



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: February 8, 2019

Date of Meeting: March 14, 2019

Submitted by: Robert Price

Department: Community Development

Time Required: 20 minutes

Speakers: Robert Price, Planning & Zoning Admin.

Background Info. Supplied: Yes: No:

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/ Retirement:	<input type="checkbox"/>
Public Hearing:	<input checked="" type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

2019 Milfoil Grant Funds for Horseshoe Pond & Naticook Lake

DESCRIPTION OF ITEM

To ask the Town Council to accept and authorize the expenditure of up to \$4,437 of the grant from NHDES for milfoil control via Diver Assisted Suction Harvesting (DASH) in addition to the Town's matching share of \$13,313 this fiscal year for DASH for variable milfoil control efforts in portions of Horseshoe Pond and Naticook Lake. This totals \$17,750. We ask that the Town's share be expended from the Milfoil Capital Reserve fund. This request represents funding to allow for treatment in 2019 to control milfoil.

REFERENCE (IF KNOWN)

RSA:	31:95-b	Warrant Article:	
Charter Article:	8	Town Meeting:	
Other:		N/A	

EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input checked="" type="checkbox"/>

CONTACT INFORMATION

Name:	Robert Price	Address	Community Development Dept.
Phone Number	(603) 424-3531	Email Address	rprice@merrimacknh.gov

LEGAL NOTICE
Town of Merrimack
Public Hearing

Residents of Merrimack are hereby advised that the Town Council will hold a public hearing to authorize the acceptance and expenditure of grant funds of up to \$4,437 from the New Hampshire Department of Environmental Services (NHDES) for milfoil control via Diver Assisted Suction Harvesting (DASH) in addition to the Town's matching share of \$13,313 this fiscal year for DASH for variable milfoil control efforts in portions of Horseshoe Pond and Naticook Lake, pursuant to RSA 31:95-b and Charter Article 8-15. The public hearing will be held on **Thursday, March 14, 2019, at 7:00 PM** in the Matthew Thornton Room located at 8 Baboosic Lake Road in Merrimack.

For Town of Merrimack Use:

Posted: March 4, 2019

To Be Published: February 27, 2019 (*Union Leader*)

To Be Published: March 8, 2019 (*Merrimack Journal*)



Town of Merrimack, New Hampshire

Community Development Department
 6 Baboosic Lake Road
 Town Hall - Lower level - East Wing

603 424-3531
 Fax 603 424-1408
www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

MEMORANDUM

Date: February 8, 2018
To: Finlay Rothhaus, Chair, & Members, Town Council
From: Robert Price, Planning & Zoning Administrator
Subject: 2018 Milfoil Grant Funds for Horseshoe Pond & Naticook Lake

Attached for your information are documents pertinent to the 2019 milfoil grant funds recently awarded to the Town of Merrimack. Should the Council vote to accept and authorize the expenditure of funds, the necessary paperwork will be completed, notarized and forwarded to the NH Department of Environmental Services (NHDES) for processing.

Horseshoe Pond and Naticook Lake have both been managed annually for milfoil since 2012 using a variety of chemical and non-chemical techniques. Amy Smagula, Exotic Species Program Coordinator with the NHDES, explains that maintenance work is needed on an ongoing basis to keep the infestation from increasing and to keep milfoil to a minimum. In 2018, milfoil in Horseshoe Pond again required an herbicidal treatment (as was done in 2017), which brought about positive results. For 2019, NHDES recommends only diver-assisted suction harvesting (DASH). Naticook Lake has been responding well to regular monitoring and DASH, and NHDES again recommends continuing this course for 2019.

With respect to the 2019 grant funding, the NHDES selected Aqualogic for DASH management at both Horseshoe Pond and Naticook Lake. According to the NHDES grant award letter, divers would dive and/or perform DASH for up to 8 days at Horseshoe Pond and up to 10 days at Naticook Lake during 2019, as needed.

The estimated total for Milfoil treatment this year is \$17,750, while the NHDES grant amount awarded to Merrimack is \$4,437, meaning that the Town's share of the total cost would be \$13,313:

	Herbicide Treatment	Diver/DASH
Total Cost	N/A for 2019	\$17,750 (up to 8 days in Horseshoe & 10 days in Naticook)
Grant Award	N/A for 2019	\$4,437
Local Cost	N/A for 2019	\$13,313
Service Provider	N/A for 2019	Aqualogic

The funds to cover milfoil treatment in 2019 would be expended from the Milfoil Capital Reserve Fund. In order to maximize effectiveness, the treatments should be able to begin prior to the new fiscal year beginning in July.

Please find enclosed the following materials:

- NHDES letter dated January 16, 2019 from Amy Smagula, Exotic Species Program Coordinator notifying the Town of Merrimack of the Horseshoe Pond and Naticook Lake project selection;
- Aqualogic bid proposals for Horseshoe Pond & Naticook Lake;
- NHDES informational letter dated February 8, 2018 regarding Variable Milfoil Management in Horseshoe Pond and Naticook Lake from Amy Smagula, Exotic Species Program Coordinator.

Suggested Motion:

That the Town Council vote to accept and authorize the expenditure of up to \$17,750 for the milfoil treatment program at Horseshoe Pond and Naticook Lake, of which \$4,437 is from a grant from NHDES for milfoil control via DASH, and the Town's portion is \$13,313 to be funded from the Milfoil Expendable Capital Reserve Fund, and furthermore, the Town Council authorizes the Town Manager or her delegate to execute any and all documents which may be necessary.

Cc: File
Ec: Paul Micali, Assistant Town Manager/Finance Director
Timothy J. Thompson, AICP, Community Development Director
Roger Gettel, Naticook Lake Conservation Association



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 16, 2019

RE: 2019 Exotic Aquatic Species Control Grant

Dear Mr. Price:

Congratulations! The Department of Environmental Services (NHDES), Exotic Species Program has selected your exotic aquatic plant control project to receive grant funds in 2019. Below is a breakdown of total project cost(s), grant award, and costs to be incurred by local entities.

	Herbicide Treatment	Diver/DASH
Total Cost	n/a	\$17,750 (Approximately 8 days at Horseshoe Pond and 10 days at Naticook Lake)
Grant Award	n/a	Up to \$4,437
Local Cost	n/a	\$13,313
Service Provider	n/a	Aqualogic

Total Grant Award: \$4,437.00

DES is now in the process of compiling the necessary paperwork to proceed with obtaining approval on this grant allocation. Attached to the transmittal email, please find several documents that pertain to the granting of funds to your group from NHDES for 2019.

PLEASE READ CAREFULLY AND FOLLOW ALL INSTRUCTIONS BELOW:

1. Please print the Grant Agreement, Exhibits and Certificate of Authority (attached to email and specified below), on plain white paper, *single-sided*, and complete as detailed below:
2. **Grant Agreement:** To be completed before a Notary Public. Please have the appropriate person in your organization complete lines 1.5 and 1.11 through 1.13.2 of the Grant Agreement in the presence of a notary.
 - a. This requires the phone number, name, position and signature of the individual authorized to sign for your group.
 - b. This same person must initial and date the bottom right of each of the four pages of this document (note that it says “contractor initials,” this is indeed the person signing for your group, not the hired entity who does the work). The person who signs the Grant Agreement is the “contractor” for the project, and should be the one who initials and dates each page. It *does not* mean the contractor who is hired to do the work.
 - c. This document needs an acknowledgement by a Notary Public.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

3. **Exhibits:** Each of the three pages in the Exhibits document must be initialed and dated, on the bottom right, by the same person who completed the Grant Agreement in #2 above, and should have the same date as the Grant Agreement.
4. **Certificate of Authority:** To be completed before a Notary Public. This is a certificate that verifies that the person who signs the Grant Agreement in #2 above is in a position that is authorized to do so. This form must be completed by someone other than the person who signed the Grant Agreement and Exhibits.

For example: If the President of your organization filled out the Grant Agreement and initialed and dated the four pages of the Grant Agreement, and initialed and dated the three pages of the Exhibits, then someone else like the Treasurer, Vice President, Secretary, or other officer will serve as the "certifying officer" and can fill out the Certificate of Authority, verifying, in their own capacity, that the President was authorized to sign the Grant Agreement and initial the Exhibits.

Specifically, the certifying officer will:

- a. Write the OFFICE of the person who signed the Grant Agreement on line (3) of the Certificate of Authority.
- b. Print the NAME of the person who signed the Grant Agreement on line (5) of the Certificate of Authority.
- c. Fill out the rest of this form with their own information (name, position in the group), doing so before a Notary Public. *Also note that if someone does this separately, it needs to ultimately hold the same date, or a date prior to the one shown on the signed Grant Agreement and initialed Exhibits, so the Certificate of Authority cannot be dated after the Grant Agreement and Exhibits are executed.*

Items 2, 3 and 4 should be completed and returned to my attention at the address below no later than February 15, 2019.

All payments/disbursements will be made on a reimbursement basis upon submission of appropriate invoicing for services or materials rendered, and the appropriate match percent will be applied to each invoice received by DES.

Please note that the contractual process cannot begin until we have all of the completed paperwork from your group. Your rapid attention in preparing these documents and returning them to me is much appreciated, and it will aid in expediting this frequently lengthy grant approval process.

I will be working on preparing and or updating (as appropriate) a long-term management plan for your waterbody. Once it is fully drafted, I will be sending it to you electronically for review. In mid to late February, I will be sending it to the contractor(s) who will be performing the control actions for your waterbody, so they can use it for planning purposes.

If you have not already done so, please confirm with the contractor(s) listed above that you accept their bid and would like to secure their services as outlined in the bid(s) for 2019.

If you have questions at any point during the grant process, or would like clarification on how to complete the paperwork, please do not hesitate to contact me at Amy.Smagula@des.nh.gov or at 603-271-2248. Paperwork that is not completed correctly will need to be returned, and this will delay the grant processing.

Sincerely,

A handwritten signature in blue ink that reads "Amy P. Smagula". The signature is cursive and matches the typed name below it.

Amy P. Smagula
Exotic Species Program Coordinator



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

February 8, 2019

RE: Variable Milfoil Management in Horseshoe Pond and Naticook Lake, Merrimack

To Whom It May Concern:

The purpose of this letter is to provide an update about the status of variable milfoil in Horseshoe Pond and Naticook Lake in Merrimack, New Hampshire.

The Department of Environmental Services (DES) has been monitoring each waterbody closely over the years, to track growths of variable milfoil, and make recommendations and grants for management. Each waterbody is surveyed by DES at least two to three times each growing season, so that management recommendations for each pond can be made on real-time growth conditions in the lake. Additionally, lake residents have been trained to serve as volunteer "Weed Watchers" who survey their waterbodies monthly (or more often) during the growing season, looking for growth. Based on local feedback, Weed Watcher efforts continue to be very strong on Naticook Lake, and more sporadic in Horseshoe Pond.

Horseshoe Pond:

Horseshoe Pond has the longest history of variable milfoil growth in the Town of Merrimack. Variable milfoil was first documented in the pond around 2000. Since then the variable milfoil has shown periods of high and low density, depending on when management actions were performed. In the past, management used to be responsive to local complaints about growth, but in recent years we have shifted to a routine management goal, where we work to reduce the overall density and distribution of milfoil with herbicide treatment, and then shift to a more non-chemical means of control like hand removal or diver-assisted suction harvesting to keep densities low perpetually. For some waterbodies this works well, but for some milfoil can quickly rebound if diving is not effectively controlling growth. This is what we saw in Horseshoe Pond in 2016. As such, we performed a lake-wide herbicide treatment in 2017, to greatly reduce variable milfoil growth, with good effect. We repeated this approach in 2018 with continued success, and are thus only recommending diving in 2019.

Naticook Lake:

Naticook Lake milfoil was documented in 2012, as a large patch of growth near the boat launch and near the island in the lake. Diver work, followed by herbicide treatment, worked to reduce the growth, and since that time the infestation has been managed by divers quite effectively. Naticook Lake has a very dedicated and thorough group of individuals who survey the lake regularly, and mark infestations as they find them. The marked areas of growth are then visited by divers who hand remove the growth, often with on-site support from local volunteers, to guide the divers to the infestation. This has very effectively worked to keep milfoil densities low in Naticook Lake, therefore recommendations for this waterbody include careful monitoring and regular hand harvesting of any milfoil growth through the growing season.

DES has offered grant funds to both waterbodies for control of the milfoil in 2019. A 25% grant award is available for costs incurred in each waterbody based on bids received by DES (the town was copied on all bids). DES has already sent grant paperwork to the town for completion, and then will work to finalize the grant so funds are available by the time ice out occurs and management actions begin.

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Town of Merrimack
February 8, 2019

In summary, both infested waterbodies in the Town of Merrimack have some milfoil control projects recommended for them in 2019 and beyond. The infestation in Naticook Lake appears to be stable and manageable by diving in 2019, as does the infestation in Horseshoe Pond.

Please feel free to reach out with any questions you may have on this. I can be reached via email at Amy.Smagula@des.nh.gov, or via phone at 603-271-2248.

Sincerely,

A handwritten signature in blue ink that reads "Amy Smagula". The signature is written in a cursive style with a large initial "A".

Amy P. Smagula
Limnologist/Exotic Species Program Coordinator



Horseshoe Pond 2019 DASH Bid

1.) Team Information Cost		\$ 700.00/day
Number of Divers	<u>2</u>	
Number of Surface Support Personnel	<u>1</u>	
Other Staff	<u>0</u>	

Personnel Info:

- The work crew consists of 3 on-site personnel. Two members (safety diver and tender) are on the DASH vessel during operation with one member (head diver) in the water.
- **Personnel Certifications** – Divers are Open Water and Weed Control Certified. The head diver has a Commercial Boating License. All team members are CPR/AED/First Aid trained and certified per OSHA regulations. Aqualogic is approved by the NHDES and meets all local and federal regulations.
- **Head Diver** - The head diver is the point man of the DASH operation. He completes the milfoil harvesting, directing his/her crew through the areas marked by the DES and local association in the most efficient manner possible.
- **Safety Diver** - The safety diver uses OSHA mandated 2-way communication to stay in contact with the head diver as he harvests milfoil. He makes sure that the equipment (DASH boat, dive equipment, ect.) are always clean and organized at the end of the day. He/she is also weed control certified and has the ability to switch with the head diver to harvest milfoil if they are fatigued.
- **Tender** - The tender's role is to keep the DASH operation running. This includes moving the milfoil from the screen to buckets, filling the gas and checking the oil, priming the foot valve and assisting the diver with his equipment as he enters and exits the water. They fill out the data sheets at the end of the day and send them to the project manager. All tenders are certified and trained in the spotting and handling of milfoil.
- **Project Manager** – Wayne K. is the project manager for all N.H. contracts. He receives the daily reports from the tender. At the end of each work week he sends the daily harvest reports and a harvest map to both the local association and the DES.

2.) Equipment Cost	\$275.00/day
Description of Equipment to be used/provided:	

- Garmin GPS – Progress maps and reports are sent at the end of each work week.
- All needed SCUBA equipment
- Liquivision Dive Watch
- Go Pro for Video (if need be)

- DASH Unit
- 33 gallon Brute Buckets
- Aquacom 2 Way Communication per OSHA regulations
- Ocean Tech Systems Full face mask for all diving personnel
- Drop down poll for DASH unit – This poll drops through a hole in the deck and keeps the boat in place.

3.) Cost per day \$275.00 + \$700.00
\$ 975.00

Description of **DASH**:

- Each workday includes up to 2 hours of preparation, area survey and clean up, and 6 hours of total dive time. Tenders record when the diver enters and exits the water.

Description of **Hand/Bag Harvesting**:

- Each workday includes up to 2 hours of preparation, area survey and clean up, and 6 hours of total dive time. Tenders record when the divers enter and exit the water.

4.) One Time Set Up Fee \$100.00

5.) Estimated Project Cost:

- Based on 8 Days \$7,900.00

Note: The estimate is what it is. There are no up-charges or extra costs. We believe in a low price because it allows for more DASH days to be completed.



Naticook Lake 2019 DASH Bid

1.) Team Information Cost		\$ 700.00/day
Number of Divers	2	
Number of Surface Support Personnel	1	
Other Staff	0	

Personnel Info:

- The work crew consists of 3 on-site personnel. Two members (safety diver and tender) are on the DASH vessel during operation with one member (head diver) in the water.
- **Personnel Certifications** – Divers are Open Water and Weed Control Certified. The head diver has a Commercial Boating License. All team members are CPR/AED/First Aid trained and certified per OSHA regulations. Aqualogic is approved by the NHDES and meets all local and federal regulations.
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- **Tender** - The tender's role is to keep the DASH operation running. This includes moving the milfoil from the screen to buckets, filling the gas and checking the oil, priming the foot valve and assisting the diver with his equipment as he enters and exits the water. They fill out the data sheets at the end of the day and send them to the project manager. All tenders are certified and trained in the spotting and handling of milfoil.
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- Drop down poll for DASH unit – This poll drops through a hole in the deck and keeps the boat in place.

3.) Cost per day \$275.00 + \$700.00
\$ 975.00

Description of **DASH**:

- Each workday includes up to 2 hours of preparation, area survey and clean up, and 6 hours of total dive time. Tenders record when the diver enters and exits the water.

Description of **Hand/Bag Harvesting**:

- Each workday includes up to 2 hours of preparation, area survey and clean up, and 6 hours of total dive time. Tenders record when the divers enter and exit the water.

4.) One Time Set Up Fee \$100.00

5.) Estimated Project Cost:
 • Based on 10 Days \$9,850.00

Note: The estimate is what it is. There are no up-charges or extra costs. We believe in a low price because it allows for more DASH days to be completed.