



TOWN COUNCIL – AGENDA REQUEST FORM

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

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

MEETING INFORMATION

Date Submitted: September 22, 2014
Submitted by: Finance Director Paul T. Micali
Department:
Speakers:

Date of Meeting: September 25, 2014

Time Required: 20 minutes

Background Info. Supplied: Yes: No:

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

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

TITLE OF ITEM

Highway Garage Committee

DESCRIPTION OF ITEM

The Town Council to identify the makeup and charge of the Highway Garage Committee.

REFERENCE (IF KNOWN)

RSA:	Warrant Article:
Charter Article:	Town Meeting:
Other:	N/A

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

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

CONTACT INFORMATION

Name:	Paul T. Micali	Address:	6 Baboosic Lake Road
Phone Number:	424-7075	Email Address:	pmicali@merrimacknh.gov

APPROVAL

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

Hold for Meeting Date: _____

Memo

TO: Town Council
FROM: Finance Director Paul T. Micali
DATE: September 22, 2014

RE: Highway Garage Committee



At the September 11, 2014, Town Council meeting there was a discussion as it related to establishing a Highway Garage Committee. Attached please find the excerpt from the September 11, 2014 minutes. In addition, I have also attached a copy of last year's Highway Garage Building Advisory Committee press release for your review.

FOR IMMEDIATE RELEASE



Contact: Town Manager's Office

Phone: 424-2331

Highway Garage Building Advisory Committee Positions Available

MERRIMACK, NH – (May 21, 2013) - The Town of Merrimack is seeking volunteers for the newly formed Highway Garage Building Advisory Committee. The committee's responsibilities consist of reviewing the current facility and assessing the needs as they pertain to the populated areas, i.e. the lunchroom, bathroom, office space, and the mechanic bays. In addition, the committee will be responsible for determining whether or not a facility should be constructed to provide enclosed storage of all or a portion of Town owned vehicles and equipment. The committee's focus, at this time, would not be on the actual design, but rather obtaining pricing and present their recommendations to the Town Council. If you are interested in applying for a position, please submit a letter of interest that includes your qualifications, personal characteristics, length of residency, previous positions held, either elected or appointed, and intent or experience related to the position to:

Town of Merrimack
Attn: Committees
6 Baboosic Lake Road
Merrimack, NH 03054

-END-

1
2 **Legislative Updates from State Representatives** - None

3
4 **Town Manager's Report**

5
6 The Fire Department has utilized the AutoPulse CPR devices approved by the Town Council five times
7 since they've been placed in service, and have transported three patients to area hospitals with a return
8 of spontaneous circulation. We are grateful to Catholic Medical Center for their generous donation.

9
10 **Consent Agenda**

11
12 **1. Zoning Ordinance Amendments (Self-Storage Facilities) (Final Reading)**

13 *Submitted by Community Development Director Tim Thompson*

14 The Town Council to consider the Planning Board's recommended amendments to the Zoning
15 Ordinance (Sections 1.03, 2.02.3 & 2.02.4(B)) regarding Self-Storage Facilities, pursuant to RSA
16 675:2 and Charter Article V, Section 5-4.

17
18 **MOTION made by Councilor Boyd and seconded by Councilor Mahon to move the Consent**
19 **Agenda. MOTION CARRIED 7-0-0**

20
21 Councilor Boyd thanked Community Development Director, Timothy Thompson, for his efforts in this
22 regard.

23
24 **Old Business**

25
26 **1. Highway Garage Discussion**

27 *Submitted by Town Council Chairman Nancy Harrington*

28 Discussion on the status of the Highway Garage initiative

29
30 Chairman Harrington noted, at its retreat, the Council identified the highway garage as one of the top
31 priorities/goals. She questioned the will of the Council with regard to placing the highway garage on the
32 ballot for this coming April.

33
34 Councilor Boyd questioned under what context; bonding or other opportunity in Town that may cause
35 the Council to reevaluate whether owning is advantageous versus leasing/renting. Vice Chairman
36 Mahon responded earlier in the week the Fairpoint facility was toured. Part of the reason for that was to
37 look at the construction/layout and see if it would provide any ideas that could be used to reduce cost or
38 make the facility more efficient for our use. There was no thought to use that facility for anything else
39 as a retrofit would be pretty expensive. The building is in a mild state of disrepair. He stated his belief
40 the desire is to sell the property rather than lease it, and the price is rather high.

41 Councilor Rothhaus stated his opinion it is an important project, and he would be pleased to see it on the
42 ballot again this year. He spoke of the discussion at the last meeting, which was sobering. At the time
43 of the Retreat the project was viewed highly and the necessity could be seen, but the commentary
44 received of just throw it back out on the table again without any change other than the price tag, might
45 be hazardous. He commented when having the ability to see the project and understand it, people
46 embrace it. All who attended the open house agreed with the necessity. The only concern heard was the
47 overlapping of bonds.

1 Councilor Dwyer stated he was a member of the team that put the proposal together, and the team could
2 not have done better. He is uncertain whether or not placing the project back on the ballot would be
3 wise. A few have spoken of the bond issue. The Town has a paid expert who has advised if considering
4 waiting a year or two the numbers are too close to argue about. In the big picture of things, that should
5 not be considered a high priority part of the discussion.

6
7 Councilor Dwyer stated, if the project is not placed on the ballot, he intends to motion for the purchase
8 of paint. We should not impact the property values of the surrounding area because the highway garage
9 looks like a mess. He added, if no highway garage, there is the need to examine the workings of what
10 occurs onsite; perhaps vehicles belonging to the police and fire departments are sent elsewhere for oil
11 changes and other maintenance.

12
13 Councilor Koenig stated his agreement a great job was done in presenting the needs; however he
14 believes there to have been a few areas that could have been improved upon. One area is that of the
15 visual presentation. Another area that he does not believe was managed correctly was the cost and
16 financial impacts. Overlapping bonds is a small change issue that the Council needs to make the
17 citizenry understand. The increasing cost of bonding is a big cost factor, and the longer we wait, as the
18 economy improves, that cost factor could wipe out any savings that could be achieved over finishing off
19 another bond at a small amount. He stated his belief the Town is at a low bond rate at this point as far as
20 the amount of financing being carried, and could easily handle that effort.

21
22 He stated bonding makes financial sense. We are talking about paying for something as we use it
23 instead of collecting money in the bank and paying for it after we have collected it. The advantage is the
24 overall cost is less as you would not be paying interest on the bond. The disadvantage is you would be
25 charging people who would get no benefit from it. The desire is to get the garage fixed so that
26 everybody in Town can get the benefit of the improved highway maintenance, snow removal, etc. He
27 suggested those and perhaps other areas could be improved upon to provide an understanding and/or
28 market the project.

29
30 He noted a few Councilors met with a program manager who had some other ideas. In the prior
31 discussion of funding, consideration was given to hiring a program manager to help put the presentations
32 together in a more finished and complete package. That effort was not funded; however, could be. We
33 could help the citizenry understand the necessity, cost factors, and exactly what is being brought forward
34 so that we could get it to move forward.

35
36 Vice Chairman Mahon stated his desire to first see an analysis on some of the points that have been
37 made regarding the potential increase in the cost of bonding as well as increased construction costs over
38 time. He would like to see an analysis brought forward for public consumption. He remarked the
39 reason the project did not come to fruition is because it did not meet the threshold for a bond (2/3).

40
41 Councilor Dwyer stated concern with expending funds on additional drawings, etc. He remarked the
42 numbers were there. He stated a concern a better presentation would be made with the same result. He
43 would not want to see additional money spent on the presentation. He stated he is in favor of placing the
44 project back on the ballot; however, if not successful, the Council should be prepared to look at the
45 facility in a different way.

46
47 Chairman Harrington stated her belief, after two unsuccessful attempts to gain approval for bonding, on
48 a fairly unchanged proposal, people begin to become annoyed. Vice Chairman Mahon remarked we are
49 cursed with the SB2 balloting. When you are on the floor of a Town meeting people can get up and

1 explain why they were not in favor of something or they would be talking to each other, and you could
2 gain a sense of the sentiment. It also enabled people to look around and sense that there was some way
3 to reach consensus on a number.
4

5 Councilor Boyd suggested putting out the word that another subcommittee would be formed. If unable
6 to get 8 volunteers to put the time and energy into another committee that would be very telling.
7 Councilor Boyd stated agreement he is very reticent about putting this back on the ballot so soon. He
8 has heard the same concerns regarding bonding. He suggested it is not the work the committee did
9 about coming up with something utilitarian, it is explaining to the people we are not going to break the
10 bank. The finance team has done a good job to put us in a position where we can bond for something
11 like this. He got the impression some might equate a bond with a mortgage and look at it as taking on a
12 fourth mortgage. The education piece on bonding and its impact to the community was not
13 communicated. He suggested it is not taking the cover page off of the document that will make a
14 difference, but going out and explaining the numbers and how it all works.
15

16 Vice Chairman Mahon remarked there is no way to gauge the reason the project did not pass. He
17 reiterated the proposal was supported by a great many; however, all of the other things come into play.
18 He stated his personal opinion there are times when enough voters aren't comfortable with a decision
19 and they will grasp at any reason as to why it didn't go forward. He stated his opinion the discussion is
20 premature and should occur as part of the budget process, and staff should be asked to provide a finer
21 analysis.
22

23 Councilor Boyd questioned the timeframe required for a decision in order to make a commitment to
24 place the project on the ballot. Chairman Harrington remarked, if intending to place the item on the
25 ballot, preparation should not wait until January to begin. There is the need to get a committee together
26 to evaluate what was done, what can be done better, etc. Councilor Dwyer reiterated if unable to get a
27 robust committee of 8 committed to this work, it is a dead issue. Chairman Harrington stated agreement,
28 if deciding to place on the ballot, there is the need to get those 8 individuals onboard and get the facts
29 updated for those individuals so they can make a different kind of presentation.
30

31 **MOTION made by Councilor Dwyer and seconded by Councilor Boyd to form a committee to**
32 **study the proposal for the highway garage and associated bonding with the intent of placing it on**
33 **the ballot in April**
34

35 ON THE QUESTION

36

37 Vice Chairman Mahon questioned what was being asked of the committee. Chairman Harrington
38 suggested a motion to pursue whatever is necessary to have the project placed on the ballot in April.
39 Councilor Rothhaus suggested committee size, charge, etc. could be worked out at a later meeting.
40 Councilor Dwyer suggested that would be putting the cart before the horse; the committee will make
41 that recommendation. Councilor Boyd stated a desire for a committee to make a recommendation. Vice
42 Chairman Mahon stated if that is to occur the committee would have to make a recommendation by
43 about the 1st of December.
44

45 Councilor Rothhaus suggested, if Councilor Dwyer were willing to withdraw his motion, the item could
46 be placed on the agenda for the next meeting. At that time, the makeup and charge of the committee
47 could be identified.
48

1 Councilor Dwyer suggested if not getting a committee off the ground now, there will not be sufficient
2 time for the committee to conduct the work requested of it. Councilor Boyd stated agreement.
3 Chairman Harrington remarked, if the consensus of the Council were not to proceed, there would be no
4 need to establish a committee. Councilor Boyd stated his belief putting together the committee
5 expresses the intent the Council is desirous of a highway garage. Vice Chairman Mahon stated his view
6 establishing the committee would be requesting the information be put together and brought before the
7 Council to evaluate and make the decision as to whether or not the project is put before the voters.
8 Going through the exercise does not signify the project will be placed on the ballot. The Council should
9 have the freedom to make that decision one way or the other. The Committee would simply be asked to
10 gather the information and determine if there is further financial analysis that will be helpful.

11
12 Chairman Harrington stated her personal opinion, at this point, would be not to place the project on the
13 ballot in April. Therefore, she has no interest in the formation of a committee. She would vote against
14 the formation of a committee, not on the face value of the committee, but because she does not believe
15 there to be sufficient time and resources to do the work well enough to be properly prepared for April.
16 Councilor Dwyer stated he is neither in support of or opposed to the project being on the ballot in April.

17
18 Councilor Rothhaus questioned when the makeup and charge of the committee would be determined.
19 Councilor Dwyer stated there to be 7 weeks. He believes there would be the need for 10-14 meetings in
20 order to get the work accomplished. He stated it to be vital to come to a decision right away to get the
21 committee off the ground.

22
23 Director Micali stated if the Council so chooses, advertising for committee members could begin the
24 following day. The names of volunteers willing to serve on the committee could be presented at the
25 Council's next regular meeting. The timeframe is tight; November is a short month with the holiday,
26 work on the CIP, and budget. He spoke of having met with the Construction Manager who has stated
27 you would want to be ready to go and hit the ground December 1st with presentations and getting the
28 constituency on board. It is late in the process at this time to get an architect to do any kind of rendering
29 of a facility.

30
31 Councilor Woods commented if he were a member of the public viewing the meeting and having just
32 heard the remarks of Director Micali, his first reaction would be it is another rush job, the Council is not
33 taking its own advice in terms of being sure that what they are presenting has had the benefit of the time
34 for a myriad of people; not only a citizen committee or the best budget sense of the Council, but
35 contractors, architects, etc. to really put a quality product forward. He stated his mind has not been
36 changed by the discussion. He will not support putting the project on the ballot, at this time.

37
38 Vice Chairman Mahon stated he has changed his mind. The time constraint is too much. It would come
39 across as trying to shove something down people's throats.

40 **MOTION WITHDRAWN**

41
42 Councilor Boyd stated his agreement with the remarks made by Councilor Woods; however, questioned
43 whether there is any harm in the formation of a committee at this time to achieve forward movement.
44 He stated agreement he would not want to come across as jamming something down the voters' throats.
45 Councilor Koenig remarked did the need for the garage go away because the garage didn't pass; the
46 answer is clearly no, the need is still there. The discrepancies are still there and will not go away. He
47 stated his disappointment and belief it is important to move forward with things that are urgent. He
48 remarked we would not be starting at ground zero. A lot of the information on hand is very valuable,

1 and he believes half of the time stated would be needed to clean up, enhance, and ensure the message of
2 the needs comes across even stronger.

3
4 Councilor Koenig commented he understands the concern around rushing, and from listening to what
5 people have said, if he were in the public he would say the Council has no interest in this. He remarked,
6 just by the negativity presented during this discussion, the Council has probably lost whatever
7 percentage of the public we wanted to get. This absolutely needs to go forward. It is a need in this
8 Town, and we have to find a way to address that. He stated there is no option of not doing it. He
9 suggested the Council would find itself in a bind financially, employment wise, etc. The State could
10 come down and shut us down, and then we would really be in deep water trying to figure out how to
11 maintain vehicles and roads.

12
13 Councilor Koenig stated he did not wish to scare anyone; the last thing he would want to do is say if
14 they shut us down we are in deep trouble, but we are. The fact is the situation is bad and gets worse on a
15 daily basis instead of better. It will not improve itself, and a coat of paint will not fix the problem.

16 Councilor Dwyer stated the Town is not bound by OSHA rules. A Public Works garage can do what it
17 wants and cannot be shut down. Vice Chairman Mahon commented you are giving the impression they
18 are working in an unsafe environment, and he does not believe that to be the intent.

19
20 Councilor Woods stated he is not against accomplishing the task of a new highway garage as he also
21 recognizes the need. However, sometimes it is best to make haste slowly. He stated his belief that is
22 where we are at. He commented he is not suggesting the need went away because not enough votes
23 were gained to bond for it. It needs to get done in the fashion the Council has talked about and, he
24 believes, all have agreed upon. Councilor Koenig stated his comments were based on the entirety of the
25 discussion of the Council. He stated his point was to bring back the fact there is a need and a reality.
26 We can't just say we weren't happy so we will walk away from this. It has to be resolved.

27
28 **MOTION made by Councilor Koenig and seconded by Councilor Dwyer to proceed with the**
29 **intent to place the issuance of bonds for the highway garage on the ballot in April**

30
31 **ON THE QUESTION**

32
33 Councilor Koenig noted the motion is made with the understanding the information that comes back to
34 the Council may cause it to reconsider.

35 **MOTION CARRIED**

36 **4-3-0**

37 *Councilors Mahon, Harrington, and Woods voted in opposition*

38
39 Councilor Koenig volunteered to serve on the committee.

40 **New Business**

41
42 **1. Noise Ordinance Proposal**

43 *Submitted by Steven Tomasso*

44 To request a noise ordinance (specifically to roosters) to be incorporated in our Town ordinances
45 and/or regulations.

46
47 Mr. Steven Tomasso spoke of being before the Council a few weeks prior in reference to very noisy
48 roosters. He spoke of the level of frustration that resulted from weeks of trying to deal with a neighbor
49 to eliminate the noise, to no avail. He approached the Police Department and was informed there was no

