Liaison Member
- John Schneider / Bob Shagoury – Merrimack Youth Association Alternate Liaison Members

MOTION made by Councilor Mahon and seconded by Councilor Koenig to appoint Melanie Lesmerises as the Merrimack Youth Association Liaison Member to the Parks and Recreation Committee. MOTION CARRIED 6-0-0

Councilor Mahon stated the Charter only allows for one Alternate Liaison Member; however, two have been presented for consideration. Chairman Yakuboff stated his desire to table the appointment so that the Merrimack Youth Association can discuss it with the Parks and Recreation Committee.

MOTION made by Councilor Boyd and seconded by Councilor Mahon to table until such time as the Association is able to present a suitable candidate

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Councilor Koenig requested clarification Mr. Schneider would remain the Alternate Liaison Member during this time. Councilor Mahon stated his agreement.

MOTION CARRIED 6-0-0

4. Donation Acceptance for the Parks & Recreation Department

Submitted by Town Manager Eileen Cabanel

Town Council to consider the acceptance of the following donations to the Parks and Recreation Department and pursuant to RSA 31:95-b and Charter Article 8-15:

- \$900.00 from the Merrimack Friends and Families for the use of sending four children to Naticook Day Camp this summer and to be used towards a new Easter Bunny costume for the annual Easter Egg Hunt at Wasserman Park.
- \$50.00 gift card from Shaw's Supermarket to purchase water and ice for participants/volunteers of the 2013 July 4th parade.
- \$185.00 from the Bear Christensen Trust to assist Merrimack families in sending their children to Naticook Day Camp.

MOTION made by Councilor Mahon and seconded by Councilor Harrington to accept the donation of nine hundred dollars (\$900) from the Merrimack Friends and Families for the Naticook Day Camp, the fifty dollar (\$50) gift card from Shaws Supermarket to purchase water and ice for participants and volunteers of the 2013 July 4th parade, and one hundred eighty five dollars (\$185) from the Bear Christensen Trust to assist Merrimack families in sending their children to Naticook Day Camp. MOTION CARRIED 6-0-0

The Council expressed appreciation for the donations.

5. Donation Acceptance for the Police Department

Submitted by Police Chief Mark Doyle

Town Council to consider the acceptance of a \$100.00 donation from Arcomm Communications to the Merrimack Police Department to be used for the Department's Community Service program handout material, pursuant to RSA 31:95-b and Charter Article 8-15.

MOTION made by Councilor Mahon and seconded by Councilor Boyd to accept the one hundred dollar (\$100) donation from Arcomm Communications to the Merrimack Police Department to be used for the department's community service program handout material pursuant to RSA 31:95-b and Charter Article 8-15

ON THE QUESTION

Captain Peter Albert, Merrimack Police Department, remarked the department is seeking acceptance of the \$100 donation from Arcomm Communications located in Hillsborough, NH. He informed the Council two officers participated in a company safety day at Arcomm doing the highway safety grant's crash convincer. The company was impressed with the performance of the officers and wished to make a donation to the department. The Chief would like to utilize those funds for community service for handouts to children on safety days, junior police officer buttons, etc.

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Councilor Boyd commented the letter received was well written, and he would like to see it placed in the personnel files of the officers. It was noted the letter would be placed in the personnel files and a letter of appreciation would be sent to Arcomm. **MOTION CARRIED 6-0-0**

There being no objection the Council went out of the regular order of business to take up Item #7.

7. Sale of Town Steco Trailer

Submitted by Finance Director Paul T. Micali

The Souhegan Regional Landfill District has approached the Town in an attempt to purchase the Town's Steco trailer for \$50,000.

Director Micali informed the Council he was approached by the Chairman of the Souhegan Regional Landfill District to purchase the compactor trailer located at the transfer station. The trailer was purchased in November of 2009 with the intent of using it when the Town went to the COOP for recycling as well as to transport recyclables when the Town went to single-stream recycling. The current provider of recyclables is responsible for transportation. The trailer became an extra piece of equipment and has sat unused for about a year. The Souhegan Regional Landfill District have a need for the trailer and have offered about \$50,000. The appraisal came in at \$50,000 - \$54,000 with the potential of some work needing to be done. Director Micali stated his opinion the offer is reasonable. He added he cannot see the Town using the trailer in the foreseeable future.

Councilor Boyd noted the offer expired at 5:00 p.m. on June 28, 2013, and questioned whether an extension was granted. Director Micali stated the party was willing to extend the offer understanding the item would be before the Council. He noted, if approved, he would obtain another copy of the offer with a different expiration date. Councilor Koenig commented on the identified dimensions of the trailer; 102' wide by 48' long. Director Micali stated it to be 10' 2" wide.

MOTION made by Councilor Boyd and seconded by Councilor Dwyer to authorize the Town Manager and/or Finance Director to sell the Town Steco trailer for a price of fifty thousand dollars (\$50,000), and to perfect and effectuate any paperwork that needs to be executed to perfect the transaction. MOTION CARRIED 6-0-0

6. Wasserman Park Improvements

Submitted by Vice Chair David G. Yakuboff, Sr. and Councilor Tom Mahon

Town Council to discuss the potential building improvements at Wasserman Park.

Town Manager Cabanel stated that several years ago the Town received a report from the Turner Group (2005), which identified deficiencies in various buildings. Not knowing how much of the work had been addressed prior to her arrival, Town Manager Cabanel sent the Code Enforcement Officer to inspect each of the structures. Those buildings that were salvageable were stabilized. There were two buildings the Code Enforcement Officer could not state for certain were structurally sound. A structural engineer was brought in, and came to the conclusion the dining hall was not structurally sound. The theatre building was another structure looked at from the point of view of structural integrity. It was determined that building is in fact structurally sound. Being requested is the authority to demolish the dining hall and cabin.

Approved: August 15, 2013

Posted: August 16, 2013

Director Micali informed the Council of discussions that occurred with the Parks and Recreation Director regarding the most essential buildings for the day camp. Those identified were addressed first. Several cabins have been brought into compliance with code. The cabin proposed for demolition has a great deal of damage to the roof. It is believed the park has an adequate number of cabins and a decision not to repair this cabin would not hinder the day camp operation in any way. The cabin has not been used for several years due to the instability of roof rafters. A builder consulted with has stated, in order to repair the damage, it would be necessary to lift the roof off and rebuild it from scratch.

Councilor Dwyer stated he has been an advocate of revitalizing Wasserman Park, and believes the first step to be the raising of the old dining hall. He noted discussion that has occurred regarding the potential to utilize the area as a parking lot and create more of a loop road effect so that users of the park won't have to walk as far gain access to the water.

MOTION made by Councilor Dwyer and seconded by Councilor Boyd to authorize the Town Manager to proceed with the plans of raising the dining hall and cabins 7 and 8 with the future plans of filling and grading the dining hall area for a future parking lot. MOTION CARRIED 6-0-0

Town Manager Cabanel thanked Director Micali for taking the project on. She stated her belief funding will be available through year end unexpended appropriations.

Councilor Dwyer remarked forward movement continues with the new recreation building at Wasserman Park. He stated his desire to continue to think of that building as a year-round facility and consider installing a heating system. He is of the belief forced hot water is a bad idea because of freezing pipes, and suggested consideration be given to forced hot air. He suggested the building would be a great facility for Town use and would go a long ways towards it being more of a year round park. Town Manager Cabanel commented having only been in town for the past two years, when asked by Money Magazine what are some of the charming things that make Merrimack Merrimack, her thoughts went right to Wasserman Park.

Minutes

Approve the minutes from the following Town Council meetings: June 13, 2013 and June 27, 2013

MOTION made by Councilor Boyd and seconded by Councilor Mahon to approve the minutes of the June 13, 2013 Town Council Meeting as presented. MOTION CARRIED 6-0-0

MOTION made by Councilor Boyd and seconded by Councilor Mahon to approve the minutes of the June 27, 2013 Town Council Meeting as amended

The following amendment was offered:

Page 14, Line 10; replace the word "be" with the word "get".

MOTION CARRIED 5-1-0

Councilor Dwyer voted in opposition.

Approved: August 15, 2013

Posted: August 16, 2013

Comments from the Press - None

Comments from the Public - None

Comments from the Council

Councilor Dwyer spoke of what a special town Merrimack is. He used the example of the evening's agenda which included discussion on the 4th of July parade, a citizen coming forward with a proposal for a Veterans Memorial at Fraser Square, acceptance of the Pavilion constructed by the Rotary Club, the fact Watson Park is flourishing, the work of the Parks and Recreation Department in Wasserman Park, donations people continue to give, 14 volunteers keeping a watch on Naticook Lake, and a developer coming in town to enhance development, etc. Councilor Boyd remarked that is why Money Magazine has named Merrimack one of the top 50 towns in the United States.

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

The July 18, 2013 meeting of the Town Council was adjourned at 9:05 p.m.

Submitted by Dawn MacMillan