



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 the requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: Monday, January 16 Date of Meeting: Next available = February 23, 2023
 Submitted by: Jody Donohue Time Required: 10 minutes
 Department: _____ Background Info. Supplied: Yes No
 Speakers: Jody Donohue for The Great New England Craft & Artisan Shows

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

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

TITLE OF ITEM

Update Status of Permit Requirements for Craft Fairs - Potential Exemption Request.

DESCRIPTION OF ITEM

Annual Craft Show to be held May 13 from 10-5pm at Merrimack Artworks

REFERENCE (IF KNOWN)

RSA: 180 Warrant Article: _____
 Charter Article: _____ 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: Jody Donohue Address: PO Box 151 Merrimack NH 03054
 Phone Number: 603-321-9794 Email Address: GNE Craft Artisan Shows @gna.com

APPROVAL

Town Manager: Yes No Chair/Vice Chair: Yes No

Hold for Meeting Date:

Thank you -

Approved: May 26, 2022

Posted: May 27, 2022

2. [HB 1547](#) (AN ACT relative to perfluorinated chemical remediation in soil and procedures for certain hazardous waste generators) was given an Ought to Pass recommendation from the Senate Energy and Natural Resources Committee. Next it goes to the full Senate. This bill is the product of exceptional collaboration among town activists, state legislators and the New Hampshire Department of Environmental Services.

Thank you for all you do.

Respectfully submitted,

Rep. Maureen Mooney

Town Manager's Report

- Pavement program for the year has been progressing quickly. All base or shim paving has been completed. On Friday, April 29th the crews will be in to raise all of the sewer, water and drainage structures. Once all of the structures have been raised, Continental Paving will be back to place the final pavement on the roads.

Consent Agenda

1. Consideration of Changes to Chapter A198 of the Merrimack Town Code [Final Reading]

Submitted by Town Manager Paul T. Micali

The Town Council to consider the acceptance of recommended changes to Chapter A198, Administrative Code, of the Merrimack Town Code, pursuant to Charter Article V.

MOTION made by Councilor Harrington and seconded by Councilor Healey to accept the recommended changes to Chapter A198, Administrative Code, of the Merrimack Town Code, pursuant to Charter Article V.

MOTION CARRIES 6-0-0

Old Business

None.

New Business

1. Permitting Requirements for Craft Fairs

Submitted by Jody Donohue

Requesting definitions and possible exemption for upcoming Craft Fair to be held at Merrimack Premium Outlets on Saturday, May 7, 2022.

Ms. Jody Donahue was present to speak with the Council about the upcoming Craft Fair. She shared that she is a part of the Great New England Craft and Artisan Shows and she travels around New England hosting various events. This year will mark the 5th year of craft fairs at the Merrimack Outlets, and she recently received an email from the Outlets stating that all vendors will need to complete a Merrimack town permit for a hawker's permit and pay \$50. Because of this, she has had several vendors back out, any many are alarmed about this sudden requirement. She then stated that typically, as the renter she handles all the liability, permits, and insurance for these events, and she has never had a town or city ask for this before hosting a craft fair. Ms. Donahue then shared that these artists do not make much profit from this, and this is mostly a hobby or part time job for these individuals, so \$50 can be a lot of money for some artists. She is hoping the Council can help figure this out so she does not have to cancel the event.

Approved: May 26, 2022

Posted: May 27, 2022

Mr. Micali shared that this falls under Ordinance 180, intent vendors, and many surrounding towns also charge a daily or yearly fee. He then reviewed the fee exemptions, which are for any non-profit or any brick-and-mortar retail location in NH. The Council put this ordinance in place due to Rib Fest and the unsolicited vendors at that event, so now individuals are required to apply for a permit and complete a background check. He then shared that the Outlets were not aware of this policy until an individual who sells at Anheuser-Busch mentioned they were also going to be at the Craft Fair. The Council discussed possible exceptions, as the consensus was that this is a different type of event than Rib Fest and understand that this event does not yield much profit for the artists. Mr. Micali stated that the Council has to be careful as this could set a precedence for individuals that sell at multiple vendor locations. Councilor Murphy agreed with Mr. Micali, stating that she is concerned that allowing exceptions could lead to problems down the line with other vendors looking for exceptions, including those out-of-state, and the ordinance serves as a protection for the town. Councilor Healey shared her stance, stating that she thinks this ordinance should be re-worked and an exception should be made since the artists may not sell anything or turn any profit from this event, and \$50 can be a lot for some individuals. Councilor Hunter is also in agreement with making a one-time exception, with Councilor Harrington agreeing, stating that the exception should be made since Ms. Donahue was just made aware of this recently and she was unaware of the ordinance. Mr. Micali asked the Council if they would be in agreement to grant the one-time exception, and he can re-work the ordinance and present an updated version to the Council in a few weeks for review.

MOTION made by Councilor Harrington and seconded by Councilor Healey to allow a one-time exemption for the upcoming Great New England Craft & Artisan Show being held at Merrimack Premium Outlets on Saturday, May 7, 2022, and for the promoter to provide insurance information and pay a fee of \$160 to cover the cost of the Fire Inspector, and to allow the Town Manager or his proxy to sign and execute all of the necessary paperwork.

MOTION CARRIES 6-0-0

2. Acceptance of Donation to the Parks and Recreation Department

Submitted by Parks and Recreation Director Matthew Casparius

The Town Council to consider the acceptance and expenditure of a donation in the amount of \$510.00 from the Trustees of Trust Funds to the Parks and Recreation Department to be used towards the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15.

MOTION made by Councilor Woods and seconded by Councilor Healey to accept and expend the donation in the amount of \$510.00 from the Trustees of Trust Funds to the Parks and Recreation Department to be used towards the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15.

MOTION CARRIES 6-0-0

3. Acceptance of Donation for the Parks and Recreation Department

Submitted by Parks and Recreation Director Matthew Casparius

The Town Council to consider the acceptance and expenditure of a donation in the amount of \$510.00 from the Merrimack Lions Club to the Parks and Recreation Department to be used towards the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15.

MOTION made by Councilor Harrington and seconded by Councilor Healey to accept and expend the donation in the amount of \$510.00 from the Merrimack Lions Club to the Parks and Recreation Department to be used towards the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15.



Town of Merrimack, NH

6 Baboosic Lake Road, Merrimack, New Hampshire 03054
Phone (603) 424-2331; Fax (603) 424-0461

TEMPORARY SALES LOCATIONS AND VENDORS LICENSE

In accordance with RSA 31:102-A and Chapter 180, Temporary Sales Locations and Vendors, amended by the Town Council on January 25, 2018, this license is granted to:

Applicant Name: Jody Donohue
Applicant Address: 23 Hiltons Run, Kittery Point, ME 03905
Business Name: Great New England Craft & Artisan Shows

to operate a craft & artisan show at Merrimack Premium Outlets in the Town of Merrimack.
This license is granted subject to the provisions and restrictions contained in the ordinance of the Town of Merrimack.

1-Day License: Valid 5/7/2022 ONLY.
Expires at midnight on valid date.

This license is issued as a one time exception to Great New England Craft & Artisan Shows approved by the Town Council on 4/28/2022.

This license is only valid at the Merrimack Premium Outlets located at 80 Premium Outlets Boulevard on Saturday May 7, 2022.

All future events and vendors will need to comply with Merrimack Town Code (Chapter 180, Temporary Sales Locations and Vendors) to obtain proper vendor license(s) and meet all Health and Fire requirements as applicable.

Issue Date: 5/3/2022

Town Manager/Designee Approval

NOT VALID UNTIL SIGNED BELOW BY FIRE/HEALTH DESIGNEE

Erin C. Olson

Original to Applicant
Copies to: General Gov't Files, Police Department, Health Department