



Town Council Meeting Minutes



Thursday, May 27, 2021, at 7:00 PM, in the Matthew Thornton Room

Call to Order

Chairman Koenig called the meeting to order at 7:02 pm. Present at the meeting were Chairman Koenig, Vice Chair Rothhaus, Councilor Harrington, Councilor Healey, Councilor Hunter, Councilor Murphy, Councilor Woods, and Town Manager Paul T. Micali.

Pledge of Allegiance

Chairman Koenig led the Pledge of Allegiance.

Announcements

The Town offices will be closed on Monday, May 31st for the observance of Memorial Day.

Upcoming Town Council Meetings:

- Friday, June 4, 2021, 9:00AM-4:00PM Town Council Retreat / Goal Session
Buckley's Great Steaks located at 438 DW Highway
- Thursday, June 10, 2021, 7:00 PM Regular meeting
- Thursday, June 24, 2021, 7:00 PM Regular meeting

Property tax bills were mailed on 5/26/21 and are due by July 1, 2021. If you do not receive your bill by Saturday, May 29th please contact the tax collector to have you bill mailed to you.

Merrimack TV is now available to stream on Amazon Fire TV devices via the "Screenweave" app. Residents can livestream our public, education, and government channels 24/7 and watch on-demand programs using any device in the Amazon Fire TV family, including the Firestick. There is no cost to download "Screenweave" to your Amazon Fire TV device. Merrimack TV has been available on Roku and Apple TV devices since December 2020 via "Screenweave". We're excited to add Fire TV as a way to watch local live coverage and on-demand content. If you have any questions please call the Town's Media Division at (603) 423-8561 or e-mail merrimacktv@merrimacknh.gov

Comments from the Press and Public

None.

Recognitions, Resignations and Retirements

None.

Appointments

None.

Public Hearing

1. Public Hearing – Acceptance and Expenditure of FEMA Funds

Submitted by Town Manager Paul Micali and Finance Director Tom Boland

The Town Council will hold a public hearing to authorize the acceptance and expenditure of up to \$255,347.77, made available through the Federal Emergency Management Agency (FEMA), for Covid-19 relief reimbursements for Fire and Police Department expenses as well as for personal protective equipment (PPE), pursuant to RSA 31:95-b and Charter 8-15.

Town Manager Paul Micali shared that when the pandemic began, the town was given emergency funding for Covid-19 related expenses, such as overtime for the fire department and police department. He further stated that in order to conserve PPE during the beginning of the pandemic, the fire department would triage

1 patients to determine if their emergency was Covid-19 related and then transport them accordingly, which
2 helped ration PPE which was hard to find at this time. Additionally, overtime was requested from the police
3 department and DPW due to the influx of residents visiting public areas such as the parks and Wildcat Falls.
4 The increase in outdoor activities meant that these areas had to increase their staffing to keep the public safe
5 and informed of current Covid-19 guidelines. Mr. Micali then stated that the town was able to purchase PPE
6 from a local vendor as well as cleaning supplies, which totaled about \$36,000 and was reimbursed from
7 FEMA. Mr. Micali has worked with NH DES to file the necessary paperwork to request \$255,347.77 from
8 FEMA and he is just waiting for the check to come through. In the meantime, he is asking the Council to
9 authorize the acceptance and expenditure of this money for the town of Merrimack.

10
11 *Chairman Koenig opened the public hearing for public input at 7:13 pm*

12
13 No public input was given.

14
15 *Chairman Koenig closed the public hearing at 7:14 pm*

16
17 Councilor Harrington wanted to highlight how well the Covid-19 phone call triage procedure worked for the
18 town and wanted to congratulate the fire department for creating the model, which has been adopted
19 throughout most of the state.

20
21 **MOTION made by Councilor Healey and seconded by Councilor Harrington to approve and expend**
22 **up to \$255,347.77, made available through the Federal Emergency Management Agency (FEMA), for**
23 **Covid-19 relief reimbursements for Fire and Police Department expenses as well as for personal**
24 **protective equipment (PPE), pursuant to RSA 31:95-b and Charter 8-15.**

25 **MOTION CARRIES 7-0-0**

26
27 **Legislative Updates from State Representatives**

28 Greetings, Town Councilors:

29
30 1.) The following bills passed through the full House and have now received the following Senate
31 Committee recommendations:

32
33 HB 271 (An ACT relative to standards for per and polyfluoroalkyl substances (PFAS) in drinking water and
34 ambient groundwater) = "**Ought to Pass.**"

35
36 HB 135 (An ACT requiring parties responsible for pollution of a drinking water supply to be financially
37 responsible for certain consequences of that pollution) = "**Rereferred to Committee.**"

38
39 HB 236 (AN ACT creating a statute of limitation on civil actions relative to damage caused by
40 perfluoroalkyl and polyfluoroalkyl substances) = "**Ought to Pass with Amendment,**" now the House must
41 concur with the amendment before it reaches the Governor's desk.

42
43 2.) The House Judiciary Committee did not pass amendment #2021-1244h to SB 96. This amendment was
44 another attempt this year to eliminate qualified immunity.

45
46 Thank you for all you do.

47
48 Respectfully submitted,
49 Rep. Maureen Mooney (R-Merrimack)

1
2 **Town Manager's Report**

- 3 • Wastewater Phase III Update - The contract to execute the Phase III Upgrade was signed on May 19,
4 2021 by the Town of Merrimack and the contractor Methuen Construction. The construction project
5 is expected to begin in the summer of 2021. The project is expected to take two years to construct.
6
7 • The Street sweeping program is progressing well and crews are currently in Zone 2. We anticipate
8 that Zone 1 work will begin on June 1st finishing the annual street sweeping program. Zones three
9 through six, and municipal and school lots are already complete.
10
11 • The Town wide pavement line striping will commence once the sweeping is complete. This
12 contracted service program refreshes about 600,000 linear feet (more than 110 miles) of white and
13 yellow lines on the Town roads each year. Our Public Works pavement marking team has been busy
14 repainting stop bars and crosswalks throughout town. The annual program maintains 394 stop bars,
15 43 cross walks, and the parking lines in all municipal parking lots.
16
17 • Work on the roundabout at the intersection of Turkey Hill Road and Baboosic Lake Road is set to
18 begin next week. Updates on the work will be provided on our website at
19 merrimacknh.gov/roadwork and on our Facebook page at [Facebook.com/merrimackdpw](https://www.facebook.com/merrimackdpw). The work
20 involves constructing a single lane roundabout to replace the existing intersection. The first stage of
21 work will be to clear the trees to the west of the intersection and then begin installation of the new
22 drainage system. Concurrently, the utility poles and wires will be relocated by the various utility
23 owners to accommodate the new intersection. Work is expected to be substantially complete by
24 October 1st and full completion by November 1st.
25

26 **Consent Agenda**

27 None.
28

29 **Old Business**

30 **1. Technology Committee Charge Revision**

31 *Submitted by Town Council Chair Tom Koenig and Vice Chair Finlay Rothhaus*

32 The Town Council to review and consider revising the Technology Committee's current Charge.
33

34 Chairman Koenig reminded the Council that about a month ago, the Technology Committee pointed out that
35 there are only two members of the committee that have been able to attend their meetings. There was some
36 concern if there was a quorum and if they were able to hold official meetings or not. The Council must now
37 determine if the committee should add the IT Coordinator as a member of the committee, if the number of
38 committee members should be reduced, or if the committee should be recognized as an advisory committee-
39 which means that they will not vote on any financial items. Chairman Koenig wants the Council to decide
40 this so the committee can resume their meetings.
41

42 Town Manager Paul Micali clarified that on this committee, the Council representative is a voting member
43 and if they are present with two other committee members then there will be a quorum. Mr. Micali then
44 introduced Jonathan Dias as the new IT Coordinator and stated that he is available to answer any questions
45 the Council has regarding this issue. Mr. Micali then stated that the charge has been changed a little bit and
46 some items have been added, such as anti-ransomware and data protection to help prevent hacking. He also
47 shared that the meetings will be quarterly and on a set schedule, whereas before the committee only met if
48 there were issues to address.
49

1 Councilor Woods questioned if there is less of a necessity for the committee now than when it was originally
2 created, and if the town still needs a technology department. Councilor Harrington asked if the Council can
3 get the coordinator’s opinion on the usefulness of the committee. Mr. Dias stated that he believes that it is
4 good to get different opinions and views from residents and he thinks a committee would provide structure,
5 especially when reviewing big projects. He is in favor of keeping the committee. John Sauter then spoke,
6 sharing that he was part of the committee when it originally formed and does not believe that the committee
7 is needed as the town has evolved since the committee was originally formed and now has IT personnel.
8 However, he does think that the committee could be insightful for having members of the public who are
9 skilled in IT contribute thoughts and ideas to the town’s IT department, but perhaps only at the request of the
10 IT director. Councilor Harrington shared that she agrees with Mr. Sauter opinion, and thinks that the
11 committee could perhaps meet on an as-needed basis instead of having quarterly meetings that may not be
12 necessary. Mr. Sauter then stated that a committee that meets quarterly would not be beneficial for ideas that
13 need to be made quickly and agrees with Councilor Harrington’s idea of having as-needed meetings.
14 Councilor Hunter asked if the rules need to be changed as far as a quorum goes to reflect the as-needed
15 schedule and have it state that there is no quorum required. Mr. Micali stated that if this is going to be an on-
16 call basis, then there does not need to be a committee as this will be more of a consulting/opinion situation.
17 Councilor Healey suggested having at least one committee meeting, stating that if the members are going to
18 become on-call advisories, Mr. Dias should have an understanding of people’s strengths and their
19 backgrounds. She is in favor of disbanding the committee.
20

21 **MOTION made by Councilor Healey and seconded by Councilor Harrington to have one final**
22 **Technology Committee meeting for the purpose of familiarization of the members with the new IT**
23 **Coordinator for future resource and then disband the Technology Committee and have the members**
24 **be available for support as needed. MOTION CARRIES 7-0-0**
25

26 **2. Chapter 111, Conservation Areas, Merrimack Town Code Process and Procedure Follow-up**
27 **Discussion**

28 *Submitted by Merrimack Conservation Commission Member Tim Tenhave*

29 The Town Council to be presented with the Conservation Commission’s proposed recommended
30 changes to Chapter 111, Conservation Areas, of the Merrimack Town Code.
31

32 Merrimack Conservation Commission Member Tim Tenhave began his presentation by stating that back in
33 2017 the Merrimack Conservation Commission was looking to make an update to Chapter 111. They formed
34 a plan and came to the Council in 2018 to outline their steps and be as transparent as possible. Since then,
35 they have been incorporating feedback and working towards phase 2 of their plan, which Mr. Tenhave will
36 be presenting to the Council tonight. The next phase includes taking their intent and turning it into a proper
37 legal form for an ordinance. He is looking for feedback or approval from the Council so they can adjust their
38 plans accordingly.
39

40 Mr. Tenhave then gave a brief presentation on the current Chapter 111, highlighting how this currently
41 covers 6 parcels which all have the same restrictions. The updated Chapter 111 aims to include 62 parcels,
42 which have already been approved by town staff. Additionally, this update will have the same restrictions but
43 change some of the wording, such as removing “glass” from trash as glass containers haven’t been an issue
44 for several years. Another update involves restricting OHRVs. Currently, some parcels allow OHRVs and
45 some do not, whereas some areas (such as Horse Hill) have a clause stating that OHRVs would only be
46 allowed if a group got together and it was determined that the use is appropriate for the area. Vice Chair
47 Rothhaus questioned if leaving the wording as it is currently would be easier than having to schedule public
48 hearings to determine if OHRV use is appropriate for certain parcels, in which Mr. Tenhave agreed but stated
49 that they would have to change this for the other parcels that have similar clauses as well. Further, Mr.
50 Tenhave stated that OHRV use is mostly in areas that do not allow OHRVs.

1
2 Councilor Hunter then asked what problem the Council would be fixing by updating Chapter 111, in which
3 Mr. Tenhave stated that the goal is to primarily expand the restrictions and eliminate the concept of camping,
4 fires, etc. He further stated that most of the issues revolve around trash and the lack of enforcement for
5 restrictions since there are no enforceable rules to reduce activities. Councilor Healey questioned how going
6 from 6 to 62 parcels would work as it is difficult enough to maintain the 6 parcels and enforce restrictions.
7 Mr. Tenhave replied that although the police department does not have additional staff to patrol the area, the
8 goal of these ordinances is to give police officers the ability to enforce the rules when individuals break
9 them. Additionally, he stated that in the future they may want to look into hiring a part time conservation
10 officer to help patrol the parcels and ensure the areas stay clean and safe for the public.
11

12 Town Manager Paul Micali asked if Mr. Tenhave could clarify the “no e-bikes” restriction, stating that
13 regular bikes and mountain bikes are allowed and some individuals with disabilities may rely on e-bikes. Mr.
14 Tenhave stated that e-bikes were previously not classified and could be modified to be as powerful as a dirt
15 bike, making them too dangerous for the trails. However, since last year, there are now three classes of e-
16 bikes so this restriction can be reconsidered to allow the use of certain e-bikes.
17

18 Mr. Tenhave then discussed the restriction regarding the discharge of air-powered or spring powered guns,
19 bows, or firearms for the purpose of target shooting without prior authorization from the Town Council. He
20 wants to update this to reduce the scope down because they do not want people to think they cannot hunt on
21 certain parcels as hunting is allowed on most properties unless the deed says otherwise. The main purpose of
22 this restriction is to discourage people from shooting cans for target practice on the parcels.
23

24 Councilor Harrington asked to have an overarching sentence stating that these rules can be modified by the
25 Town Council or designated agent on an individual basis as she believes some rules, such as no fires, can be
26 overridden depending on the situation. For example, if the boy scouts want to gather for an event, they may
27 have a legitimate reason to have a fire so the fire chief should have the final say regarding this restriction.
28 The Council and Mr. Tenhave were in agreement with this.
29

30 Mr. Tenhave then discussed the restriction of dogs, sharing that this update will remove verbiage regarding
31 dogs and have all matters with dogs fall under Chapter 119. He then stated that Wasserman Conservation and
32 Wasserman Park are adjacent to each other yet have different rules for dogs being leashed and under control,
33 so the Conservation Director is requesting signage be put up between the two areas letting the public know
34 they are moving from one property restriction to another. The Council is in agreement to this.
35

36 Mr. Tenhave then presented updated restrictions for restricted-hours parcels. Instead of 6 parcels having
37 restricted hours, they are looking to reduce this down to two: Wildcat Falls Conservation Area and Riverside
38 Drive. He stated that these two areas are residential and night use could disrupt the neighborhoods. The other
39 parcels will not have any restrictions as some people enjoy hiking at night or stargazing. This proposition has
40 been vetted through the town and there have not been any objections. The Council is in agreement with this.
41 After some discussion regarding OHRVs, fires, e-bikes, and firearm use, the Council agreed to allow Mr.
42 Tenhave to move forward with the next phase of the plan.
43

44 **New Business**

45 **1. Request to Tap Trees on Falcon Drive (Town-Owned Parcel)**

46 *Submitted by Resident Scott Delibac*

47 Resident Scott Delibac is seeking Town Council permission to tap maple trees in the Town-owned
48 forested area adjacent to home along Eagle Drive.
49

1 Mr. Delibac was present to discuss his tree tapping hobby. He has been tapping trees at 4 locations in town
2 and is looking to be closer to home and limit the locations that he is currently tapping at. He wants to utilize
3 the resources closer to his home, which are mostly pine trees and some sporadic maples, totaling about 100
4 trees altogether. Chairman Koenig asked Mr. Delibac to discuss how this would interfere with other
5 individuals from using the property, in which Mr. Delibac replied that his neighbors previously used to hunt
6 in the area, but hunting season does not coincide with tree tapping season (end of January- early April) so
7 this would not be an issue. He does have some lines and tubes on the property that would stay up year round
8 as it is expensive to install them, but these lines would be easily marked to be visible and high enough for
9 easy passage if hunters or anyone were to walk the property. Town Manager Paul Micali asked what would
10 happen if someone were to hit or run into the line, in which Mr. Delibac said they would just bounce off it as
11 the lines are not dangerous and would not be able to cause injury to individuals. Chairman Koenig asked if
12 Mr. Delibac would be hosting any events or training sessions about tapping, in which Mr. Delibac replied
13 that he does host “maple weekend” and some small events, mostly with girl scouts and boy scouts coming to
14 watch the tapping process.

15
16 Mr. Delibac then shared that he does have liability insurance for the property and agrees to share the
17 paperwork with the Council and Town Manager. Councilor Healey shared that when the Council went to
18 visit the property, she checked the surrounding area and did not see any trails or anything that would impact
19 the property, so she is in agreement with using the area for tree tapping. Councilor Murphy questioned if
20 there are time limits for allowing tree tapping, in which Councilor Harrington said that there was another
21 area that previously requested to tap trees in 2010 and there were no issues that arose during the time the
22 residents were tapping trees. Councilor Murphy then asked how long the main tapping line is, in which Mr.
23 Delibac said maybe 1,000 ft of line total for all the trees. Chairman Koenig then wanted to highlight that Mr.
24 Delibac plans to give back to the community by donating some of his syrup, in which Mr. Delibac stated that
25 he plans to donate syrup for school fundraisers and other town fundraisers, as well as continue to educate the
26 community on the tapping process.

27
28 **MOTION made by Councilor Harrington and seconded by Councilor Woods to provide permission to**
29 **tap maple trees in the Town-owned forested area adjacent to home along Eagle Drive and to meet the**
30 **same legal and safety criteria determined during the Kennedy tapping in 2010.**

31 **MOTION CARRIES 6-0-1**

32 33 **2. Communications Equipment Upgrade Presentation**

34 *Submitted by Town Manager Paul Micali*

35 Town Council to be presented with a proposal to upgrade our communications systems to an 800
36 MHZ system to achieve a 95% emergency coverage for the Town of Merrimack.

37
38 Police Chief Levesque presented a PowerPoint highlighting the importance of upgrading the
39 communications system. He shared that the fire department has been experiencing critical radio issues inside
40 and outside of buildings in the town, which have been worsening within the past year. Currently, the fire
41 department is operating on a VHF analog loaded system and the police department is operating on a VHF
42 digital loaded system. Over the years, tree growth has increased, as well as an increase in the number of new
43 buildings in the town, both which have impacted radio signals. One of the major issues the fire department
44 faces is the inability to communicate via radio in large corporate buildings (such as Budweiser and Fidelity)
45 and the schools, which is concerning because dispatch cannot effectively communicate during emergencies.
46 When the radio system was upgraded a few years ago, the decision was made to have the fire department
47 stay on an analog system for staff paging/calling reasons, and the police department was switched to digital.
48 In order to receive better coverage, the departments have been brainstorming ideas with Motorola that would
49 be cost effective. During this, the city of Nashua agreed to have Merrimack try out an 800MHz digital trunk
50 system as both Nashua and Manchester use this for their radio system. To upgrade to this system, it would

1 cost the town \$4.5 million. After testing out this system, it was found that the coverage greatly improved, so
2 Motorola created coverage maps that were guaranteed to cover 95% of the town. The fire department, police
3 chief, and Town Manager all met to discuss this and agreed that this was the best upgrade for the town as this
4 would also allow for dual band communications, meaning that the departments could communicate with the
5 surrounding cities.

6
7 Chairman Koenig asked what the megahertz difference is between the VHF system and the dual band
8 upgrade, in which Bill Mansfield, City of Nashua Radio Systems Manager, stated that VHF ranges from 100-
9 150 megahertz range. The 800MHz ranges from 700 to about 869 megahertz span. Chairman Koenig asked
10 if the higher frequency means that you have to be in a closer range of sight whereas the lower frequencies
11 tend to go over or around things better, in which Mr. Mansfield replied that VHF gives more coverage but
12 does not penetrate buildings. Further, he stated that VHF radio is prominent in the state of NH due to most of
13 the state being rural and Nashua switched over to the 800MHz coverage due to needing the frequency to
14 penetrate buildings.

15
16 Chief Levesque then discussed the proposal for the 800MHz upgrade, highlighting that this would also
17 include upgrading the consoles at the police department and swapping all the radios over to megahertz,
18 which includes 45 portable radios, 29 single head mobiles, and 10 dual head mobiles. The total cost of this is
19 roughly \$1.26 million and includes a \$125,000 robust communication shelter in Merrimack with expenses
20 such as climate control (AC/Heat), purchasing a propane generator with tank to power the contents of the
21 facility, and equipment to mount the system. The current communications shelter is inadequate and does not
22 have the proper climate protection to keep this equipment safe from high/low temperatures and needs to be
23 upgraded before purchasing this expensive equipment. The recurring annual cost to the city of Nashua for
24 this entire project is \$68,000 and includes a system upgrade agreement, annual preventative maintenance and
25 security upgrade services, user fees for utilizing Nashua's infrastructure, and any overtime costs associated
26 with the use of Nashua's radio communications personnel. Town Manager Paul Micali wanted to clarify with
27 the Council that this annual maintenance would come out of the town's capital reserve fund and be shifted
28 over into the budget. Councilor Harrington asked what the percentage is of the current town coverage, in
29 which Chief Levesque said he cannot give a percentage but stated that it depends on the topography of the
30 town and some areas are worse than others, but it seems to be increasingly worsening over time. Councilor
31 Harrington then asked if there is some type of amplifier that can be installed to increase communication in
32 and outside of buildings, in which Fire Chief Duke said that there is a NFPA code that states that new
33 constructions are required to test the need for an amplifier and install one if there is a need, but New
34 Hampshire tends to run a cycle or two behind on new codes so it has not been put into effect in NH yet. He
35 then stated that if the radio system is improved, then there will be less need for an amplifier.

36
37 Police Chief Levesque is proposing a phased in approach to help reduce the financial impact of the full
38 system upgrade, Step one would be to purchase the portables and mobiles and upgrade the Merrimack
39 dispatch center, utilizing Nashua's tower at Kessler Farm for the time being. Step two would be to complete
40 the communications structure and create the Merrimack site for 800Mhz. Town Manager Paul Micali agrees
41 that this phased in approach is doable due to the changes in the current 2021 operating budget due to salary
42 savings from both the police and fire departments and from reimbursements from FEMA. He would like to
43 get this system up and running by early summer.

44
45 Councilor Woods stated concern over the agreement with Nashua to use their Kessler Farms tower. Mr.
46 Mansfield replied that there is a radio committee in Nashua that listened to the proposal and agreed to it, and
47 the mayor of Nashua was also in agreement. Mr. Mansfield then stated that the next step is to have a written
48 agreement drafted and reviewed by each side's legal teams. Town Manager Paul Micali then stated that when
49 drafted, he assumes the contract between Nashua and Merrimack will stretch over several years and be a
50 long-term agreement. Councilor Woods asked if the agreement would span 10-15 years, in which Mr.

1 Mansfield clarified that the agreement would allow Merrimack to use the entire radio system and it would
2 not be a rental type of agreement but rather a long-term agreement. Chairman Koenig then questioned the
3 bandwidth, in which Mr. Mansfield stated that all Nashua departments (schools, DPW, fire dept, etc.) are all
4 shared within the city and adding Merrimack into the current system will not overload the system radio
5 channels.

6
7 Councilor Hunter asked if the agreement means that Merrimack would never have to purchase any software
8 upgrades, in which Mr. Mansfield stated that he is correct, Motorola will cover all the upgrades among the
9 entire system. Councilor Healey then asked Mr. Mansfield to clarify what is included in the annual
10 preventative maintenance. Mr. Mansfield stated that this includes maintenance on the radio consoles in the
11 dispatch center. In the future, when the site is completed, this would include ensuring the equipment on the
12 site is maintained and running correctly. Chairman Koenig then asked to clarify where the \$20 per radio fee
13 the Nashua mayor included in the agreement comes from, in which Mr. Mansfield stated that the amount was
14 determined based on a “per user charge” from the state, in which rates range from \$10-\$30 so the amount
15 was based on that standard range. The Council shared their appreciation for Nashua for granting this
16 opportunity for the town, and Chief Levesque highlighted that being able to share communications between
17 surrounding areas will help increase job efficacy and help important information get shared faster among the
18 surrounding cities.

19
20 **MOTION made by Councilor Harrington and seconded by Councilor Hunter to approve the**
21 **expenditure of no more than \$684,000 to establish the recommended communication improvements**
22 **for the Merrimack Police and Fire departments and allow the Town Manager or his proxy to sign any**
23 **necessary paperwork, including legal review.**

24 **MOTION CARRIES 7-0-0**

- 25
26 **3. Merrimack Village District (MVD) Requesting Letter of Support to NHDES – Well MVD 6**
27 *Submitted by MVD Board of Commission Chairman Don Provencher, Superintendent Ronald Miner,*
28 *Jr. and Jamie Emery*
29 The Merrimack Village District is seeking Town of Merrimack support in pursuing Brownfields grant
30 funding through the New Hampshire Department of Environmental Services (NHDES) to assist in the
31 remediation and monitoring of groundwater contaminants derived from the former Merrimack
32 Industrial Metals site, located at 734 Milford Road, that caused adverse impacts (contamination) to
33 the former MVD Production Well MVD-6.

34
35 **MOTION made by Vice Chair Rothhaus and seconded by Councilor Healey to table this agenda item**
36 **for the June 10th Meeting. MOTION CARRIES 7-0-0**

- 37
38 **4. Release of Capital Reserve Drainage Improvement Funds**
39 *Submitted by Deputy Public Works Director / Town Engineer Dawn Tuomala*
40 Town Council to consider the release of the remaining drainage funds for 2021-2021 to perform the
41 needed drainage improvements on various projects.

42
43 Assistant Public Works Director Kyle Fox was present to primarily discuss the Joppa Road drainage project.
44 Before he began, Town Manager Paul Micali stated that since the state has changed the way to do capital
45 reserve funds requests, the public works department now has to come in front of the Council to request
46 withdrawals. Mr. Fox then stated that there is about \$140,000 left in the CIP Program for this fiscal year. On
47 Joppa Road near the Derry Street intersection, there is a large puddle that forms during summer storms and a
48 neighboring house is being impacted by this. The goal is to correct this drainage issue before paving the
49 roads next year. This project is contracted by a company in Loudon, NH that is also managing the Turkey
50 Hill Roundabout project. The one stipulation with this company was that they wanted to address this issue

1 before starting work on the Turkey Hill Roundabout, so Mr. Fox is here tonight to push the drainage project
2 through so the company can begin work.
3

4 Mr. Fox also wanted to briefly touch upon other projects the DPW has planned that are in various design
5 stages. One project involves improving existing metal pipe on Clay Street near Collins Ave. This section of
6 pipe was laid on a curve and catch basins need to be added to correct this problem as pipe does not get laid
7 on curve anymore. Another project involves three 36-inch pipes crossing South Baboosic Lake Road down
8 near the town line near BB Lane that need to be replaced, ideally with two 48-inch pipes. The last major
9 project is on Thornton Road West, which is a dead end near Tinker Road that has three failing metal cross
10 culverts that connect the two brooks on both sides. Mr. Fox is present tonight to ask the Council to approve
11 the release of \$140,650 from the Road Infrastructure capital reserve fund for these projects. Chairman
12 Koenig asked why Mr. Fox is asking for the money now when they do not have any bids or numbers on the
13 projects yet. Mr. Fox stated that this is in an effort to save the Council's time, but he is open to coming back
14 when they receive updates throughout the summer. Chairman Koenig said he is agreeable to giving them
15 \$40,000 for now and asks Mr. Fox to be more specific about what the DPW plans to do with the rest of the
16 money. Mr. Fox asked for 5% above \$40,000 in case any contingencies or unexpected items come up during
17 the projects. Chairman Koenig is agreeable to a 10% contingency and Mr. Fox stated that if they do not
18 spend the money, it will stay in the reserve fund.
19

20 **MOTION made by Councilor Woods and seconded by Councilor Healey to approve the release of up
21 to \$45,000 from the Road Infrastructure capital reserve fund for the Joppa Road project.**

22 **MOTION CARRIES 7-0-0**
23

24 **5. Acceptance of Donation to Parks & Recreation Department**

25 *Submitted by Parks and Recreation Director Matthew Casparius*

26 The Town Council to consider the acceptance and expenditure of a donation in the amount of
27 \$480.00 from the Bear Christensen Charitable Trust to the Parks and Recreation Department to be
28 used towards the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter Article 8-15.
29

30 **MOTION made by Councilor Woods and seconded by Councilor Hunter to accept a donation in the
31 amount of \$480.00 from the Bear Christensen Charitable Trust to the Parks and Recreation
32 Department to be used towards the Camp Scholarship Fund, pursuant to RSA 31:95-b and Charter
33 Article 8-15. MOTION CARRIES 7-0-0**
34

35 The Council thanks the Bear Christensen Charitable Trust for their donation.
36

37 **6. Acceptance of Donation to Parks and Recreation Department**

38 *Submitted by Parks and Recreation Director Matthew Casparius*

39 The Town Council to consider the acceptance of a donation from Mosquito Joe of services of tick
40 control with an estimated cost of \$1,200 to the Merrimack Dog Park located at Wasserman Park,
41 pursuant to RSA 31:95-e and Charter Article 8-15.
42

43 **MOTION made by Vice Chair Rothhaus and seconded by Councilor Harrington to accept a donation
44 from Mosquito Joe of services of tick control with an estimated cost of \$1,200 to the Merrimack Dog
45 Park located at Wasserman Park, pursuant to RSA 31:95-e and Charter Article 8-15.**

46 **MOTION CARRIES 7-0-0**
47

48 Town Manager Paul Micali wanted to highlight that this treatment is a safe, natural botanical for pets that
49 will be sprayed at the dog park and how appreciative he is of the service from Mosquito Joe. The Council
50 also extends their thanks to Mosquito Joe for the services.

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Minutes

Approve the minutes from the following Town Council meeting:

♦ May 13, 2021

The Council is in agreement to table this item for the June 10th meeting.

Comments from the Press

None.

Comments from the Public

None.

Comments from the Council

Councilor Woods would like to thank the Council for their concerns and well wishes from a procedure he recently had done.

Councilor Healey asked if there has been a discussion as to when the Town Hall meeting rooms will be opened for outside meetings. Chairman Koenig stated that they are planning to discuss how to move forward with opening back up at the retreat.

Councilor Harrington wished everyone a Happy Memorial Day and asked to please remember the meaning behind this holiday. She also shared that there is Last Rest at 11:00am on Monday. Anyone from the public is allowed to come and pay their respects.

Councilor Murphy stated that some community members were asking about getting a better understanding of the various committees in the town. Town Manager Paul Micali stated that there is an agenda item for the retreat that will discuss community relations and communications that will include discussing committees.

Adjourn

MOTION made by Councilor Harrington and seconded by Councilor Healey to adjourn the meeting.

MOTION CARRIES 7-0-0

The meeting adjourned at 10:14pm.

A copy of the backup material for each agenda item is available for review in the Town Council's Office located at the Merrimack Town Hall.
Posted: May 21, 2021