

Approved: February 25, 2016

Posted: March 1, 2016



Town Council Meeting Minutes

Thursday January 28, 2016, at 7:00 PM, in the Matthew Thornton Room

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

Pledge of Allegiance

Chairman Harrington led in the Pledge of Allegiance.

Announcements

February 9th is the Presidential Primary. Polls will be open from 7:00 a.m. to 7:00 p.m. at the Merrimack High School located at 36 McElwain Street.

Regular meetings of the Town Council will be conducted on Thursday, February 11th and February 25th at 7:00 p.m. in the Matthew Thornton Room.

Absentee ballots for the February 9th Presidential Primary are available at the Town Clerk's office.

The Library's mid-winter book sale will take place on Saturday from 9:00 a.m. - 2:00 p.m. and Sunday from 1:00 - 3:00 p.m. At Noon on Saturday there will be a Ribbon Cutting Ceremony unveiling their new Kossel Model A 3D printer, purchased with funds raised at the 2015 Turkey Shoot Night of Raffles Fundraiser. The 3D Printer was built in Merrimack by Turn Key Innovations, a local company.

Kinder Morgan – Proposed Northeast Energy Direct (NED) Pipeline Project

• Informational Reports and Updates

Chairman Harrington stated there to be nothing new to report.

Comments From the Press and Public - None

Recognitions, Resignations and Retirements - None

Appointments - None

Public Hearing - None

Legislative Updates from State Representatives

Representative Christensen remarked this is the time of year when people file with the Department of Safety for a Gas Tax Refund. If you own a snowmobile, farm implements, or other off-road vehicles, and you saved your gas tax receipts, you can get your \$0.24 back from the State. There is also an

Approved: February 25, 2016

Posted: March 1, 2016

option, which is of particular interest to boaters, where you can check off on the back of the form a box to indicate you would prefer your refund or a portion thereof go to either the Navigation Safety Fund or the Lakes Protection Act, which has to do with Milfoil and other exotic aquatic species control. That constitutes a tax deductible donation.

This is also the time of year when boat owners receive their renewal notices from the State. Residents can bring their renewal notices into Town Hall to register their boats. The Town would then be allowed to retain a portion of the registration fee whereas renewals mailed into Concord generate no revenue for the Town.

Councilor Vaillancourt remarked during the Council's last meeting Representative Barry was asked about House Bills pertaining to the proposed NED Pipeline. She sent a copy of the 11 Bills to all of the State Representatives. Representative Barry informed her he sometimes gets 1,000 emails a week. She commented she heard back from him and Representative Balcom, and wished to make Representative Christensen aware they had been sent to all representatives. Councilor Vaillancourt stated she was speaking as an individual Councilor although she made the entire Council aware of what she was doing. Representative Christensen acknowledged his receipt of the emails.

Town Manager's Report

The Supervisors of the Checklist will be holding a voter registration session on Saturday, January 30th from 11:00 - 11:30 a.m. This is the last day to register to vote to have your name added to the checklist. Persons needing to register are encouraged to do so by this date to avoid long registration lines on Primary day.

Consent Agenda - None

Old Business - None

New Business

1. Update on Voter ID Issues for the NH Presidential Primary

Submitted by Vice Chair Tom Mahon

To receive an update from Town Moderator Lynn Christensen regarding the Voter ID procedures for the Presidential Primary and future elections.

Town Moderator Lynn Christensen stated individuals coming in who do not have or do not wish to show a photo I.D., are required to sign a Challenged Voter Affidavit, which essentially says I swear I am who I say I am. The Council has traditionally handled those, and it is expected, as Election Officials, they will continue to do so. This year there will be a change in the procedure in so far as there will be photographs taken to accompany the Affidavit. New Hampshire cities have gone through this process already as their elections occurred after the change in the law. The feedback received has been that there were quite a few less Affidavits signed as individuals who might have figured they would simply sign the Challenged Voter Affidavit like they have always done, decided if a photo were going to be taken, they would locate their I.D.

The process at the High School will be the same as it has been; voters enter at the old main entrance, go down the ramp, and in the cafeteria. There will be same day registration. The Council will have a

Approved: February 25, 2016

Posted: March 1, 2016

table in that same room, and will handle the Challenged Voter Affidavits. In order to go down the hall to get to the Gym to vote voters will either have to have in hand either a Challenged Voter Affidavit or photo I.D.

A Polaroid camera will be available for use. Members of the Council will take the photo, staple it to the Challenged Voter Affidavit, and hand it to the individual.

Chairman Harrington questioned how they would handle someone who refuses to have his/her photo taken. Moderator Christensen responded the individual would not be permitted to vote. Voters either have a photo I.D. or a Challenged Voter Affidavit with a photo attached. There is an exemption for religious purposes. In that instance, there is another Affidavit for the individual to sign.

When asked for clarification, Moderator Christensen stated the ballot of an individual who presents the Challenged Voter Affidavit and photo is counted at the end of the day. Councilor Dwyer questioned if contested ballots were handled differently previously. Moderator Christensen stated it has nothing to do with photo I.D.s, but at any point in the process anyone can challenge a voter to say for example, Dan you moved out of Town 6 months ago you are not entitled to vote here. In such an instance the Moderator has to determine whether or not the individual is entitled to a ballot. Once an individual is given a ballot, that ballot is cast.

Councilor Boyd stated his understanding the exception would be an absentee ballot where if the back of the envelope is not appropriately signed. At the Moderator's discretion, that ballot could be segregated for review. Moderator Christensen responded it is decided right there at that point and there are a number of reasons why an absentee ballot might not be counted. She provided the example of preparing to check it off on the checklist and discovering the individual came in earlier in the day to vote. In that case, the absentee ballot would not be counted.

2. Color Run Fundraiser – Thorntons Ferry School

Submitted by PTTF President Gianne Cruz

Thornton's Ferry's Parents and Teachers of Thorntons Ferry (PTTF) along with Mastricola Elementary's Parents and Teachers Together (PATT) will be co-hosting an end of the year family fitness fundraiser, a themed Color Run that is proposed to take place at Wasserman Park on June 3, 2016.

Gianne Cruz, President, PTTF, informed the Council although the request was for the Thornton's Ferry and Mastricola Elementary Schools, over the weekend news was received that the Reeds Ferry Elementary School would be joining in the event.

Ms. Cruz stated the proposal to be the utilization of Wasserman Park for a fundraising event that involves the elementary schools in the Merrimack Community. Every year the schools work individually to host their own fitness fundraisers; however, have recently seen a decline in parent participation in fundraising campaigns. The three elementary schools will be working together to host a Color Run; a one-mile fun run on Friday June 3rd for the school communities (rain or shine). They are hoping this newer style of fun run will encourage families to enjoy a little fitness in the great open outdoors here in the Town of Merrimack.

Approved: February 25, 2016

Posted: March 1, 2016

In an effort to gain interest in a family fitness outreach while bringing the families of all elementary schools together by providing this community-wide event, they are also trying to raise the necessary funding for educational enrichment programs for the schools. As students from the elementary schools will eventually be coming together in the upper elementary schools, this would be a great time to integrate the students during a fun and colorful event.

A Color Run is a run, walk, jog, dancing race course where participants will get showered in safe, eco-friendly plant based, powder dye at every zone (4 zones), turning all of the participants into a moving colorful target of fun. The color dust is made out of colored corn starch and is designed to be 100% washable. It is simply corn starch with color dyes that are approved for use in foods, cosmetics, and/or drugs. These products are not considered hazardous, and not harmful to wildlife or vegetation. The color powder is routinely tested for quality, flammability, and passed the required United States standards. They are currently working with Fire Chief Currier and inspectors to ensure a safe event for all to enjoy.

The color powder dust is pretty easy to blow off and wash out. They plan to have adult volunteers set up to blow the excess colors off of the participants using a leaf blower at the lowest setting. The leaf blowers will also be used to blow excess color dust off of the race course and a shop vac will be used for the large color mounds from the color blast stations. They will be hiring the services of the Merrimack Police Department for four-hour detail coverage to assist them at the park. Due to the large volume of attendees, safety in the events is the main priority. In addition to having a presence at the park, the Police will also assist with traffic control. The Police detail will be monitoring the cars going in and out of the park as well as monitoring speed limits along the park roads. They have proposed and received approval for the use of Wasserman Park from the Parks and Recreation Committee, and would like to receive the same approval from the Town Council.

They currently have one draft of the one-mile course, but will have a clearer marked course after the winter season. They are hoping to cover one mile at Wasserman Park and use the entire park from the parking lot down to the waterfront. This one-mile course will be tailored towards children from Preschool to 4th grade. On Behalf of Thornton's Ferry, Masticola, and Reeds Ferry, Ms. Cruz thanked the Council for the time and consideration with the use of Wasserman Park for the event. She remarked it is hoped members of the Council will join the event either by volunteering for a station, promoting the event, donating to the fundraising campaign or simply joining in on the event.

When asked if there is an entrance fee, Ms. Cruz stated students will ask family members to raise money. If they raise their initial \$30 they receive a t-shirt and a powder colored dust packet that they will use, and every \$30 after that they can either invite a sibling or a family member to join them on the course. That family member will also receive a t-shirt and a color dust packet.

Councilor Rothhaus commented on his Niece being a parent at one of the schools in Nashua, and of her participation in a similar event. The dust is in fluorescent colors, and participants become coated. He stated his support for the event.

Councilor Koenig questioned what was anticipated in terms of traffic volume. Ms. Cruz responded with the three schools there are about 1,300 students. Most fundraising events garner approx. 35% participation from each school. She noted Thorntons Ferry normally hires police detail to help with

Approved: February 25, 2016

Posted: March 1, 2016

cars going in on one side of the park and out on another, also ensuring no one is parking in fire lanes, and that there is no illegal activity should anything happen at the park.

Councilor Koenig noted the draft indicates five waves going out, and questioned if they were working with the people who are participating understanding parking will not be sufficient at Wasserman if 500 attend. Ms. Cruz stated the most that Wasserman Park has had is 800 attendees, which was during the Town's Halloween party. Even so they had police volunteers come and help so that there is nobody parked way out off of Naticook and that they are parked either on the lots or right up against on Naticook. They are hoping the families that come for the first wave during parent pickup at 2:45 p.m. go in at 3:30 p.m., they do their race, and then they go about their day, and then parents who can get out of work early to take their kids for the last couple of races would then be able to come in on time. June 3rd is a Friday. They tried not to plan the event on a Saturday understanding a good number of students are involved in sports. The Merrimack Youth Association will have baseball, soccer, and softball games on Saturdays. Normally the kids would choose their sporting events over a school event having been at school all week.

Although they may not be able to get all of the students to attend given parent schedules, at least those that could attend have a chance at a specific time to attend.

When asked, Ms. Cruz stated the volunteers will be given Dixie cups as there is a limited amount of powder. They will be advised to throw the powder from the waist down so none of the kids get powder in their eyes or nose to inhale. They will have a wide enough course so that anyone with inhalation issues such as asthma would still get some color powder, but it wouldn't be directly into their nose or mouth.

Councilor Boyd questioned if it is fair to say that the color zones have not yet been determined. Ms. Cruz responded they are thinking of putting them in at the ¼ mile and the one last final at the end. This is also after approval is received from the inspectors because the powder cannot be close to any electrical outlets. Chief Currier has mentioned a 5' distance. If anything were to spark, powder particles within 5' would explode. During setup for the event Chief Currier and the Inspector will be on hand to ensure there is sufficient space between each color station and anything surrounding it.

Councilor Boyd commented he is aware the materials being used are biodegradable, ecofriendly, etc. He questioned if there has been any outreach to the Merrimack Village District as Naticook Lake is one of our aquifers, and he would believe they would want to have some assurances. Ms. Cruz stated she could speak with them, and commented usually with something like this they try to level out any of the color so the runoff doesn't all combine into Naticook Lake. Most of the powder is simply corn starch and color dye; normally Mother Nature does her work either by the wind or rain. She reiterated she will follow up on that.

When asked, Ms. Cruz stated all proceeds and all expenses will be split three ways amongst the schools.

Councilor Vaillancourt stated her support for the event, and spoke of being excited to see the three elementary schools coming together for a fundraiser of this sort.

MOTION made by Councilor Boyd and seconded by Councilor Mahon that the Town Council approve the application by the Thornton's Ferry's Parents and Teachers of Thorntons Ferry (PTTF), Mastricola Elementary's Parents and Teachers Together (PATT), and the Reeds Ferry Elementary PFA for the co-hosting of an end of the year family fitness fundraiser, a themed Color Run that is proposed to take place at Wasserman Park on June 3, 2016 between 10:00 a.m. - 7:00 p.m.

ON THE QUESTION

Councilor Boyd remarked the Council has talked about Wasserman Park being a place for people to congregate and recreate. Here is a great event for families with young kids to come out, enjoy Wasserman Park, and have the opportunity to take in one of the crown jewels in our community.

MOTION CARRIED 7-0-0

Town Manager Cabanel informed the Council Gianne Cruz has been hired for the position of Department Secretary for the Parks and Recreation Department.

3. Committee Appointments

Submitted by Town Council Chair Nancy Harrington and Vice Chair Tom Mahon

The Town Council to consider appointing the following individual to a Town committee, pursuant to Charter 4-8: **Gina Rosati** (Conservation Commission - *Alternate member*)

Chairman Harrington stated Vice Chairman Mahon, Tim Tenhave, Chairman, Conservation Commission, and she interviewed the candidate. She commented Ms. Rosati has been a volunteer in many areas for many years. She has been and remains very involved in the School District. She is well aware, and willing to take on the commitment required of this appointment. The recommendation for her appointment was unanimous.

MOTION made by Councilor Mahon and seconded by Councilor Boyd to appoint Gina Rosati as an Alternate member of the Conservation Commission

ON THE QUESTION

Councilor Vaillancourt commented Ms. Rosati has years of volunteer service to the community, and when she commits to something you can depend on her. She stated her support for the appointment.

Councilor Boyd commented, as a Council, we have been trying to encourage people in our community to participate in our local boards, and while the Council has concern with the proposed NED pipeline project, perhaps the negative impact that could have had some good come of it in that it may be drawing people to participate on the local boards. He is pleased Ms. Rosati has chosen to step up and participate, and believes she will add value to the Commission. He stated support of her nomination.

Vice Chairman Mahon noted there remain a full-time position and two alternate positions to be filled on the Conservation Commission. There is no requirement for advance training. Members have the opportunity to attend an annual program that provides comprehensive training where members of Conservation Commissions from a number of communities put on workshops on a variety of topics. Councilor Vaillancourt mentioned current members have a good deal of experience, and are very willing to mentor new members.

Approved: February 25, 2016

Posted: March 1, 2016

Chairman Harrington commented one of the things Ms. Rosati mentioned is her love for research. That skillset is something she will bring to the Commission.

MOTION CARRIED 7-0-0

4. Ratification of Tentative Collective Bargaining Agreement(s)

Submitted by Town Manager Eileen Cabanel

Town Council to consider ratification of tentative collective bargaining agreement(s).

Town Manager Cabanel stated there are six unions; Police and Fire Supervisors, the Police Dispatchers and Support Staff, Public Works Supervisors and Secretaries, Public Works Employees, Firefighters, and the Police Officers. Agreements have been signed and ratified by the first five mentioned. At this time, no agreement has been reached with the Police Officers Union.

Town Manager Cabanel stated all of the agreements before the Council include significant union concessions on the unions' part in the area of health insurance. All five of these unions have agreed to move from an HMO with no deductible and \$20 office co-pay to a \$1,000/\$3,000 deductible health insurance plan with a \$20 office and \$40 specialist co-pay component. This will result in significant savings next year and well into the future.

Each of the Tentative Agreements also includes wage increases in each year of the contract and other small benefit and language changes specific to the needs of each group.

AFSCME 93, Local 3657 – Police and Fire Supervisors

MOTION made by Councilor Mahon and seconded by Councilor Koenig that the Town Council ratify the Tentative Agreement reached with the AFSCME 93, Local 3657 - Police and Fire Supervisors Union, which includes a net cost of Forty Seven Thousand Eight Hundred and Ninety Six Dollars (\$47,896) in the first year so that the Tentative Agreement may be put on the Warrant for voter approval at the Town Meeting

ON THE QUESTION

Councilor Vaillancourt expressed her gratitude to the unions for consideration of the healthcare concessions. She remarked in all of the years she has been in public service she has always said the healthcare costs, especially with healthcare increases and the NH State retirement plan, are some of the largest expenses of a municipality. These healthcare concessions will go a long way in helping save the taxpayers money over the coming years.

When asked, Town Manager Cabanel stated most unions have not received a raise since 2010, except for a \$1,500 raise in 2012/2013. Chairman Harrington remarked previous contracts reflected an agreement not to receive a raise with the exception of that one instance. She stated that to be something that also needs to be considered.

MOTION CARRIED 6-1-0

Councilor Dwyer voted in opposition

NEPBA Local 112 – Police Dispatchers and Support Staff

Approved: February 25, 2016

Posted: March 1, 2016

MOTION made by Councilor Mahon and seconded by Councilor Koenig that the Town Council ratify the Tentative Agreement reached with the NEPBA Local 112 - Police Dispatchers and Support Staff, which includes a net savings of Three Thousand One Hundred and Eighty Six Dollars (\$3,186) in the first year so that the Tentative Agreement may be put on the Warrant for voter approval at the Town Meeting. **MOTION CARRIED** 6-1-0

Councilor Dwyer voted in opposition

Teamsters Local 633 – Public Works Supervisors and Secretaries

MOTION made by Councilor Mahon and seconded by Councilor Koenig that the Town Council ratify the Tentative Agreement reached with the Teamsters Local 633 - Public Works Supervisors and Secretaries, which includes a net cost of Three Thousand Seven Hundred and Seventy Eight Dollars (\$3,778) in the first year so that the Tentative Agreement may be put on the Warrant for voter approval at the Town Meeting. **MOTION CARRIED** 6-1-0

Councilor Dwyer voted in opposition

AFSCME 93, Local 2986 – Public Works Employees

MOTION made by Councilor Mahon and seconded by Councilor Koenig that the Town Council ratify the Tentative Agreement reached with the AFSCME 93, Local 2986 - Public Works Employees, which includes a net cost of Eleven Thousand Four Hundred and Sixty Six Dollars (\$11,466) in the first year so that the Tentative Agreement may be put on the Warrant for voter approval at the Town Meeting. **MOTION CARRIED** 6-1-0

Councilor Dwyer voted in opposition

IAFF Local 2904 – Firefighters

MOTION made by Councilor Mahon and seconded by Councilor Koenig that the Town Council ratify the Tentative Agreement reached with the IAFF Local 2904 - Firefighters, which includes a net cost of Twenty Nine Thousand Two Hundred and Sixty Four Dollars (\$29,264) in the first year so that the Tentative Agreement may be put on the Warrant for voter approval at the Town Meeting. **MOTION CARRIED** 6-1-0

Councilor Dwyer voted in opposition

Councilor Boyd questioned the impact on the tax rate if the voters approve all five contracts. Town Manager Cabanel stated it would be \$0.03. The tax rate would go from an increase of \$0.09 to an increase of \$0.12.

Councilor Dwyer stated the Town Manager never goes into negotiations with all of the union employees without first getting a consensus of the Town Council. He was in the minority on what he wanted to see come out of the negotiations. That is why he voted in opposition to the contracts. He stated his opinion, overall, they are fair, but from a philosophical standpoint from where the conversation began, he was against certain items. He reiterated that is why he took the stand he did.

Vice Chairman Mahon commented on the success that was achieved through negotiations and the cooperation and support received from the collective bargaining units on the issues. He thanked Town Manager Eileen Cabanel, Assistant Town Manager/Finance Director Paul Micali, and Sharon Marunicz, Human Resource Coordinator for the work they did on these contracts, which was at times

Approved: February 25, 2016

Posted: March 1, 2016

exhausting for them just because of the press of other business such as the proposed pipeline, the budget, and the other matters that had to be addressed in the last 30-45 days to prepare for the Annual Meeting. Chairman Harrington and Councilor Koenig echoed his remarks.

Minutes

Approve the minutes of the Special Town Council meeting of January 7, 2016, the Budget Work Session of January 7, 2016 and the regular meetings of January 11, 2016 and January 14, 2016.

January 7, 2016 Special Meeting

MOTION made by Councilor Mahon and seconded by Councilor Boyd to accept the meeting minutes of the Special Town Council meeting of January 7, 2016. MOTION CARRIED 7-0-0

January 7, 2016 Budget Work Session

The following amendments were offered:

Page 1, Line 45; add “social and health services” before “organizations”

MOTION made by Councilor Mahon and seconded by Councilor Boyd to accept the meeting minutes of the Town Council Budget Work Session conducted on January 7, 2016, as amended. MOTION CARRIED 7-0-0

January 11, 2016

The following amendments were offered:

Page 1, Line 1; insert “Work Session” before “meeting”

Page 1, Line 3; replace “meeting” with “Work Session”

Page 1, Line 33; replace “Joanne Marston, Office Manager, Merrimack Public Library” with “Jennifer Jobin, Chairman, Library Board of Trustees”

Page 1, Line 45 and Page 4, Line 13; replace “Marston” with ‘Jobin”

MOTION made by Councilor Mahon and seconded by Councilor Koenig to accept the meeting minutes of the Town Council work session of January 11, 2016, as amended. MOTION CARRIED 7-0-0

January 14, 2016

The following amendments were offered:

Page 3, Line 8; replace “no” with “not”

Page 4, Line 10; replace “that” with “it”

Page 3; remove the heading of “Action Items” and all items listed under that heading.

Page 1, Line 45; the motion should read: “MOTION made by Councilor Mahon and seconded by Councilor Koenig to authorize Tad Putney, Brookline Town Administrator and Chair of New Hampshire Municipal Pipeline Coalition, to sign a letter of support on behalf of the Coalition,

Approved: February 25, 2016

Posted: March 1, 2016

including the Town of Merrimack, requesting the FERC combine the proposals for additional gas pipeline capacity in New England into one consolidated review.”

MOTION made by Councilor Mahon and seconded by Councilor Boyd to accept the meeting minutes of the Town Council meeting of January 14, 2016, as amended. MOTION CARRIED 7-0-0

Comments from the Press - None

Comments from the Public - None

Comments from the Council

Councilor Boyd spoke of an article in the Telegraph informing of Senator Ayotte’s service nominations to the military academies in the United States. Three of the students who received the Senatorial nomination were from Merrimack. He recognized Riley Clark, nominated as candidate to the U.S. Military Academy at West Point, N.Y., Pheonyx Stopyra, nominated to the U.S. Naval Academy in Annapolis, MD, and Tia Gaumont, nominated to the U.S. Air Force Academy in Colorado Springs, CO.

Councilor Boyd remarked at a time where we talk about education, leadership, and the youth of today, he could not help but be impressed that the Merrimack High School has produced three young adults who will potentially be serving our Country as Officers. It is a testament to their families, to them, and is indicative of the community and the commitment we place in teaching our children.

Councilor Rothhaus commented on having attended a recent School Board meeting, and having had the chance to cool down over the past week and a half. He thought the School Board had decided to implement policy whereby our K9 as well as others would be used to conduct occasional searches of our schools. He commented he spoke with the Administration about this a few years back, and at that time, no one from the School Board or the Administration had agreed to it.

He participates in the Merrimack Safeguard program as part of the grant received for the Middle School Resource Officer. It is a group of dedicated, hard-working people who really embrace the whole concept of what Merrimack Safeguard is about, and our desire to intervene and prevent poor decisions by our student aged population with regard to drugs and other issues.

Councilor Rothhaus reiterated he had thought there might be a little bit of a change of heart on the part of the School Board, but he no longer believes there is. There is an agenda item listed for their next meeting, and he is looking forward to hearing the discussion. He stated the Council has spoken to its commitment with the Resource Officer; with thinking it is a good idea to have our Officer at the school. That commitment was voiced at the joint meeting. He remarked, for him, it is a frustration because it was pointed out by the Police Chief that the behavioral risk survey the Town and a number of other towns participated in showed that 21% of our student population of high school age students (250 students) admit to at least once in their life trying un-prescribed prescription drugs, and 4% (45-50 students) admitted to heroin use. Merrimack was the highest of the 8 or so districts that participated in that risk survey. We were the highest in un-prescribed drug use and tied for the highest for heroin use.

He stated that to be a big message for him. The Town has a K9 that has in fact been further trained for prescription drug detection, which means to him that our Police Department embraces the concept. He stated he is aware our K9 goes to other school districts to do that work. He questions the School District's commitment to the whole idea. It makes him now question his commitment to it. He was contemplating stepping down from Merrimack Safeguard, but he really believes in the program. He reiterated he is looking forward to hearing what the School District has to say commenting he didn't have a warm and fuzzy feeling about it when speaking with members of the School Board, and does know the Administration at the district level as well as the High School are dead against it. They speak of the trust that they have built at our high school.

Councilor Rothhaus commented he graduated from Merrimack High School in 1975 with School Board member Andy Schneider, and they both know what went on in that high school in those days, and he suspects there is not much different today. His only fear is the drugs might be a little more of a problem. He stated it is not for him to dictate how they do business, but the Council is committed to the program of the Resource Officers and so on, and that made him start questioning his own.

Councilor Vaillancourt stated the Town Council cannot tell the School District or the High School to have that dog go in there. It is not for the Town Council to dictate to the School District. She spoke of having watched the School Board meeting. She remarked she and Councilor Rothhaus have been disagreeing about this issue for years. She was on the School Board years ago when he asked her to bring it up at a meeting. She vehemently disagrees. She respects his opinion, but does not agree with it. She commented the Youth Risk Behavior Survey numbers were cited, and noted what was not discussed that night were trends; there is a huge decline in alcohol consumption at Merrimack High School. They also did not talk about margin of error. During all of the years she has sat on the School Board when they talked about those surveys they had all of that kind of information discussed in detail at length as you would any other anonymous survey that is presented to school children in order to analyze the information.

Councilor Vaillancourt spoke of having been a member of Merrimack Safeguard, and stated she would love to hear Councilor Rothhaus report out on those meetings each month as she is very interested. Councilor Vaillancourt stated she does not think the Town Council supporting the School Resource Officer at the Middle School should be contingent upon the School District agreeing to have the K9 go into the High School. For her, that was not part of the agreement to support the School Resource Officer. She does not believe that contingency was ever spelled out, and is not something she would support.

She stated there to be two sides to the issue; people are either really for it or really against it. It is an emotional subject that involves people's children and families. If they were to go forward with it there would have to be huge policy changes and initiatives. She stated concerns with false alerts, how the majority of the lockers aren't locked at the school right now and the implications that could have on innocent students. There is a whole conversation that would need to be had should that go forward. She reiterated her belief the Town Council is not the governing body that needs to be having that discussion.

Councilor Rothhaus noted he stated in his remarks that it isn't the Council's place to do that. However, the Resource Officer is something that he can have a conversation about. He stated his

Approved: February 25, 2016

Posted: March 1, 2016

belief it is a naivety that is really frightening to him that again something so simple; as Officer Murray said at that meeting it is not a desire to criminalize what comes about from anything like this, it is just to help intervene and prevent those types of things from happening within our schools.

He knows it is a fear of what they think people will think about it when you do strike and find that there are issues within the school, but it is naivety to think there is nothing going on, and that it wouldn't be a great idea to get it out of the schools because that is where the problem begins and it really manifests itself, with some of the things that we have going on in our Town, into real bad situations.

Councilor Vaillancourt stated she has had two kids graduate from Merrimack High School, was on the School Board for 6 years, and does not believe she is naive about what is going on at that High School. She disagrees with him on principle, and does not believe accusing her of having her head in the sand or being naive is an appropriate response to someone who disagrees with him.

Councilor Dwyer commented for him the whole Narcan question starts coming into play. When you start hearing the conversations from Washington to Nashua to Manchester, and start hearing schools are now starting a conversation about keeping Narcan in school. Once that conversation starts, it's Pandora's box. If you're going to have a policy discussion about schools having Narcan on hand and then not allowing the dogs to come in, this is Alice in Wonderland world at this point for him. He commented, as a former juvenile delinquent, he can say the school's policy is extremely foolish. It is hard to even comprehend where they are coming from on using words like trust. He stated he can respect other people's opinions on being against it. He supports Councilor Rothhaus and his feelings about that subject matter. For him it was the last few days when the Narcan words starts getting floated around; how they want to keep it in the Nurse's desk.

Councilor Vaillancourt responded that wasn't in the Merrimack School District that they are having that discussion; that wasn't a discussion here in our Town. Councilor Dwyer stated he identified the cities and towns where the conversation has started. He added his belief that conversation will start at the Merrimack School District as it will at every community throughout New Hampshire.

Councilor Boyd commented on a front page article in the Nashua Telegraph reporting the Nashua School Board approved 180 Narcan kits. He remarked it is a sad day when a school district has to allocate dollars to a Narcan kit. It is a white flag; you are basically saying we surrender, we give up, we're going to do this for prophylactic measures. The phrase that came to mind in thinking about what Councilor Rothhaus just said is Доверяй, но проверяй or Trust but Verify. He agrees we need to be trusting of the students in the High School, but there also needs to be some type of verification. He stated this to be his opinion, and probably not the forum to have the conversation as it is a matter of policy for the School Board. Although understanding and respecting that, it is very much a wake-up call. The question he would ask is do we choose to be victims or to be proactive and attack it. He would prefer to attack it. If we don't attack it we spend most of our time on defense. Chief Doyle has stated 4 out of 5 students in general get their start by raiding Mom and Dad's prescription cabinet and taking narcotics. That is where it starts, and to him it is an alarming number. As a community and a society we should not be sitting back we should be attacking.

Councilor Boyd stated agreement with the sentiment expressed by Councilor Rothhaus; the way to attack the problem is to be proactive. If that is a way of being proactive and to verify that kids are

Approved: February 25, 2016

Posted: March 1, 2016

obeying the rules then great. If someone can show him a different way of going about it he will listen. As a person and someone who has a daughter who will be going to the Merrimack High School this fall, he will not sit back.

Chairman Harrington stated she does not believe the word is naivety, but an expression of legitimate concerns related to civil rights and protection. However, she believes those things can be addressed. That is where policy is developed and where innocence can be protected. If there is concern with someone placing something in someone else's locker then a policy can be adopted that requires lockers be locked. Everything has to be transparent. She has experience with this issue, and the sense is as long as it is transparent; okay students this year we will have a couple of days where the K9 will be in, the idea of it will help. When she thinks of it she thinks what about those kids that need protection; you are not going to get 15 and 16 year old students talking about what is going on around the corner. She stated her opinion they would love and have comfort knowing that something is being done to protect them, to be able to decrease the odds that things are going on. We are not naive; they can go out in the parking lot and do it; that is not going to stop that. She reiterated you gain trust by being open. The rules, boundaries, and consequences need to be understood prior to putting them into practice. She stated she is in favor of it, but also understands the concerns and the boundaries that have to be in place. She stated her belief it is effective, and is for the greater good of the majority of the students, to help protect them.

Adjourn

**MOTION made by Councilor Koenig and seconded by Councilor Boyd to adjourn the meeting.
MOTION CARRIED 7-0-0**

The January 28, 2016 meeting of the Town Council was adjourned at 8:16 p.m.

Submitted by Dawn MacMillan