



Town Council Meeting Minutes

Thursday, June 25, 2020 at 7:00 PM, in the Matthew Thornton Room

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

Pledge of Allegiance

Life Scout Kishan Sreenivasan led in the Pledge of Allegiance.

Announcements

Regular meetings of the Town Council will be conducted on Thursday July 16th and August 20th at 7:00 p.m. in the Matthew Thornton Room.

The Parks and Recreation Department invites residents to join them on Wednesday nights at Abbie Griffin Park for free weekly summer concert series. Concerts will run every week from 6:00 - 8:00 p.m. from June 24th to August 12th. For more information visit the merrimackparksandrec.org website.

On Friday July 10th, join the Parks and Recreation Department at Wasserman Park for their 1st free movie night of the summer. The movie will be Star Wars Rise of Skywalker, and will be held on the t-ball field adjacent to the tennis courts starting at approximately 8:30 p.m.

Comments from the Press and Public

Charles Franks, 33 Currier Road

He and his wife have resided in Merrimack for 34 years, and are finding the amount of traffic in their neighborhood intimidating. They frequently have to deal with rudeness and aggressive tourists. The traffic and parking infringe on the use of their property, access to drives and mailboxes. There is a noise problem that goes along with the traffic at all hours of the day and night. Located at the end of Currier Road, they deal with a lot of tourists parking in front of their house, and walking on their lawn. He spoke of the safety concern in terms of EMS access, excess traffic speed, and congestion.

Trash left behind is becoming an increasing issue on their property, in the neighborhood, and in the Wildcat Falls area. Traffic coming into the conservation parking area lot occurs at all hours, and is especially problematic in the evening (ranges from closing time until well after midnight). When this has occurred previously he would contact the Police Department. They could not always respond, and when they did the motorists were gone anyway.

When the suggestion of a Neighborhood Crime Watch came up, Mr. Franks stated he has attempted that kind of effort in the past. Because of the response issue, he gave up, and is reluctant to try to start the effort again. He spoke of concern with the possibility of retaliation if contacting the police department.

1 Brenna Hansen, 3 Currier Road

2

3 Has resided here for 13 years. There is one way in and one way out of the neighborhood. Wildcat
4 Falls Conservation Area is at the opposite end of the road for her.

5

6 Due to the Wildcat Falls parking lot being located in the residential neighborhood, they have seen a
7 market increase in both volume and speed of traffic over the past 8 years. This past year it has
8 deteriorated into a dangerous situation. Cars speed by her home swerving around children and pets,
9 signage that was purchased and posted in their yard is ignored or defaced, if they ask drivers to slow
10 they are often met with angry hand gestures or swearing. Trash, including cigarette butts, broken
11 glass, diapers, or worse end up in their front yard or littered throughout the conservation property.

12

13 Her children at 10 and 13 are on the brink of gaining some independence, but have lost that. They can
14 no longer walk their dog in the neighborhood for fear of being hit by a car. They cannot ride bikes.
15 They cannot go to their friend's house unless they are accompanied. She has personally helped the
16 situation as much as she feels she can; spent time picking up trash with her children in her front yard
17 and at Wildcat Falls. Because of the situation with the pandemic, they are not doing that. She has
18 incurred an expense purchasing signs for her yard and those of her neighbors and has followed the
19 requests of Chief Roy by calling immediately to report criminal behavior. The neighborhood has often
20 felt they get mixed messages on what exactly can be enforced and what is illegal. There are times
21 when she calls that the police show up right away and other times when it can take 90+ minutes.

22

23 It is time to close Wildcat Falls until a permanent solution is in place, which needs to include
24 addressing access to the area from the neighborhood and making the Currier Road neighborhood
25 resident parking only. She requested the Council act and make her neighborhood safe for her and her
26 children, protect the other neighbors, many of whom have children and pets they feel are in danger,
27 and protect the elderly neighbors who fear confrontation with drivers parking on their front lawns or an
28 issue she just learned of with someone urinating on a mailbox.

29

30 Amy Simoneau, 6 Fir Street

31

32 Commented the Currier Road neighborhood was established in the late '50s/early '60s. It consists of
33 72 homes along 7 side streets. Currier Road is the only access to the neighborhood and for the Wildcat
34 Falls parking lot. Her concerns began in September of 2019. The support of the Council is critical to
35 establishing a pathway to a safe community and protecting the Wildcat Falls Conservation Area.

36

37 **Recognitions, Resignations and Retirements** - None

38

39 **Appointments** - None

40

41 **Public Hearing** - None

42

43 **Legislative Updates from State Representatives**

44

45 Representative Wendy Thomas remarked when last before the Council she spoke of having organized
46 an effort "Merrimack Mask Sewing". When the effort began, masks were not available for the general
47 public. A few dozen people in Town saw the problem and set to work creating fabric masks for our
48 Town. Some volunteers lent their sewing machines, some cut fabric, donated supplies, and others

1 sewed masks. Several 3D printed elastic extenders, some sewed buttons to headbands, and some
2 crocheted extenders. The extenders were handed out with the masks and delivered to hospitals.

3
4 In April, her daughter joined the effort and managed the website, requests for masks, and dropping off
5 of supplies. There were several drive-thru mask giveaways, and masks were provided for the Town,
6 residents, local businesses, medical providers, local hospitals, nursing homes, Home Health &
7 Hospice, and the United Way to name a few. Although difficult to count the number of masks made, it
8 is a safe estimate that the group made close to 5,000 masks.

9
10 This past week the House of Representatives passed the Hillsborough County budget. Hillsborough
11 County has a rainy day fund intended for emergencies. COVID-19 is considered an emergency. The
12 majority of the delegates present voted to dip into the fund in order to zero out the budget so that there
13 will be no county tax increase this year.

14
15 Food and security are issues that have been compounded by COVID-19. On the UNH Cooperative
16 Extension website is a food map showing where free or low cost food is available for those in need.
17 The website also has a NH produce map so that if looking for specific fruits or vegetables you can
18 check the map first to see availability. There is a lot of information with tips for gardeners and
19 businesses producing produce specific to this summer's conditions on the website. For parents, the
20 website has many links for activities for kids and is planning several online classes and activities for
21 the summer.

22
23 With so many out of work and losing income, many are selling the trees on their lots for timber. The
24 Extension is asking people to contact them before considering a lumber sale. They will come to your
25 property and discuss with you how you can best cut trees down while maintaining the ecological
26 integrity of your property.

27
28 The last session for the House is June 30th at the Whittemore Center at UNH.

29 30 **Town Manager's Report**

31
32 The Welfare Department has not been as busy with regular assistance, rent, and utilities. It is hoped
33 that is because everyone is able to afford these expenses. Evictions and foreclosure moratoriums are
34 going to expire on June 30th, and we expect people who are behind in their rents and foreclosures will
35 start to seek assistance. The Governor's Office has announced an allocation of \$35 million for the
36 CARES Act to support residents in need of housing assistance as it relates to COVID-19. Part of this
37 allocation is the Housing Relief Program, which will help with rental assistance. An eviction notice is
38 not required to do an application. Southern New Hampshire Services, our community action program,
39 will be handling the applications in the area starting June 30th. For more information please visit their
40 website at www.capnh.org. The department has been busy with homeless cases, especially since
41 shelters are having problems with social distancing and keeping people safe.

42
43 The bridge on Bedford Road opened up earlier this month. Work on moving utilities continues, which
44 may result in daily closures of one lane or the other. Please visit the Town website for details on
45 closings.

46
47 The sewer project at Baboosic Lake Road - Madeline Bennett has begun, and will continue until
48 September. With dry conditions, they were able to start digging sooner than anticipated and without
49 having to pump. Lower water tables should help the project along.

1 **Consent Agenda** - None

2

3 *There being no objection, the Council went out of the regular order of business to take up the first 2*
4 *items under New Business.*

5

6 **New Business**

7

8 **1. Consideration for Eagle Scout Project at Wasserman Park**

9 Submitted by Life Scout Kishan Sreenivasan

10 The Town Council to consider Life Scout Kishan Sreenivasan's proposed Eagle Scout Project to
11 construct an ADA handicapped accessible ramp in Wasserman Park for the Day Camp / Nurse
12 office.

13

14 Life Scout Kishan Sreenivasan, Troop 424, stated the project is the construction of an ADA
15 handicapped accessible ramp in Wasserman Park, specifically for the summer camp office. The ramp
16 will need to be stable and safe, and have an opening so that existing stairs can be used. To be ADA
17 compliant, the ramp will have to have 1" of rise for every 1' of ramp, and be 36" from railing to
18 railing. A stone dust path will be laid out from the end of the ramp to the handicapped parking lot.

19

20 Life Scout Sreenivasan spoke of his love for Wasserman Park and of all of the many ways in which he
21 has utilized the park noting this project is his way of giving back to the park. It is also the top priority
22 of Matthew Casparius, Director, Parks and Recreation for the park.

23

24 Tools needed for the project consist of drills, saws, hammers, levels, and wheel barrels. Total cost is
25 expected to be \$1,441.17. The intent is to lower the cost by obtaining donations and purchasing from
26 local businesses.

27

28 Project approval was provided by Director Casparius in May, and last week from the Parks and
29 Recreation Committee. Once approved by the Council, the project will go before the Troop
30 committee. In September, the project will go before the Eagle Board of Review.

31

32 Phases for construction include having the holes dug by the Town and the outer frame of the deck
33 assembled. From there, the outer frame of the ramp will be assembled and decking, and ramp boards
34 added. The stone dust path will be laid out, and the final step of stability testing will be done. The
35 ramp will be 20' long and 4' wide and the deck 6' by 6'. The railing will be 3' high and the stone dust
36 walkway 26' long and 4' wide. Pressure treated wood will be utilized. A 3D model was displayed.
37 There will be 4 beams for support under the ramp and deck. The opening for the existing stairs will be
38 2.5' wide so that people can walk comfortably in and out without the wheelchair rolling out.

39

40 Work will be completed 2' away from the building to allow for access to the windows and AC units.

41

42 Fundraising will occur in September and will consist of car washes and bake sales. Four work days
43 will be in June of 2021 if the approval process goes as planned. If ahead of schedule with approval
44 and fundraising process, construction will begin mid-September 2020.

45

46 Construction of this ramp will complete the park's goal of having all buildings ADA accessible. The
47 building being worked on houses the summer camp office and the nurse's office.

1 Councilor Woods spoke of prior experience with ramps being constructed for this type of access where
2 the building was complete, paving was done, and there was an issue about the degree of slope of the
3 ramp. Life Scout Sreenivasan stated the area was visited and all details have been measured.

4
5 The stone dust path is level from the parking lot. The rise from the start of the ramp to the steps is
6 approx. 17". The intent is to make the ramp/deck as close to the ground as possible to avoid a large
7 step up.

8
9 Asked if the project would include a way to address the growth of weeds/grass, Life Scout Sreenivasan
10 stated that could be included in the project.

11
12 Councilor Healey questioned the depth of the stone dust path, and was told it would be a surface layer.
13 It was suggested that area also address weed control.

14
15 Councilor Rothhaus commented the stone dust will pack hard. The Town has crushed asphalt that
16 packs hard. It may be that Director Casparius can provide direction on that. Assistant Town
17 Manager/Finance Director Micali suggested reaching out to the PWD to see if that material could be
18 set aside, if available. The Council expressed its gratitude for the presentation and project.

19
20 **MOTION made by Vice Chairman Boyd and seconded by Councilor Harrington to approve Life**
21 **Scout Kishan Sreenivasan's proposed Eagle Scout Project to construct an ADA handicapped**
22 **accessible ramp in Wasserman Park for the Day Camp/Nurse office and furthermore that the**
23 **Town Manager or her proxy be authorized to sign paperwork necessary to move the project**
24 **forward. MOTION CARRIED 7-0-0**

25
26 **2. Petition for Release of Portion of Rita Street from Public Servitude**

27 Submitted by Deputy Public Works Director Dawn Tuomala and Community Development
28 Director Tim Thompson

29 Request from Governor's Hill Corporation to release and discharge (per RSA 231:51) a portion of
30 Rita Street (currently unconstructed public road right-of-way located in the Level Acres
31 subdivision dedicated in 1970) from public servitude, be merged with two adjacent residential lots,
32 and establish a public drainage easement.

33
34 Chairman Koenig noted receipt of information from the Community Development Director and the
35 Director of Public Works recommending acceptance.

36
37 Matthew Peterson, Keach Nordstrom Associates, noted the location to be in the Level Acres area.
38 They are looking to address paper streets, and his client has worked with Town staff in that regard.
39 Rita Street ends at Constance Street, went through to the Reeds Ferry School (dead-end). They had
40 been asked to make the area into a drainage and access easement for the Town, which was done. The
41 four lots will be joined to become 2. They will be merged with the submission of the letter to do so.
42 Dawn Tuomala, Deputy Director, Public Works Department (PWD) has stated this will assist with the
43 MS4 statements to be able to ensure everything is clean in regard to drainage/sewer.

44
45 Councilor Albert questioned why the Town would want to accept the road. Mr. Peterson explained
46 currently it is a Right-of-Way for a road to be extended. The Town does not have to maintain the road
47 and is being given a drainage easement. There are also drainage improvements occurring.

48 Councilor Albert stated concern that the Reeds Ferry School could need an emergency access road in
49 the future. Another issue is the manner in which the development has been done. He visited the site

1 and witnessed a change to what used to be a nice area. He would like some guarantees the wetlands
2 will be returned to their original condition, and suggested tabling the item until some assurances can be
3 provided.

4
5 Asked if there is any benefit to the Town of releasing Rita Road at this point, Dawn Tuomala, Deputy
6 Director, PWD, responded the department met with the engineers and owners of both properties. Their
7 request was to release this section of Rita Street. There is no sewer or water that goes down this
8 section; however, there was drainage. It was the request of the department, and efforts took place over
9 the course of several months, to develop a drainage plan. They are putting in another catch basin,
10 additional piping, and a treatment swale so that drainage from Constance can be treated, which is part
11 of the MS4. Therefore, the Town has requested an easement and created an easement plan. As far as
12 the wetlands down below, these lots are not part of what is being constructed now down there.

13
14 Councilor Albert commented on it being the same development. Deputy Director Tuomala stated the
15 owner bought the remaining lots on Foster Road. They have gotten all of their wetland permits, and
16 had everything in place to be able to do the work. She has been watching the construction of the
17 sewer, which has been happening along Cathy Street.

18
19 Asked if she has found any discrepancy or deficiencies in the work they are doing, she stated she has
20 not. She would have stopped it. When concerns have been expressed, they have immediately stopped
21 and fixed whatever she has commented on. The very first thing they did was put up the siltation fence
22 and did their detention basins at the bottom of the hill. All water from Cathy Street and Constance
23 Street can go down and be treated. It has not gone into the big wetland area. They do have a dredge
24 and fill permit for sections of that.

25
26 Councilor Rothhaus remarked he suspects were there wetland violations they would have been called
27 out already. He had forgotten about access for the school. There is only one way in and out of the
28 Reeds Ferry Elementary School. When you go back to when they did the site plan work, the Bedford
29 Road Church had an access point to the school. It was never fitted up to be utilized by safety
30 equipment. It is written about in the minutes of those meetings, but was never finalized in the site
31 plan. He would hate to slow things down and believes the drainage swale is a great idea, but he is
32 contemplating waiting as he would like to talk to the church to see if the access point can be created
33 there.

34
35 Deputy Director Tuomala commented Rita Street they are seeking discontinuance on drops off a little
36 with a fairly gentle slope, and then it just drops. There is no way we could construct anything in that
37 location. Wetland scientists have delineated the wetlands. The project has gone step by step.

38
39 Councilor Albert questioned what assurances the Town has from the builder that they will restore the
40 wetlands area. Deputy Director Tuomala noted they have not taken their equipment through any areas
41 that they were not allowed to go into.

42
43 Councilor Albert stated understanding of that noting he has spoken with NHDES regarding that. He
44 stated the desire to view the site before acting. He requested the Council consider tabling the item.
45 Deputy Director Tuomala remarked understanding the concerns of the abutters, she has paid extra
46 attention to the project. It is hard when you lose something that has always been there.

47
48 Mr. Peterson stated he would not have any problem continuing the item for 30 days. He commented
49 that statements were being made that are a little bit wrong and that he would like corrected. There is

1 nothing the developer/owner is getting out of this. The only thing that is changing is there would not
2 be a side setback from one of the lot lines and there would be with the other. It is cleaning up the
3 paper street.

4
5 What is being discussed is a proposed drainage and access easement. If the Town wishes to have a
6 secondary access point, that is why the area has been left. It is a little tough to construct, but 20 years
7 from now there will be new technology and they will construct something there. It is very upsetting
8 that it is felt the client was doing this. He will bring it back to them tomorrow and will discuss that
9 with them. The concerns have been heard.

10
11 Councilor Harrington stated awareness of the circumstances and the difficulty the neighbors are having
12 with the wetlands. That is multi-dimensional. It is difficult to have a beautiful place that was the back
13 of your house, and she can appreciate that especially when wetlands and the ramifications. But we
14 have to remember a few things; it has already been through the Planning Board, a couple of times, and
15 NHDES does not allow wetlands to be destroyed. If a project alters wetlands there is mitigation. She
16 understands the passion of the neighbors and their disappointment, but nothing inappropriate has been
17 presented to her. It will not be returned to its original state; that is impossible. Although its current
18 condition is not pleasing, it will improve when completed. She commented on the level of review by
19 Deputy Director Tuomala.

20
21 Councilor Albert stated he has not indicated that anything shady occurred, and he has a great deal of
22 trust in Deputy Director Tuomala. The problem is that he has seen with his own eyes what the area
23 looks like at this point. He understands it will improve with completion of the project, but what he saw
24 appeared to be overkill.

25
26 Deputy Director Tuomala commented on the beaver dam having been removed, which is why the
27 water level was reduced. As far as going into the wetlands with their construction, she does not
28 believe they have gone beyond what was allowed by the State.

29
30 **MOTION made by Councilor Albert to table the item for a thirty-day period to allow for a**
31 **review of the section of property that would be given away**

32
33 *The motion did not receive a second*

34
35 Chairman Koenig noted the Planning Board has had the opportunity to review the site, and Councilor
36 Albert is welcome to visit the site. He noted other members of the Council have not been contacted in
37 regard to this.

38
39 Councilor Albert spoke of the communications he has received and his thought that they were sent to
40 the Council. Deputy Director Tuomala remarked she has heard from several residents, and when she
41 goes out inspecting there are times when there are people walking out there. She tries to answer their
42 questions the best she can.

43 Vice Chairman Boyd noted Councilor Albert copied the Council on emails he forwarded to the Town
44 Manager regarding Cathy Street. Vice Chairman Boyd stated he has visited the site and agrees the
45 dynamic of what was an attractive wetland has been changed. He is reminded that the project had to
46 go to the State, is required to follow the rules/law, has gone before the Planning Board, and as long as
47 it has met the criteria, there is nothing that can be done.

48

1 **MOTION** made by Councilor Harrington and seconded by Councilor Healey to release and
2 discharge (per RSA 231:51) a portion of Rita Street (currently unconstructed public road right-
3 of-way located in the Level Acres subdivision dedicated in 1970) from public servitude, be
4 merged with two adjacent residential lots, and establish a public drainage easement, and
5 incorporate the recommendations presented by staff from the Community Development and
6 Public Works departments, and furthermore that the Town Manager or her proxy be authorized
7 to sign any documentation necessary. **MOTION CARRIED 6-1-0**

8 *Councilor Albert voted in opposition*

9
10 *The Council returned to the regular order of business.*

11
12 **Old Business**

13
14 **1. Town Re-opening Plan Follow-up Discussion**

15 Submitted by Parks and Recreation Director Matthew Casparius
16 Town Council to discuss and consider the following:

- 17
18 a) Youth and Amateur Sports Guidance Recommendations for Football & Cheerleading
19 noncontact practices
20 b) Town playgrounds
21 c) Wasserman Park Function Hall
22 d) Town meeting room usage for outside groups
23 e) Conservation areas and parks
24 f) New community special event (featuring fireworks)

25
26 Assistant Town Manager/Finance Director Micali spoke of discussion at the prior meeting concerning
27 football, cheerleading, and contact sports. Since that time, Director Casparius received a call from the
28 football and cheerleading coordinators of the MYA requesting the authority for noncontact practices.

29
30 Vice Chairman Boyd questioned if the cheering squads will be comfortable with basic
31 cheers/tumbling, and was informed they would. They have a lot of cardio conditioning type activities
32 they can do in the meantime.

33
34 **MOTION** made by Vice Chairman Boyd and seconded by Councilor Albert to allow the MYA
35 **Football and Cheerleading programs, and any other ancillary football and cheerleading**
36 **programs that exist within the Town of Merrimack, to begin holding noncontact practices.**

37 **MOTION CARRIED 7-0-0**

38
39 The Town paved the MYA parking lot. As of the previous day, it was opened up. With that open and
40 some neighboring communities opening up playgrounds, the request is made to open up the
41 playgrounds inclusive of signage stating we are not cleaning it, sanitizing it, and if used it is at your
42 own risk.

43
44 Matthew Casparius, Director, Public Works Department, stated the Governor's guidance document
45 was written really for outdoor attractions, but there was a line in it that incorporated playgrounds. It
46 also talked about ziplines, mini-golf, etc., stating the need for them to be cleaned every 2 hours, which
47 is impractical. What the surrounding communities have done is install signage.

1 Councilor Albert noted Concord is doing a cleaning once a day. He questioned if grant funding could
2 be utilized for the purchase of a power washer and perhaps overtime for PWD employees to clean the
3 playground at Wasserman Park and Kids Kove in the early morning for a few weeks.

4
5 Assistant Town Manager/Finance Director Micali was uncertain of the balance of the grant funds;
6 however, noted it is being utilized. Twenty five percent (25%) of overtime can be reimbursed through
7 FEMA. Monies have been expended on police and fire stipend, which is able to be reimbursed. The
8 next reimbursement is due in July. The funds could be utilized for this purpose. He is uncertain of the
9 proper sanitizing and how power washing would affect some of the equipment. The Town can look
10 into the proper sanitizing and return to the Council to discuss the feasibility. He commented one
11 sanitizing machine for one of the schools is at a cost of \$45,000 and has a 12-16 week lead time for
12 delivery. Noted was that the Town is in a Level 3 watering ban; no outside watering.

13
14 Councilor Healey commented from a microbial virology standpoint, hitting it once a day is pretty
15 much worthless. Especially in the summertime where you have heat and sunlight, anything that
16 happens to be on the surface is going to die fairly quickly, and the virus may be present, but it will be
17 dead, and it will no longer be virulent.

18
19 Councilor Woods stated he is still where he was in March. Talking about opening up playgrounds on
20 June 25th is not any different than what was being discussed back in March.

21
22 **MOTION made by Vice Chairman Boyd and seconded by Councilor Healey to open the Town**
23 **playgrounds with the appropriate signage prominently displayed in a visual location and any**
24 **other recommendations the Town Manager's Office needs to follow in meeting all CDC**
25 **requirements**

26
27 ON THE QUESTION

28
29 Chairman Koenig noted signage would notify users the Town will not be sanitizing/cleaning the
30 equipment. **MOTION CARRIED 6-1-0**

31 *Councilor Woods voted in opposition*

32
33 Assistant Town Manager/Finance Director Micali noted the Governor has opened up for 50 people
34 groupings, weddings, etc. The Town receives a lot of summer rental requests for the Wasserman Park
35 Function Hall, and would abide by CDC guidelines for that. He spoke of an email received from the
36 John O'Leary Center over the weekend. The Director does not have the staffing or ability, at this time,
37 to open up that facility to any of these rentals because of some of the guidelines he has to follow. The
38 center can see several events occurring in a single day and does not have the staff to clean in between.
39 At Wasserman Park, it is typically one event a day, and there is a part-time custodian who will be able
40 to clean up after an event. Because camp is not running, there is not a lot occurring at the park. This is
41 something the department feels can be provided while meeting all guidelines provided. There has been
42 interest.

43
44 The same fee structure has been in place for the past 3.5 years. With the additional work that will be
45 required to meet the current guidelines and because it has been a period of time without any increase,
46 the desire is to amend the fee schedule. Currently the cost for Merrimack residents is \$125 for a 3 hour
47 block and \$25 for each additional hour. A non-resident is charged \$300 for the first 3-hour block.
48 Proposed is simplifying the process by doing straight 3-hour blocks and increasing the \$125 fee to

1 \$175 and the \$300 fee to \$350. Also being considered is trying to attract local businesses that may
2 need a meeting location, etc., at a reduced rate for daytime/weekday use; \$100 and \$200.

3
4 One of the things that has never been offered before, but has been questioned, is the ability to utilize
5 existing equipment, e.g., screens, projectors, sound system, etc. The desire is to make that type of
6 equipment available at an additional cost.

7
8 Competitors are the John O'Leary Adult Community Center, which charges \$285-\$800 based on the
9 number of people and places like the Altitude Trampoline Park.

10
11 The facility gets 2-3 weddings/year. One of the requests often received is the ability to set up on a
12 Friday night for a Saturday wedding. Proposed is a block price/flat fee for Friday night setup and use
13 of the facility during the day on Saturday (4 blocks of time) at \$700 for a resident and \$1,200 for non-
14 resident.

15
16 Councilor Rothhaus questioned if the Merrimack Senior Citizens group is charged for use of the
17 O'Leary Center, and was informed they are charged a minimal fee. Councilor Rothhaus questioned if
18 the group could utilize the Wasserman Park Function Hall if it is not in use by another.

19
20 **MOTION made by Vice Chairman Boyd and seconded by Councilor Woods to approve the**
21 **opening of the Wasserman Park Function Hall with the fee structure as propose. MOTION**
22 **CARRIED 7-0-0**

23
24 Assistant Town Manager/Finance Director Micali spoke of outside groups that have, in the past,
25 utilized the Town meeting room, and questioned the will of the Council with regard to opening up for
26 that use. Currently, there is only this conference room as the Memorial Conference Room is being
27 used by overflow staff (absentee ballots). For the summer that conference room might be available
28 again, but would have to be used again for absentee ballots if things have not changed for the State
29 Primary and the General Election. He was uncertain there would be the desire to open conference
30 rooms for outside businesses where the Town is trying to schedule meetings for the various boards and
31 fit them all into this one conference room.

32
33 Calls have been received from some of the outside groups questioning their return now that the Town
34 facility is reopened. The recommendation of staff is to remain as is. Chairman Koenig questioned if
35 the groups are charged a fee for the use of the conference rooms, and was informed the Girl Scouts do
36 projects, etc. around Town and the Bass group gives a donation to the Town through their fundraising.

37
38 Chairman Koenig remarked understanding we still have COVID-19 around and are still doing
39 sanitizing and things of that nature, he can understand the position. We would have to sanitized after
40 each of those groups would come through, etc.

41
42 ***The consensus of the Council was to keep the use of conference rooms restricted to Town and***
43 ***School Boards/Committees/Commission.***

44
45 Assistant Town Manager/Finance Director Micali spoke of a request that came in earlier in the day.
46 With the MYA's opening of the ballfield, they are looking to understand if able to utilize the
47 concession stand at Bise Field, providing they follow the health and safety regulations.

1 *The consensus of the Council was to agree with the use provided they follow the guidelines required*
2 *to sell food.*

3
4 Assistant Town Manager/Finance Director Micali stated there to be several opportunities presented as
5 a new community special event (featuring fireworks); if Ribfest happens this fall, something can be
6 done in conjunction with that. The Rotary was looking for an Old Home Day in October, which could
7 be looked at, and then in April of 2021 the Town is celebrating its 275th anniversary.

8
9 Director Casparius reiterated something could be done in conjunction with the Ribfest, could do
10 something independent of the Rotary; they would provide volunteers as long as the Town avoids the
11 weekends on either side of the Ribfest. Another option is an event around the 3rd weekend of October,
12 which would likely push the Halloween party to Halloween. Looking at a big anniversary next year, it
13 seems to make sense to plan it for that time. It is April 2nd, which is Good Friday. That is his only
14 hesitation with that event. He suggested the celebration could take place throughout the week.

15
16 Chairman Koenig stated appreciation for the options presented, and the desire for the discussion to be
17 included as part of the Council's Annual Retreat. Councilor Albert suggested material be prepared for
18 presentation to the Council relative to the option of coordinating with Ribfest so that the information is
19 available for review/consideration at the Retreat (timing issue).

20
21 Vice Chairman Boyd stated July 4th to be about the celebration of our independence. The day is
22 supposed to be celebratory of our liberties and freedoms. The one thing that stuck out to him was the
23 receipt of 3 different emails from 3 different veterans that were upset about not being able to celebrate
24 the birth of our country. The logical conclusion he had is that this community has yet to do a
25 recognition for being a Purple Heart Community, and it might be appropriate to have something on
26 Veterans Day weekend where we do a Purple Heart Ceremony, and engage the VFW, American
27 Legion, Sons of the American Legion. This is a community that has made a commitment to veterans,
28 and while it is not the 4th of July, it certainly is a day when we are celebrating not only the freedoms
29 that these gentlemen and woman put their lives on the line for us to be able to celebrate, it also would
30 be an appropriate recognition for the veterans of our community who feel a sense of loss of not being
31 able to celebrate the 4th.

32
33 *The suggestion will be added as an additional option for the discussion*

34 35 **2. Discussion of Conservation Areas and Parks in Town**

36 Submitted by Town Council Chairman Tom Koenig

37 Town Council to hear from the Conservation Commission and Public Safety about the situation at
38 Wildcat Falls Conservation Area and also consider other areas including Watson Park and
39 Wasserman Park. With heavy usage and alleged violations of Town ordinances prohibiting alcohol,
40 glass containers, fires, etc. and failure of people to remove their trash when they leave, it is
41 becoming imperative that the Town respond to protect our conservation areas and the safety of our
42 parks.

43
44 Chairman Koenig spoke of information relayed to the Council regarding Wildcat Falls, Wasserman
45 Park, and Watson Park. The Conservation Commission met this past Monday and recommended the
46 immediate closure of the Wildcat Falls Conservation Area; indefinitely, until such time as some better
47 controls can be put in place and decisions can be made about how we can manage that property.

1 Amy Simoneau, 6 Fir Street

2
3 Provided a [presentation](#), which she noted was a collaborative effort of the neighborhood.

4
5 Parking concerns started at the Wildcat Falls Conservation Area (WFCA) prior to 2010. In 2011, the
6 parking lot was expanded; a project not supported by the neighborhood. In 2020, the Currier Road
7 neighborhood came together concerned with traffic and safety. A petition to preserve the WFCA has
8 been supported by 344 individuals. The Currier Road neighborhood has communicated its concerns
9 both verbally and in writing to the Town, committee members, and the police and fire departments.
10 Concerns have been shared on social media and volunteers remove trash from trails, parking lot, and
11 public roads.

12
13 Between March 1st through June 14th, official records show there have been 96 calls to the police from
14 the Currier Road neighborhood. Seventy were directed patrols and 20 were calls of witnessed illegal
15 activities (in 1½ months). In addition to illegal parking, there has been sexual activity, road rage, drug
16 use, harassment, litter, vandalism, fires, noise disturbances, dog waste, and public urination.

17
18 The following solutions were proposed; temporarily close Wildcat Falls to stop the violators and
19 reduce the need for police resources and the liability on the Town, continue with no parking signs on
20 one side for all streets, publicly change the name Wildcat Falls back to Eighty Acres, and residents
21 parking only in parking lot and neighboring streets.

22
23 Chairman Koenig noted the Council is in receipt of numerous emails from residents of the Currier
24 Road area explaining each of these aspects multiple times, including a rash of them all saying the same
25 thing, which was to support the Conservation Commission's motion to close until we can come up
26 with a better overall solution. The emails will be entered into the record as part of this discussion. The
27 Council has been trying to address the issue; no parking signs and different approaches

28
29 There are Ordinances prohibiting alcohol, and yet he has witnessed beer cans all over the place in the
30 Wildcat Falls area. He has learned, through emails, that people are walking down there with coolers or
31 beers. Unfortunately, it is not easy to get down there to police that situation.

32
33 Ms. Simoneau commented on it being a conservation area, and being treated more like a park.
34 Chairman Koenig noted it is called a conservation area; technically it was given to the Town to be used
35 as a park or recreation area. It is being managed by the Conservation Commission, we want to treat it
36 as a conservation type area, but it certainly is open to be used as a recreation area.

37
38 Councilor Rothhaus spoke of being shocked and offended by how people treat the area. At Watson
39 Park recently, there was chaos with animals climbing on top of the pergola, etc. He does believe
40 enforcement can happen, and is something he is willing to support incurring a cost for. He stated the
41 desire to hear comment regarding the idea of closure as he is not opposed to it in the absence of an
42 argument against it.

43
44 Ms. Simoneau questioned if the Council is the determining body concerning enforcement in Wildcat
45 Falls. There is disconnect in the neighborhood on the understanding of whether it can be enforced or
46 only patrolled.

47
48

1 Brian Levesque, Deputy Chief, Merrimack Police Department, stated Town Ordinances can be
2 enforced. It is about a 25 minute walk to get to the falls, and difficult to have a patrol officer, who is
3 responding to calls, constantly out there. If a call for service is received and contact is made with
4 someone, they address the issue. The department finds the conditions deplorable at all of the parks in
5 regard to littering, etc. The problem is with being able to see someone litter. If witnessing someone
6 violating the ordinances, a Summons can be written on the spot. It is a matter of getting out there and
7 catching them in the act, and of expending resources at a time when resources are already limited.

8
9 Asked about enforcement on the roads, Deputy Chief Levesque responded unless there is a permanent
10 sign approved by the Town Council, parking issues cannot be enforced. They can enforce parking next
11 to hydrants, blocking driveways and intersections. However, the temporary signs that have been put
12 up are not enforceable. The department put up speed spy, which collected data, and put up speed
13 signs.

14
15 Gina Rosati, Conservation Commission/Ex officio member, Wildcat Falls Conservation Sub-
16 committee, shared with the Council a presentation put together by Tim Tenhave, Alternate Member,
17 Conservation Commission.

18
19 On April 23rd, the Town Council requested the Conservation Commission and Highway Safety
20 Committee review the situation with traffic overflow in the neighborhood surrounding the entrances to
21 Wildcat Falls, Grater Woods, and the Horse Hill Nature Preserve, and report back to the Council.

22
23 At this time, she was present to discuss Wildcat Falls. The Commission met on May 19th, received
24 input from staff and public and provided recommendations. The Commission voted to bring a name
25 change recommendation to the Town Council reverting back to its original name of Eighty Acres to
26 de-emphasize the falls aspect of the property. The Commission voted to remove the webpage on the
27 MerrimackOutdoors.org website for Wildcat Falls and all visible information on the property for the
28 time being as well as reduce publicity of the property. The Commission voted to recommend removal
29 of any signs on the property and at the intersection of Currier Road and Baboosic Lake Road that
30 reference Heritage Trail and point toward the parking lot. The Commission agreed to and reached out
31 to the School Board and Administration and asked for their participation in a meeting to discuss access
32 to the property from existing trails at the high school. An initial meeting occurred with the desire to
33 work with the MCC and the Town, but expressed concerns. The District would like a solution to be
34 planned as part of their site planning activity that is on its Warrant for a vote on June 23rd. There was
35 also a recommendation for no parking signs, which were done on the left hand side of the road.

36
37 Photos were displayed showing some of the current conditions; parking in posted no parking areas
38 within the lot, trash, including empty alcohol containers, rope swing, signs of fires, people jumping off
39 the rocks into the water, congestion that would likely make it difficult for emergency vehicles. There
40 were or are warning signs stating no swimming, Chapter 111 prohibits fires, etc. Trail erosion has
41 been a concern and is only worsening with the current situation.

42
43 The Commission has been charged with management of the property, but ownership is with the Town
44 and the Town Council.

45
46 The Commission strongly recommends immediate and follow-up action. Immediately, the
47 recommendation is for closure of the entire property until further notice, erect signage at the lot and
48 around the property to indicate the property is closed to everyone and violators may be charged with
49 trespassing, to block the entrance to the parking lot, but ensure emergency access is provided, place a

1 police detail at the parking lot for the first 3 weekends with officers educating the public that the
2 property is closed until further notice, have police bike patrols continue to enforce the closure and
3 educate the public, make a press release, and add notice to the Town website and any other
4 communication to announce the temporary closure.

5
6 Follow-up action would create a committee to address the situation and return to the Council with
7 recommendations. The committee would include members of the Council, Commission, staff, and
8 interested parties, enact committee recommendations and re-open the property when ready.

9
10 The Commission has management of the property, but not the neighborhood or the neighborhood
11 streets. This closure action removes the reason for most people to be in that neighborhood; results in
12 likely immediate relief to the neighborhood, and the neighborhood supports this action. The behavior
13 is in violation of the Town Code, Chapter 111. The property is suffering with no time or ability of the
14 Commission to encourage recovery. Trash and dog waste are being left behind, trail abuse,
15 unauthorized trails, riverbank impacts, unauthorized picnic places being created, disruption of
16 normalcy for the residents of the property and of the wildlife, plants, and insects.

17
18 The Commission will support and participate with the committee. The Commission has already
19 approved to pay for signage, if needed, will help erect the signage, and educate our police to enable
20 successful patrols. The Commission will pay for the police detail at the parking lot even if it means
21 overtime is needed, and will add notice to the MerrimackOutdoors website. The Town is asked to
22 cover police patrols as it is done now.

23
24 Councilor Harrington commented she and other members of the Council watched the Conservation
25 Commission meeting, have heard the concerns of the neighbors, and educated themselves on the issues
26 being experienced. Chairman Koenig commented on the area having several access points, and asked
27 for clarification the intent is to place signage at all of them and find a way to block or indicate closure
28 of the area. Commissioner Rosati stated the need for signage on Baboosic Lake Road coming east and
29 west, at the parking lot entrance. She personally would like to see it by the high school and ensure that
30 the Merrill's Marauders bridge is also closed down. Councilor Rothhaus spoke of the Edward Drive
31 neighborhood. Commissioner Rosati stated her belief that is a private road and on the other side of the
32 river.

33
34 Wendy Thomas, 10 Wildcat Falls Road

35
36 Remarked if closing the public side, motorists will look to enter from the private side. Councilor
37 Rothhaus stated his belief it is a narrow Right-of-Way and a public access point, which is why he
38 believes signage would be necessary there.

39
40 Ms. Thomas stated the need for no parking signs on the private side. That was the issue when she first
41 moved into the area. Whenever there is an accident there, emergency personnel park in her driveway
42 to get down as it is the easiest way to get to the falls.

43
44 Asked what the penalty for trespass is, Councilor Albert remarked if the property is closed, signage is
45 posted and there is police presence for the first few weekends, if someone disobeys it is criminal
46 trespass or at the very least disorderly conduct. Those fines are spelled out in the RSAs; violation up
47 to \$1,000 fine. But if it is a misdemeanor it could be more. The Council does have to work on
48 creating a penalty for this as well as many other ordinances. If moving in the direction of changing the

1 ordinance, several meetings are required to accomplish that, but in the meantime the police could fall
2 back on criminal trespass and disorderly conduct.

3
4 Councilor Albert commented Ms. Thomas brought up a good point regarding the time issues were
5 occurring in her neighborhood. The police were in the area issuing written warnings for the first
6 offense, and if individuals returned they received Summons or could have been arrested for disobeying
7 a lawful order.

8
9 Councilor Healey questioned how the entrance would be blocked. There was discussion of use of a
10 high barricade such as what was used at the MYA. Councilor Healey remarked in her mind, if the
11 signs are posted violators should not get a warning; the sign was the warning. There is the need to
12 have something at the entrance that clearly defines it is closed, and if you go beyond it you will be
13 fined. She also believes there to be the need for more barricades than just at the main entrance. There
14 will need to be someone over at the private way and the high school.

15
16 Commissioner Rosati noted when entering from the high school you are accessing the NHDOT land
17 before accessing Wildcat Falls. She does not believe the Town has any authorization over that DOT
18 land.

19
20 Councilor Harrington spoke of the need to stop the momentum. There will be those who find a way in,
21 but we can make it inconvenient. In the meantime, we need to consider long term solution(s). There
22 will be some residents who, and rightfully so, will be upset with being prohibited from using the
23 property. If it is closed, it is closed to everyone.

24
25 Councilor Albert stated the desire to hear from the Deputy Police Chief relative to short and long-term
26 solutions to address the violations that are occurring. The 72 homes in that neighborhood are being
27 affected; it is a quality of life issue.

28
29 Deputy Chief Levesque spoke of being empathetic to the residents in the area for what they are
30 experiencing. The condition the areas are being left in are deplorable. The number one concern for the
31 department is the enforcement aspect. The department was before the Council during the last budget
32 session with a request for additional resources, and were permitted to put 2 more officers on. They are
33 still 2 down in the current fiscal year. If going in the direction of closing the park, it will result in calls
34 for service for the department. They have to prioritize the calls right now. Calls for service have
35 increased; 14 arrests in the last 3½ weeks, whereas between March 17th to the end of April, there were
36 only 16 arrests. If going to an accident it requires 2 officers, domestic calls 3 officers. On Tuesday
37 there was a situation where 5 officers were involved, 3 arrests, and a handgun. He can appreciate the
38 thoughts of directed patrols, but they also have to be able to afford some of the opportunity to get out
39 there without affecting the calls for service. As of this time, there are 3 officers assigned to sectors and
40 a supervisor. That is 3 officers protecting a town of nearly 30,000 people.

41
42 He spoke of the journey to get out to Wildcat Falls, and if sending officers out there in the middle of
43 the night to deal with people drinking, it will have to be two officers at a time. He can appreciate the
44 OHRV; however, that makes a lot of noise and people will usually take off. He reached out to other
45 communities in the area that did close conservation areas to see what their enforcement aspect was.
46 They did not have any enforcement of the closures. What they did is the proper signage and blocking
47 off entrances. They had signboards indicating the site is closed, that your vehicle may be fined or
48 towed, which is allowable, by RSA, if you are parked next to a fire hydrant or blocking someone's
49 driveway or an intersection. He commented on the desire to ensure we are cautious about what is

1 done, and the hope there is no enforcement needed. He does not want to be in a situation where there
2 is a resident in town upset that it is their right to utilize the property.

3
4 Criminal trespass, disorderly conduct if they refuse to leave, is an enforceable offense. Hopefully, it
5 does not come to that. Our officers have a lot of discretion they have to use, and he does not want to
6 be seeing in a headline that they arrested a 60-year-old man for going into a park.

7
8 The no parking signs were addressed at the Highway Safety Committee. There was discussion of
9 which side is the right side to have no parking; is it fair to the residents, do they want these metal signs
10 in front of their yard. They will bring forward to the Council posting no parking in the apexes of the
11 curve on Hemlock so emergency vehicles can get through. He believes the long term solution is to
12 increase the parking size. It may slow down after the pandemic and the heat, but there was a similar
13 situation at the HHNP where people were parking along Amherst Road, and it became a safety concern
14 due to visibility. That has not been seen at all again.

15
16 Asked about the possibility of getting off-duty officers to work overtime to monitor the parking lot for
17 the first few weekends, Deputy Chief Levesque responded it is possible. There would have to be
18 availability of the officers. Chairman Koenig remarked the Conservation Commission has offered to
19 address the cost for an officer to be present for the first 3 weekends. He suspects the Council might be
20 willing to boost the overtime necessary to support some of that effort at Watson or Wasserman.

21
22 Deputy Chief Levesque reiterated it will depend on the availability of officers. This weekend might be
23 tough too especially as we approach the 4th of July with plans and vacations.

24
25 Chairman Koenig commented if we close the property there has to be some ability for the
26 Conservation Commission, police, and public safety to be able to go down there without being fined.
27 Councilor Albert commented he cannot help but feel what the Deputy Chief is saying is that we cannot
28 do this. He understands the need for personnel, but it is overtime and a situation in this Town that we
29 need help with. If this is an issue in this community it needs to be addressed. He questioned use of the
30 School Resource Officers, Community Service Officer, and some of the plainclothes officers. This is a
31 problem that requires high visibility and some enforcement for a period of time. He understands the
32 department is busy, and the Council is saying it will back it up; tell us what you need and how many
33 hours. Let's hit the peak hours with a few officers on bikes every now and then. He requested a
34 definite plan/strategy on what can be done to address this issue.

35
36 Deputy Chief Levesque clarified he was simply indicating the issues the department sees from their
37 standpoint. They have been allocated extra money and bodies. It is not an issue of if they can get out
38 there and help; they want to help. He is not saying it is a negative, he is just indicating there will be
39 issues. They will make every effort to fill every shift they can if that is the will of the Council. If they
40 go out there the officers will address issues as they are seen. He is hopeful with a little press and the
41 proper signage it will become a non-issue.

42
43 Councilor Albert spoke of the statistic provided in the presentation that there were 70 directed patrols
44 from March 1st, and questioned if that is accurate. Deputy Chief Levesque stated the numbers were
45 not accurate. It could be because they were run from March 1st on. He took them from March 17th
46 when the pandemic began. There have been 55 directed patrols. Councilor Albert commented that is a
47 period of 3 months meaning in 90 days we can only get through that neighborhood 55 times. Deputy
48 Chief Levesque stated those are the ones that are actually assigned where the officers stopped, got out,

1 and called it off. They have been out there several other times. The calls for service have only
2 increased by 21 in that time period from last year; 11 were parking complaints.

3
4 Councilor Albert remarked there should be directed patrol in there once every shift (3 times/day).
5 There is no reason why we should not be by there on the 3rd shift and logging it in. Deputy Chief
6 Levesque responded a lot of the officers do go by multiple parking lots, and do not log in every time
7 they check a parking lot.

8
9 Vice Chairman Boyd commented there is an element of diplomacy that our SROs use in the schools
10 that would be applicable in trying to interact with some of the guests that are using Wildcat Falls. He
11 believes it a unique opportunity to redeploy 2 officers that have a specific skillset that would be
12 invaluable in educating the public utilizing these facilities. Deputy Chief Levesque stated those
13 officers are being utilized in investigations. They have also walked to Wildcat Falls, and are the ones
14 that have indicated that the high school access is largely being used by high school students.

15
16 Asked what the Fire Department sees as issues with respect to Wildcat Falls access, etc., Matthew
17 Duke, Interim Chief, Merrimack Fire Rescue, stated the concerns are accessing the area promptly,
18 which through efforts with the Police Department, they have been cognizant of access issues and taken
19 steps to ensure access. In the end, they will gain access one way or another; that is not a concern. The
20 concerns are far more of a police and enforcement issue than a life safety issue.

21
22 The same concerns exist whether there are 2 people out there or 20. The busier the park is the higher
23 the likelihood of the standard trips, slips, falls, twisted ankles, etc. With the hot weather and the types
24 of people that are out there, people who may be engaged in drinking and more risky behavior, those are
25 the higher risk low-frequency events that they also prepare for. It is just a question of if and when it
26 happens they will deploy the resources they need and will do the best they can to solve the problem.

27
28 As far as an increase in the number of calls for service, they have not seen an identifiable increase in
29 calls this year. They only had 1 or 2 logged calls to Wildcat Falls last year. One of the issues is the
30 way that they catalogue their incidents, which makes it a little difficult to identify them. He directed
31 the Fire Marshall to take steps to make it easier to log those calls and be able to find the data. They
32 only know of 1 or 2 responses in 2020, and it took a while to find them because the address that it was
33 logged under was an address off of West Chamberlain (where they accessed it from).

34
35 The current fire danger is a Class 2 or moderate. There are two things working against each other;
36 rainfall is very low, which is working against us and the time of season; have gotten to the point where
37 most of the foliage has filled in and has greened up. That works in our favor as the green materials do
38 not burn like they would in October/November.

39
40 Vice Chairman Boyd questioned if it is fair to say that if someone was manning a barbecue in Wildcat
41 Falls and something were to happen, the damage might be limited to everything that is 3' or below.
42 Interim Chief Duke responded most of what they would see this time of year would be the lower level
43 burns. Where it is as dry as it is, the fires tend to go deeper into the ground. They do not spread as far,
44 but take a little more work to get.

45
46 Councilor Albert questioned the condition of the emergency access road out to the cliffs, and was
47 informed it is in very good condition. Chairman Koenig spoke of having walked it the previous day
48 and agreed it is in very good condition. Interim Chief Duke remarked, at the moment, they can drive

1 their utility vehicle from the access gate to the river and go downstream all the way to where the steps
2 start up to the falls proper.

3
4 Councilor Rothhaus questioned, if deciding to close the property, can signs be put together and
5 everything needed gathered by this Friday. Assistant Town Manager/Finance Director Micali
6 responded it will be quick, but we could definitely get the message board out there at Wildcat Falls at
7 the entrance of the parking lot stating the property is closed, and can get the same barriers that we had
8 at the MYA out there as well. That will have that access point closed. As far as the other access point,
9 time will not permit signage to be erected that quickly. He is uncertain, with short notice, if the police
10 can put something up and have someone down there for a detail over the weekend, but he is certain
11 they will try. It would be a work in progress over the next week. They will look to get everything in
12 place by July 4th as best they can.

13
14 Councilor Rothhaus stated his belief the bulk of the problem is people traveling there in their
15 automobile and are aware of the entrance in the Currier Road neighborhood. He would like to see that
16 area addressed in the immediate future. Assistant Town Manager/Finance Director Micali commented
17 as they do with road closures on google maps, etc., they can call them and tell them the park is closed.

18
19 Councilor Harrington stated the need to be prepared there may be people going to other conservation
20 properties as a result.

21
22 **MOTION made by Vice Chairman Boyd and seconded by Councilor Healey to approve and**
23 **implement the recommendations made by the Conservation Commission, presented on page 4 of**
24 **the agenda packet, that state we will close the entire property until further notice, erect signage**
25 **at the parking lot and around the property to indicate the property is closed to everyone,**
26 **violators may be charged with trespass, blocking entrance to the parking lot, but ensure**
27 **emergency access is provided, place a police detail, cost of which is funded by the Conservation**
28 **Commission, at the parking lot for the first three (3) weekends with officers educating the public**
29 **that the property is closed until further notice, have police bike patrols continue to enforce the**
30 **closure and educate the public, make a press release, add notice to the Town website and any**
31 **other communication that may be necessary to announce the temporary closure**

32
33 ON THE QUESTION

34
35 Vice Chairman Boyd thanked the Conservation Commission commenting it is a sensible approach to
36 begin to attack the problem. We have to stop the momentum.

37
38 Wendy Thomas, 10 Wildcat Falls Road

39
40 Stated agreement with the motion believing it covers everything except for the private side. Chair
41 Koenig noted the signage is to go all around the property, if possible. Asked if that would include the
42 private side, he stated it would. Ms. Thomas asked what the protocol is if motorists move from the
43 public to the private side. Chairman Koenig remarked, if parked illegally, contact the Police
44 Department. Ms. Thomas reminded the Council, in the 28 years that she has resided in the area, there
45 have been 3 drownings. It is a dangerous site.

46
47 Deputy Chief Levesque suggested the Council may want to consider checking the no parking
48 ordinance on the side by the easement; if it is in the ordinance as a sign that was approved by the
49 Council. He is uncertain.

1
2 Commissioner Rosati remarked the Commission is happy to cover the cost of the signs. She
3 questioned if the Council wished to determine what the language will be. The suggestion was made
4 that she works with staff.

5
6 Councilor Albert requested the Council hear from the police department at some point with regard to
7 what is needed to put additional patrols out on bicycles.

8 **MOTION CARRIED 7-0-0**

9
10 Chairman Koenig noted the concern with trash and negative activities occurring at Watson Park and
11 potentially at Wasserman Park as well. Some time ago the Council passed a restriction that parking at
12 the lower end of Wasserman Park was restricted to residents only, and people were either supposed to
13 have placards that they picked up at Town Hall or their town transfer station decal to show they are
14 residents. One email received indicated the attendant has been putting notices on the cars, but the cars
15 come back the next day. He suggested the decal be changed to a Merrimack decal and drop the
16 transfer station off of it to make it more usable around Town.

17
18 Matthew Casparius, Director, Park and Recreation Department, stated there have been problems at
19 Watson Park for several years. When the fencing was put in last year it solved some of the problem,
20 but this past weekend people could be seen parking at the entrance on the lawn. The police put in extra
21 barricades. The PWD pulled the barrels from the park a few weeks ago with the idea of trying to
22 promote carry in/carry out. That is not working very well. Trash is dumped where the barrels used to
23 be.

24
25 There has been an attendant at Wasserman for the past 3 years as a result of similar problems in that
26 area. That has worked fairly well. Prior to this year, about 100 people/day were seen at the
27 Wasserman Park beach. For the most part people were good; occasional nuisance vandalism after
28 hours, but a lot of the major problems have gone away in the last 3 years. This year we are seeing 200-
29 250 people/day on a weekend. There are some Merrimack residents that have MA plates, and some of
30 that has been seen. The attendant has been there over the past two weekends. She is a civilian and not
31 permitted to issue tickets. The Wasserman Park beach has a residency restriction, but she is not
32 allowed to ask them that question. Asked why she cannot, Deputy Chief Levesque stated, from the
33 police department side of it, they cannot just arbitrarily go up to someone and ask them for their
34 residency. If called down there for a call for service where there is a disagreement, argument, littering,
35 then they can ask for identification. They have had calls before with the suggestion that someone did
36 not live in Town, and they cannot act on those.

37
38 Director Casparius stated the department has been directed by the current and former Chiefs that the
39 attendant cannot ask for residency. Councilor Harrington questioned where the attendance places
40 herself, and was informed she floats between the resident parking lot at the bottom of the hill to the
41 waterfront itself. Within Wasserman Park there are multiple ways to get to the beach. The rules say
42 you can either be a resident or be accompanied by a resident.

43
44 Councilor Harrington stated if asking the same question of every person, it is acceptable. Councilor
45 Albert questioned, with the camp not open, could one of the monitors sit at the residents only parking
46 lot, and as people pull up request proof of residency. There could be a second individual down by the
47 water walking around looking for infractions. Director Casparius stated the attendant is only present
48 on weekends at this time. He suggested to the Town Manager to look at having an attendant 7

1 days/week there and at Watson Park if for nothing else to pick up trash. Councilor Albert was
2 agreeable with having monitors there throughout the week.

3
4 Assistant Town Manager/Finance Director Micali stated there is staff that was not hired for the day
5 camp. Those individuals get paid from the day camp, which is a separate revolving fund. If we do
6 hire these people the cost will come out of the Park and Recreation Department budget. There is no
7 funding in the budget for this.

8
9 An attendant is not in a police uniform; if someone comes in and ignores the individual, that person
10 will pick up the phone and get the police involved. The result could be an increase in calls for service
11 and a need for overtime.

12
13 Deputy Chief Levesque remarked the department has only had a few calls down there, have responded
14 right away, and it is not an issue to respond there. Typically the easiest thing for them to do, when
15 there is a large group and the safety aspect, is just to encourage people to move along.

16
17 Councilor Rothhaus commented he cannot imagine the Council resolving this issue at this meeting,
18 and suggested the need for an additional conversation. If it becomes a problem there has to be a means
19 of enforcing it. Chairman Koenig commented on uncertainty it is that big of a problem. There is
20 certainly one resident who feels it is. He suggested the solution at this time could be approval of
21 overtime or additional staffing whether police or hiring additional park attendants and providing them
22 with a radio to easily contact police dispatch. The Council could also consider whether to put the
23 barrels back out there and drop the carry in/carry out as it is not working.

24
25 Councilor Healey commented the problem she has seen at Watson Park is that of trash. If the barrels
26 could be put back in it will relieve some of that issue. It will not relieve the issue with the fact that she
27 saw 4 cartons of the 30 can size of empties hanging around the park Sunday night. Another decision is
28 whether it is minded there are those who are camping out with their sun shades and tarps over their
29 camp area out on the rocks. Councilor Albert commented the sandbar issue was discussed years ago.
30 The Town has no authority in the river.

31
32 Councilor Harrington stated the concern that will be a consequence of closing Wildcat Falls;
33 individuals will go to the other locations. She commented on the Town having the opportunity to
34 obtain free fencing to be able to put a fence up as a temporary measure. If you do not have access to
35 the water a lot of the issues will be resolved. Director Casparius stated concern individuals would
36 either climb or cut the fence. Councilor Rothhaus suggested tightening up the fence in the area where
37 the barriers were recently placed. He agrees with putting the barrels back.

38
39 Assistant Town Manager/Finance Director Micali noted the concern putting the barrels back will only
40 result in their overuse. Barrels have been tried in the area previously, and emails were received several
41 times a week notifying the barrels are full. The parking lot fence can be extended all the way up to the
42 road, but that will likely not happen until the fall.

43
44 Chairman Koenig does not like the idea of a fence all the way along the river. He would prefer to
45 spend the cost to try to put an attendant out there for the peak periods. It might preclude putting
46 barrels out if we try to encourage and enforce the carry-in/carry-out.

47
48

1 Councilor Albert spoke of not wanting to see a fence up, and the belief it will likely be damaged. He
2 does agree with putting the barrels back out there. As the park evolves and the path under the
3 Chamberlain Bridge gets done, you have to look at landscape architecture that is not friendly or
4 conducive to create a beach and creating more visibility.

5
6 Director Casparius commented if putting an attendant in the area, aside from the public education
7 piece, he/she could pick up trash in the park. If choosing to utilize a locked dumpster, those
8 individuals could empty the trash they are picking up so that the barrels do not overflow.

9
10 Vice Chairman Boyd spoke of concerns with parking. Last week he saw 4 cars parked on the sidewalk
11 and across the street on private property. He questioned the capacity of parking at Watson Park and
12 was informed it is 45, depending on how cars are parked. He suggested an attendant could limit
13 parking occurring on the grass, etc. Councilor Rothhaus stated his belief there is no solution. He does
14 not mind people being out on the sandbar although the Council does not condone it, he believes the
15 need to tighten up the parking, which will not happen until fall. In the meantime, we have to keep it
16 clean. We have to discuss the park during the goal session. That is all we can do to fix it is keep it
17 clean. Vice Chairman Boyd stated agreement there is no solution.

18
19 Councilor Rothhaus stated the need to figure out how to handle the beach area at Wasserman Park. He
20 believes it will take further discussion to identify a response to that. He does believe you have to ask
21 everyone for identification.

22
23 Councilor Woods commented the Council has talked around every issue raised. It boils down to
24 enforcement. Putting an attendant there is visible for saying we care about the place, but he has yet to
25 hear anyone get serious about honest to goodness enforcement in terms of ordinances. He is hopeful
26 when the Council has the discussion about the long term that will be looked at.

27
28 ***The consensus of the Council was to put the barrels back into Watson Park.***

29
30 Assistant Town Manager/Finance Director Micali stated he would look to have the barrels put back the
31 following day, and would speak with Director Casparius regarding a plan should an attendant be
32 needed in the future. If the Town Manager feels an attendant is needed she will reach out to the
33 Council.

34 **New Business**

35 **3. 3rd Quarter Financial Update**

36 Submitted by Finance Director Paul T. Micali

37 Finance Director Paul Micali will review the key financial information of the quarter ending March
38 31, 2020.

39
40
41
42 Assistant Town Manager/Finance Director Micali stated as of March 31st, the Town was in great
43 financial shape in both appropriations and revenue. Most of the accounts hit before COVID. The only
44 one he is concerned about is interest income. Because of COVID, the rates fell; back to .2%. He is
45 projecting an approximate \$150,000 shortfall. However, there are other revenues that were not
46 anticipated such as the \$600,000 grant and the extra funds for insurance rebates, etc. Through the
47 months of March and May, automobile registrations are spot on from last year.

1 There are sufficient appropriations. It is believed revenue numbers will be hit.

2

3 **Minutes**

4

5 June 11, 2020

6

7 *The following amendments were offered:*

8

9 **MOTION made by Vice Chairman Boyd and seconded by Councilor Harrington to table the**
10 **minutes of the Town Council meeting of June 11, 2020 until the next regularly scheduled**
11 **meeting. MOTION CARRIED 7-0-0**

12

13 **Comments from the Press** - None

14

15 **Comments from the Public** – None

16

17 **Comments from the Council**

18

19 Chairman Koenig reminded of the need for an election of officers at the next meeting as well as
20 discussion of the Retreat.

21

22 Vice Chairman Boyd thanked the Town for returning him to the Council for another three years. He
23 expressed gratitude to his wife and daughter for their support.

24

25 Councilor Rothhaus spoke of being thrilled to be back and of enjoying and appreciating the
26 opportunity.

27

28 Chairman Koenig thanked the Town for the support on the warrant articles. He is hopeful everyone is
29 satisfied with the way the election occurred and realize they tried their best to make it as safe as
30 possible.

31

32 He reminded residents to continue to socially distance, monitor their actions, and be responsible.

33

34 **Adjourn**

35

36 **MOTION made by Councilor Woods and seconded by Vice Chairman Boyd to adjourn the**
37 **meeting.**

38 **MOTION CARRIED 7-0-0**

39

40 *The June 25, 2020 meeting of the Town Council was adjourned at 10:56 p.m.*

41

42

43

44 Submitted by Dawn MacMillan

19 June 2020

Shawn Landry

14 Maidstone Drive
Merrimack, NH 03054

To: Merrimack Conservation Committee and Town Council

Re: Wildcat Falls and other town properties

Hello All,

My name is Shawn Landry, and I have been a resident of Merrimack since April, 2007. I am writing today because one of the reasons we chose Merrimack to live was its natural properties—at the time, Horse Hill Nature Preserve was the “newly” developed one—but in that time we have seen an increase in disrespectful use of the properties, which has often prevented my family from using the very same properties we chose Merrimack for.

The first major issues began with Wasserman Park, where parking requirements were put in place for out-of-towners and permits (transfer station passes) were required to park in the lower lots. Though I would have liked to have seen more aggressive requirements, it appears the approach worked.

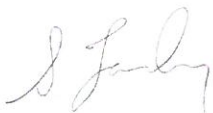
The second set of issues that arose—and I’m not convinced have been remedied—involved Watson Park. As an admin on one of the active Facebook forums, I have seen many, many complaints about police having to be called, trash, and other negative incidents—as a result, we don’t often visit that property anymore.

Finally, and the straw that drove me to write, is Wildcat Falls. Though there has been a whole mess of problems there these last few months, the issues there have been longstanding. Trash, graffiti, parking, etc. As a family, we will only use Wildcat Falls midday during the week, and even then we often turn away.

It is disheartening and disappointing to see the beautiful properties of Merrimack being misused—because of the lack of town regulations and oversight, resident taxpayer use and local neighborhoods are being negatively affected, and I think it’s a good time to start seeking solutions.

Thank you kindly for taking the time to address citizens’ concerns.

Best,



Shawn Landry

Becky Thompson

From: Graci <gracedfwilson1968@gmail.com>
Sent: Tuesday, June 23, 2020 2:03 PM
To: Eileen Cabanel
Subject: Wildcat Falls and Currier Road

Gracie Wilson 35 Currer Road.

First I want to thank the conservation committee for taking our issues seriously,.

The change to our street and the changes to the conservation area has been destructive both to the environment and our way of life.

Our neighborhood is filled with trash and traffic.

People having sex outside and inside of their cars, people carrying coolers and 30 packs of beer. It has become a well known party spot for out of towners. 90% of the cars I observed have Massachusetts plates and not all of those are "company cars" when teens are driving behind the wheel.

If you google it, the access point still remains Currier Road, so people are finding their way here.

We asked people not to park in front of our mail box or block drive ways and we were told there was plenty of room from the out of town visitors.

They pee and defecate all over the neighborhood because there are no public facilities. We find condoms, broken glass, and other trash, when catching them in the act and they are asked nicely to take their trash with them, but they throw it in mailboxes.

We have had people come to our doors and ask us to use the bathroom and fill up water bottles.

Yesterday I saw 2 women going down with portable chairs and a bouquet of balloons, a woman in a g string and then she took her top off! Last weekend a couple were fighting in the parking lot but it diffused before I could call it in. There is constant shouting and people acting out, parents dropping off kids for the day and not picking them up until 9 pm at night, we had 4 cars idling in front of our home and I asked them to move to the wooded side.

From a safety stand point,

One of our neighborhood kids almost got hit with a car speeding out of the lot, they are creating a narrow entry and exit way to get in and out of the lot, forcing people to back out into the street, creating a gridlock situation that is dangerous for children, adults, walking and riding bikes, pets, and other visitors. Not to mention a hazard for emergency personnel to park and safely come down the street.

People are drinking and jumping off the cliffs, they don't know the currents or where the rocks are, or how deep the water is.

Lighting fires, is a huge safety risk both for our beloved woods and the neighborhood. We, the people living on the street, were told we have to catch people in the act, but we all obey the no admittance after dark rule, visitors don't.

I am at the point where the destruction of the wild life preserve and the safety of our neighborhood outweighs my enjoyment of having access to the trails.

I, Gracie Fairbairn Wilson, am in favor of closing the park down until other access points are completed and the land and our neighborhood are safe again.

Grace Fairbairn Wilson.

Ps, A possible solution: After the initial park closure to reopen to residents:

When I was living in Williamsburg Va. We were given a town resident card with our car registrations every year, that gave us free access to the town sights and museums and conservation and recreation areas. Local businesses also participated, in giving a residents only discount for goods and services. We had a "park ranger", sitting down at the entrance to the conservation areas and parks and people had to show their resident pass or a current license to enter. If the lot was full, people could put their name on a list to get a call when a spot opened up and there was a 15 minute window or the spot would be given away.

I would be happy to assist in setting something like this up and do this job reaching out to the community in relation to Wildcat [80 acres] it could be a seasonal job from March through November 1st. This could expand to the other conservation areas of the town 1 person in charge of it and having people from the town volunteer or be in a small staff to work the entrances. It works great in Williamsburg.

Gina Rosati
Merrimack Conservation Commission

From: Michelle Lee [mshell829@msn.com]
Sent: Monday, June 22, 2020 9:57 AM
To: MerrimackOutdoors
Subject: Wildcat Falls Trash

I am a resident in the neighborhood by wildcat falls. I live in Fir Street. We moved here about 2 years ago. We thought it was a quiet, clean neighborhood. Not the case now. My husband has been yelled & sworn at by Wildcat Falls visitors for telling a cars to slow down as they speed down the road and asking them not to park in front of our driveway. The amount of trash left along the road, in yards, on the street is disgusting. All from people going to Wildcat Falls. The speeding cars & being yelled at by people trying to park in front of our driveway is not right. We walked our dogs last night & were disgusted by the trash (food containers, bottles, alcohol containers coffee cups, & more) on the side of the road, in the parking lot, & in our neighbors yard from people that park on the street. Why is this acceptable? There were five cars parked on the street all Massachusetts plates. We should be protecting our land not to mention our neighborhoods. Something needs to be done. The land is being trashed & so is the neighborhood. It makes me sad we even moved here. Not what we were expecting. Please make changes to protect our land & neighborhoods. Maybe make it open to residents only? Or start charging people. Something should be done. Nobody should have their neighborhood trashed by strangers. Would you want trash all over your street?

Michelle & Jason LaCombe

Gina Rosati
Merrimack Conservation Commission

From: Paul Marone [maronepaul7814@gmail.com]

Sent: Monday, June 22, 2020 9:17 AM

To: MerrimackOutdoors; CommDev; Tom Koenig; Bill Boyd; Lon Woods; Nancy Harrington; Barbara Healey; Pete Albert; Eileen Cabanel; Ajsimoneau@gmail.com; Brenna (Scouts)

Subject: WILDCAT FALLS - ENOUGH IS ENOUGH

To All Involved and Concerned,

My Name is Paul Marone and I live on Currier Rd near the entrance to Wildcat Falls. I have written to the town and the Conservation Committee in the past. I have made many phone calls and also spoke at the last Committee meeting regarding this issue. I appreciate the opportunities I have been provided for my concerns to be heard.

I am writing to you today to say that Enough is Enough! Action needs to be taken immediately to resolve the unacceptable amount of traffic, parking, overcrowding, destruction, and disrespect to the Conservation land. This issue has been getting worse over the last few years and this spring it has just exploded out of control.

- In just the past few weeks alone we have experienced two fights due to road rage right in front of my home.
- We had to have the police remove a couple that were completely naked having sexual relations in their vehicle on the side of the road in broad daylight. (That was difficult to explain to my children).
- Car loads of people carrying cases of beer off to the falls for what they told me was a "small beer bash" when I asked them.
- My wife has almost been hit by speeding vehicles three times while taking the dog for a walk.
- A young boy in the neighborhood was run off the road on his bike purposely then harassed relentlessly.
- We had two people on the porch looking in the windows of the neighbors.
- A man urinating on a mailbox right in front of the elderly residents home during mid day.

This is all in addition to the massive amounts of traffic, parking, and trash that we have already brought to the attention of the town. Along with these concerns we have also discussed the issues of emergency vehicles access being blocked. With the amount of people bringing open flame grills down there and cliff jumping on a daily basis, the emergency response will be needed sooner rather than later.

Finally last night's actions have been the last straw to push me to write again. My wife and children wanted to take a family "Fathers day" walk through the falls. We had to leave right away because there was a man and woman taking pornographic photos in the water. This includes exposing of private areas as well as sexual poses/positions. Each of these issues can be supported with photos and/or recorded calls to the Merrimack Police Department. These documents can be furnished upon request. I intend on expressing my concerns publicly at the Committee meeting on June 22nd and will be prepared to answer any questions from committee members.

Please take action before it is too late,

Paul Marone

[https://ssl.gstatic.com/ui/v1/icons/mail/profile_mask_2x.png]

Becky Thompson

From: cmsmailer@civicplus.com on behalf of Contact form at Merrimack NH
<cmsmailer@civicplus.com>
Sent: Monday, June 22, 2020 1:10 PM
To: Eileen Cabanel
Subject: [Merrimack NH] Heritage trails illegal parking on public roads (Sent by Pamela Soucy, sspml7@aol.com)

Hello ecabanel,

Pamela Soucy (sspml7@aol.com) has sent you a message via your contact form (<https://www.merrimacknh.gov/users/ecabanel/contact>) at Merrimack NH.

If you don't want to receive such e-mails, you can change your settings at <https://www.merrimacknh.gov/user/316/edit>.

Message:

Please put something on town ordinance for police enforcement of vehicles parked in front of residents yards . make merrimack conservation land Merrimack residents only or at least put in place name change back to “ eighty acres “ removing sign top of currier road...
thank you

Becky Thompson

From: tinam.photos@aol.com
Sent: Monday, June 22, 2020 2:22 PM
To: Tom Koenig; Bill Boyd; Lon Woods; Nancy Harrington; Finlay Rothhaus; Barbara Healey; Pete Albert; Eileen Cabanel
Subject: Town Trails, Parks and Beaches

To Whom It May Concern,

I am writing to you about the growing concern over our town's parks, trails and beach areas. My family and I have been residences of this town for 12 years. One of the major drawing factors to Merrimack was the small town feel and the great public parks/outdoor recreational areas. We have enjoyed taking advantage of all the recreational spaces Merrimack has had to offer. However, we have a growing concern over the way these beautiful spaces are being treated. There has been an overwhelming amount of outside visitors taking advantage of these spaces and leaving behind a trail of trash. It is disgusting, rude and frankly uncalled for. Our town should not be responsible for picking up the trash or tab for these inconsiderate people.

I am hereby asking that the Town Council to please consider making our public spaces available to local residence only in hopes of curbing this growing problem. I would strongly support the use of a hanging placard for residence to hang in their vehicles (providing proof of residency at the Town Hall etc). I would also support charging a small yearly fee to purchase this placard if it meant being able to curb the trash problem in town.

Thank you for your time.

Sincerely,
Tina Mortela
65 Eastridge Road
Merrimack NH 03054

Becky Thompson

From: Gina Rosati
Sent: Monday, June 22, 2020 3:13 PM
To: Town Council; Eileen Cabanel; ConservationCommission; CommDev
Subject: Request to Add Wildcat Falls Conservation Area to Town Council Agenda Meeting June 25, 2020

I realize that this is late notice, but the Merrimack Conservation Commission (MCC) is requesting a spot on the Town Council Meeting Agenda for June 25, 2020.

The MCC is holding a virtual meeting tonight, June 22, 2020 at 6:30 p.m., and will be discussing the ongoing overcrowding issues with parking and people at Wildcat Falls Conservation Area and the surrounding Currier Road neighborhood roads.

The MCC is requesting exception to the Town Council Agenda 8 day advance notice, and is asking to be placed on the Town Council agenda for June 25, under Old Business. It is anticipated that at their 6/22/20 meeting, the MCC will be voting on and recommending that we temporarily close Wildcat Falls Conservation Area and block the parking lot from cars until Tuesday, September 8, 2020, and permanently make the surrounding Currier Road neighborhood road RESIDENT PARKING ONLY - MERRIMACK TRANSFER STATION STICKER REQUIRED - VIOLATORS WILL BE TOWED AT THEIR OWN EXPENSE.

Per your Town Council Agenda Request Form:

Date Submitted: June 22, 2020

Submitted by: Gina Rosati

Department: Merrimack Conservation Commission

Speakers: Peter Albert, Tim Tenhave, Gina Rosati

Date of Meeting: June 25, 2020

Time Required: As long as discussion requires

Background Info Supplied: I can provide you with Public Comment letters received by the MCC if needed. Please advise.

Category of Business: Old Business

Title of Item: : Discussion of Temporary Parking Ordinance at Currier Road Neighborhood

Description of Item: Solutions to the overcrowding of Wildcat Falls Conservation Area and the surrounding Currier Road neighborhood.

Reference: Unknown

Equipment Required: None

Contact Information: Gina Rosati - grosati@merrimacknh.gov

>>>
>>> Please check the upcoming Town Council agendas, as they will be voting on the MCC's suggestions, and your input is important.

>>>

>>>

>>> Gina Rosati

>>> Merrimack Conservation Commission

>>>

>>> From: Brenna Hansen [hansenb012@gmail.com]

>>> Sent: Friday, June 19, 2020 12:21 PM

>>> To: ConservationCommission

>>> Cc: paulm@galaxyintegrated.com

>>> Subject: Wildcat Falls

>>>

>>> Hello,

>>>

>>> I write this message to you in the hopes that we can work together with Town Council and local residents to come up with a fast and permanent solution to the growing issues we see at Wildcat Falls, specifically those affecting Currier Road.

>>>

>>> We purchased our home on Currier Road in the summer of 2007. My children could ride bikes and we could safely walk pets. At that time Wildcat Falls was a peaceful, clean and beautiful space for local residents. We met many nice neighbors and Merrimack folks while hiking with our young children and all shared the sentiment that we felt safe. We had conversations with other families as well as members of town Committees who shared the sentiment that they took pride in the upkeep of this property.

>>>

>>> Beginning around 2012 we noticed a major change in our neighborhood with increased traffic, increased speeds of cars as well as a marked increase to the number of people down at Wildcat Falls. I also noted a change in seeing more out of state license plates. With these changes came an increase of trash on the trail, graffiti, damage to nature, etc.

>>>

>>> In 2013 we began to hike with a trash bag so that we could remove trash from the trail as we found it. Over these last few years we've noted an increase in beer cans, glass liquor bottles, discarded clothing and more. The retaining pond at the entrance to Wildcat Falls is often littered with discarded food wrapping, dog waste bags and garbage. Due to the current pandemic, we can no longer clean as we go so we're just watching as this property is destroyed.

>>>

>>> Another issue that needs to be addressed is the increase in drug and alcohol use on the property. My ten and thirteen year old children now recognize the smell of marijuana, point out "nip" bottles, and count beer cans as we hike. This is NOT the same property I took them to when we moved in and I feel that it has been and continues to be altered for the worse due to increased use by out-of-towners. There is a lack of respect to nature and other hikers displayed on a daily basis. From year to year the volume of cars and people multiply and our complaints appear to go unheard as there has been no change for the better.

>>>

>>> The traffic on the road is another story entirely. No longer can my children ride bikes or walk their dog on a nice day as the speeds and volume of traffic causes unsafe conditions. We've made the following attempts to slow traffic to no avail:

>>> 1. Ask drivers to slow down

>>> 2. Install "Drive Slow" signs

>>> 3. Call the police to report speeders

>>>

>>> During a May Town Council meeting Chief Roy claimed we hadn't complained enough and instructed we should call and call immediately upon seeing an infraction. As recent as last week I called the police twice in a 90 minute period to report illegally parked cars and was told they couldn't get down there as the police were busy. I feel ignored and lied to.

>>>

>>> I truly believe the only solution to this major problem is to permanently make Wildcat Falls property open to Merrimack residents only. We residents already have transfer station stickers which makes local cars easy to recognize.

>>>

>>> Doing nothing, renaming the park, increasing parking is the same as giving a green light to damaging the property further as each day I go down I see more destruction and damage to this once-beautiful property.

>>>

>>> I have to believe that a committee formed in honor of local conservation agrees and has some interest in improving the deplorable conditions.

>>>

>>> PLEASE, make Wildcat Falls a resident only property and do this ASAP.

>>>

>>> --

>>> Brenna Hansen

>>> 3 Currier Road

>>> 603.591.6547

MPD to seek permission for overflow parking to be directed to the Merrimack High School, which was met with concerns from both school administration and MPD. The suggestion to expand the WFCA parking lot is not recommended by the majority of the Merrimack Conservation Commission, as our experience with Horse Hill Nature Preserve is that more parking spaces draws in more traffic.

Something not suggested, but has happened since the 5/19/20 MCC meeting is that Massachusetts has opened their hiking trails back up, yet WFCA is still just as crowded, with many people from out-of-state coming in with alcohol, lawn chairs, hammocks, trash, and loud music, using WFCA not as the conservation area it is intended for, but as a town beach.

Which leaves us to the two most restrictive options.

The suggestion will be made tonight to close Wildcat Falls Conservation Area until school starts. The parking lot would be blocked. The suggestion will be made in conjunction with making the Currier Road neighborhoods **RESIDENT PARKING ONLY – MERRIMACK TRANSFER STATION STICKER REQUIRED – VIOLATORS WILL BE TOWED AT THEIR OWN EXPENSE.**

These suggestions will require majority vote from the Merrimack Conservation Commission and approval by the Town Council. The Town Council is meeting on Thursday, June 25 at 7 p.m. virtually. Although WFCA is not on the agenda as I write this, Councilor Peter Albert has asked for the addition.

I will reply again tomorrow after tonight's meeting with an update.

Gina Rosati
Merrimack Conservation Commission

From: smarone15 [smarone15@aol.com]
Sent: Monday, June 22, 2020 8:30 AM
To: Town Council; ConservationCommission
Subject: URGENT-Wildcat Falls and Watson Park

Dear Town Council Members and Conservation Committee Members,

I write to you today for concern for our town. I am frustrated, upset, and discouraged by the happenings in our town as of late and feel that immediate action needs to be taken to preserve our land.

Wildcat Falls, once a hidden treasure of conservation land, is now an overused, disrespected, trash filled "beach area." Over the past months, I have witnessed people bringing lawn chairs, coolers, cases of beer, and floating tubes into Wildcat Falls, essentially treating this like a public beach. This is not the definition of conservation land.

Yesterday, we had some family over and they wanted to take a walk through Wildcat to see the Falls and what we witnessed during that 30 minute walk was so disheartening. It was not a peaceful walk by any means...music blaring, people hooting and hollering, trash covered the ground, crowds of people entering and exiting, and the one that put me over the edge..a man taking a "photo shoot" of a woman being extremely seductive for over 10 minutes in the water where everyone could see. Children were present and this made for a very uncomfortable situation, causing us to leave the area.

This is the type of behavior that is becoming much too common for the area. It is being treated like a beach and not like conservation land for people to hike and enjoy the scenery and surroundings of nature.

My other major concern is the constant traffic and disruption to our once peaceful neighborhood. We moved here 4 years ago because of the peace, tranquility and safety of our street. I grew up in Arlington, Massachusetts and lived on a cut through street making it a very busy area. What I have witnessed on Currier Rd the past few months is above and beyond what I grew up in. The constant flow of traffic, mostly speeding cars, some which I've almost been hit by on several occasions makes this an unsafe place for my family and neighbors. My children can not ride their bikes, go for walks, or even walk their dog without feeling threatened.

Just this past week, a boy walking his dog was run off the road by a group of teenagers going to Wildcat Falls who were taunting him by swerving in and out of the road. He had to jump into a neighbors yard to get away from them. Then another neighbor almost got attacked by a group of people because he asked them to slow down as they were speeding down the road.

People are parking in the no parking zones as well and we are told that police can not ticket because the signs are "too new." I've never heard of such a thing.

This issue is getting out of control and we need your help to make this better.

This is not the place I moved to 4 years ago and I beg of you to please make some changes and soon! This has been going on for months now. Change needs to happen before our land is permanently ruined and our neighborhood is gone forever.

Why can't we make this area for Merrimack residents only? It is an easy fix since we all have transfer station stickers on our vehicles. Me and my neighbors would gladly patrol the parking area to make sure it is resident only. I take daily walks down to the parking area and over 75% of the vehicles are from out of state every single day. Let's make this area and other Merrimack parks, resident only. I feel this is the only way to preserve our land. Please, please, please make a change...other towns have done so and done so very quickly during this Covid time. We are so discouraged...

Thank you for your time.

~Susan Marone

Sent from my T-Mobile 4G LTE Device

June 24,

Town Council
Chairman Tom

I thank you for the opportunity of expressing my concerns of the Currier Road neighbor hood problem. People parking their cars - everyone this past weekend the pickup truck parked near my mail box - so I got no mail and the telegraph now delivered by the mail so no paper. I also get prescriptions in the mail from CVS Caremark none this week, but I could have - they no pills.

Cars are parked here for hours, most of the day, in front of my house. They usually leave by 6 or 7.

I see people carry in lots of stuff what I can't tell do they bring stuff out I don't know, I don't look out the windows all day.

I can't walk my neighborhood to many cars and people out there

and I am afraid of who they are. The license plates are from all over New Eng yesterday there were 2 cars with Texas plates. I know they could be people here for a wedding or a graduation or just Rental Cars, who knows I don't know what can be done about the area which is Conservation land always known as 80 acres. My house back up to swamp land and it has sump pumps in my cellar not fun in spring time or lots of snow and rain. They pump a the time.

I need to get this to the Tow Hall so you will have it for the meeting on Thursday June 25, 20
If you could please add my name to the petition! Thanks for your time
Call if you'd like Soyce E. Soney
more information. 4 Hemlock Street
Merrimack