

Approved: April 14, 2016

Posted: April 19, 2016



Town Council Meeting Minutes

Thursday February 25, 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, Council Koenig, Councilor Rothhaus, Councilor Vaillancourt, and Assistant Town Manager/Finance Director Paul Micali. Absent were Councilor Dwyer and Town Manager Eileen Cabanel.

Pledge of Allegiance

Chairman Harrington led the Pledge of Allegiance.

Announcements

A moment of silence was held in memory of Mary Moriarty, a founder of Merrimack Ambulance Rescue Service.

Wednesday, February 24, 2016 through Friday, March 5, 2016, is the filing period for candidates running for Town offices.

Town Deliberative Session will be held on Thursday, March 10, 2016, at 7:00 p.m.

The Town Moderator, Town Clerk and Chief of Police will appear at the March 24, 2016, Town Council meeting for a conversation about the November 2016 election polling sites. Chairwoman Harrington clarified that the April 12, 2016, Town elections will continue to be held at the James Mastricola Upper Elementary School (JMUES).

Assistant Town Manager/Finance Director Paul Micali reported that the NH Right Riders, the private organization in Merrimack responsible for maintaining and managing the Jonathan Simeone Memorial ATV Park on Lawrence Road, will hold a membership drive at Tortilla Flat on Saturday, March 12 between 1:00-4:00 pm. Those interested in learning more about the Club or the ATV Park are encouraged to stop by or call 459-3119.

Merrimack Police All-Stars will battle the James Mastricola Upper Elementary School teachers in its annual Police and Children Together (PACT) basketball game Friday, March 4, 2016, at 6:30 p.m., with all proceeds going to PACT.

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

- **Informational Reports and Updates**

Chairman Harrington reported that there is still no Survey Access Agreement; however the matter may be moot if there is a new route. There is no permit to work on Town road rights-of-way nor an attempt to complete it, although State roads permission was granted.

Councilor Vaillancourt asked whether the meeting with Merrimack Village District (MVD) would still take place. MVD Chair Lon Woods said that no meeting has been set.

- **Action Items** – None

Comments from the Press and Public - None.

Recognitions, Resignations and Retirements

1. Town Committee Member Resignation

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

The Town Council to consider the acceptance of the resignation received from Town Center Committee member Debra Huffman.

Chairman Harrington read into the record Debra Huffman's letter of resignation from the Town Center Committee. She is resigning because of increased work responsibilities, saying the Committee is a wonderful group of dedicated, hard-working volunteers whose work will result in many important improvements in Merrimack's town center.

MOTION made by Councilor Mahon and seconded by Councilor Boyd to accept the resignation of Town Center Committee member Debra Huffman. MOTION CARRIED 6-0-0.

Appointments

1. Annual Review with the Heritage Commission

Submitted by Heritage Commission Chair Anita Creager

Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the Heritage Commission. This agenda item is to highlight the commission's significant actions, current projects, anticipated actions, and to raise any concerns the Council should know or could act on.

Chairman Anita Creager said the Commission seeks another member and three alternates. Because of the difficulty meeting a quorum, it will no longer meet monthly. Tour brochures for three of the four villages have been printed and distributed. The display case at the top of the Old Town Hall stairway currently has a display provided by the Merrimack Historical Society. A Pennichuck Water Works plaque showing the history of the Village Dam is being stored in the Town Manager's office awaiting completion of the canal's pass-through for the walking trail. Chamberlain Bridge signage will be done when the sidewalk is upgraded this year. Signage awaits replacement of the McGaw Bridge. The Commission is evaluating repair and replacement of the plaque honoring John Cromwell, located on Anheuser Busch property. Portraits to be framed and mounted on the walls of the Memorial Conference Room in Town Hall are complete but not yet mounted. Historical signs will be made and presented to the owners of homes and businesses located on roads that have enough historical data in alphabetical order from E-M. The Commission manned booths at the July 4 and Knights of Columbus Craft Fair. A set of 16 greeting cards is available for sale at the Town Manager's office and several fairs throughout the year. The Commission is investigating the possibility of a donation of a historic site (fish hatchery at St. Gobain/Flatley) for a future location of the Historical Society. It has approved creation of granite welcome signs at the north and south entrances to Town. It is investigating the acquisition of an old ice house and corn crib to be preserved and possibly located at Wasserman Park.

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The next meeting of the Heritage Commission is scheduled for Monday, March 21, at 7:00 p.m., in the Community Development Conference Room.

Town Council thanked the Heritage Commission for its work.

Public Hearing

1. Public Hearing – 2016 Milfoil Grant Funds for Horseshoe Pond and Naticook Lake

Submitted by Planning and Zoning Administrator Jillian Harris

The Town Council will hold a public hearing to accept and authorize the expenditure of up to \$6,800 of the grant from NHDES for milfoil control via Diver Assisted Suction Harvesting (DASH), in addition to the Town's matching share of \$10,200 this fiscal year for DASH for variable milfoil control efforts in portions of Horseshoe Pond and Naticook Lake. This totals \$17,000. We ask that the Town's share be expended from the Milfoil Capital Reserve Fund, pursuant to RSA 31:95-b and Charter Article 8-15.

Assistant Town Manager/Finance Director Paul Micali said the efforts to solve the problem at Horseshoe Pond and at Naticook Lake seem to be working. Planning and Zoning Administrator Jillian Harris said the \$6,800 matching grant from NH Department of Environmental Services (DES) represents 40% of the cost. The Town's matching share of \$10,200 comes from the Milfoil Capital Reserve Fund, for a total of \$17,000.

Councilor Boyd asked why herbicides are no longer needed. Planning and Zoning Administrator Jillian Harris said the level of infestation is so much lower that it is no longer necessary.

There was no public comment.

MOTION made by Councilor Boyd and seconded by Councilor Koenig to accept and authorize the expenditure of up to \$17,000 for DASH program at Horseshoe Pond and Naticook Lake, of which \$6,800 is from a grant from NDES for milfoil control via DASH, and the Town's portion is \$10,200 to be funded from the Milfoil Expendable Capital Reserve Fund; and furthermore the Town Council authorizes the Town Manager or her delegate to execute any and all documents which may be necessary.

Legislative Updates from State Representatives - None

Town Manager's Report - None

Old Business

1. MYA Update

Submitted by Finance Director Paul Micali

Finance Director to present his findings of his review of the MYA's internal control procedures.

On December 17, 2015, Assistant Town Manager/Finance Director Paul Micali met with MYA President Thomas Thornton and Treasurer Holly Golden to discuss the internal control implementation. MYA has taken the following steps to begin implementing some major internal control improvements: a log book for all incoming mail; change to a friendlier bank that will issue new

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signature cards and put the financial data in a more usable format; convert all programs to use one financial software system; implement the Cashier Report Envelope, Request of Reimbursement processing cover sheet to include check number and invoice, and deposit back-up sheets. MYA has taken significant steps to implement new internal control procedures. Ms. Golden has met with all program treasurers and has begun implementing the new procedures. She and Mr. Thornton are working to change MYA's culture and financial reporting and are working with auditors to devise a plan for better control. There should be no trouble meeting the October 31, 2016, deadline set forth in the contract.

Mr. Thornton distributed an example of the logs to Town Council members and explained how they work. He will install file cabinets. Ms. Golden said she created the same form for all clubs and will create a software program for all club treasurers. She will perform monthly checks so she can report to the auditors.

Council Mahon offered to donate used file cabinets.

Thanking Mr. Thornton and Ms. Golden, Councilor Vaillancourt suggested that there might be more volunteers once procedures are uniform and made easy.

Councilor Koenig wanted to hear positive feedback and progress so that Mr. Thornton and Ms. Golden would continue after the 12-month period. Mr. Thornton said he is trying to make it easier for volunteers. Ms. Golden said she wants to stay to see the fruits of her efforts.

Chairman Harrington said she is happy to deal with the auditors. Town Council has received more information than in the past.

Council Mahon predicted that auditing would cost less because things are being done properly.

Mr. Micali noted that the three-year auditing contract will end on June 30, 2106. Ms. Golden prefers an annual audit on June 30; however this year she would like the focus to be January-June 2016, followed by a full audit on June 30, 2017.

Councilor Boyd is encouraged with the progress.

Tom Koenig suggested that town Council no longer withhold payments, since MYA has returned to compliance.

MOTION made by Councilor Rothhaus and seconded by Councilor Boyd to return to the normal quarterly payment schedule and to renew contract negotiations. MOTION CARRIED 6-0-0.

New Business

1. Wellness Program

Submitted by Purchasing Agent/Wellness Program Coordinator Xenia Simpson

Town Council will be presented with the details of a Wellness Program for Town employees available through Health Trust and to consider the acceptance and expenditure of a \$500 donation from Health Trust to be used towards promoting the program, pursuant to RSA 31-95:b and Charter Article 8-15.

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Assistant Town Manager/Finance Director Paul Micali reported that a biggest loser competition was held six months ago. Purchasing Agent Xenia Simpson volunteered to create a wellness program at the urging of the Health Trust. After attending their workshop, she is now the Wellness Program Coordinator. The trust gave Merrimack a blood pressure monitor and \$500 to use toward wellness goals. A survey will assess Town employees' needs and interests. One volunteer will be recruited from each area to work with Ms. Simpson to ensure that employees' concerns are being heard. Mr. Micali noted that better health can translate into financial savings to the Town.

Councilor Vaillancourt said that wellness programs are successful. Merrimack employees made substantial healthcare concessions. These programs can educate people on how to use insurance and health care. She agreed that there should be fewer healthcare increases in the future.

Councilor Boyd thanked Ms. Simpson.

Councilor Rothhaus said he participated in the biggest loser competition and did lose weight.

MOTION made by Councilor Boyd and seconded by Councilor Mahon to authorize the Town Manager to sign a Wellness Program for Town employees available through Health Trust and to accept and expend a \$500 donation from Health trust to be used toward promoting the program, pursuant to RSA 31-05:b and Charter Article 8-15. MOTION CARRIED 6-0-0.

2. 2016 Deliberative Session

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

Town Council to discuss the details and motions of the upcoming 2016 Deliberative Session being held on Thursday, March 10, 2016.

The following Town Council members will make and second the motion for the Deliberative Session articles: Article 2, Operating budget: Chairman Harrington and Councilor Mahon; Article 3, collective bargaining municipal employees: Councilors Boyd and Vaillancourt; Article 4, collective bargaining police: Councilors Dwyer and Boyd; Article 5, collective bargaining teamsters: Councilors Rothhaus and Mahon; Article 6, municipal employees: Councilors Mahon and Vaillancourt; Article 7, collective bargaining IAFF: Councilors Boyd and Vaillancourt; Article 8, library trustees: Councilor Mahon and Chairman Harrington; Article 9, Recreation Revolving Fund: Councilors Dwyer and Rothhaus.

3. Second Quarter Financial Update

Submitted by Finance Director Paul T. Micali

Finance Director Paul Micali will review the key financial information of the quarter ending December 31, 2015.

Assistant Town Manager/Finance Director Paul Micali reported on the quarter September-December 31, 2015. Health insurance rates increased by \$26,000. The savings come from several vacant positions, which he is trying to fill. The NH Retirement System increase was 25%, but there is enough money in the budget to cover it. Police overtime increased due to a situation that is now resolved. Fire

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Department overtime increased, while the Highway Department's decreased. Solid Waste remained the same. Other departments increased slightly. The Welfare Department spent 100% of its allotted housing allowance for the year as of February 1, 2016. Mr. Micali may have to ask Town Council for a transfer of funds from other areas. Revenue projections will be met but, if necessary, Mr. Micali will take steps with the Town Manager so that no fund balance will be used to offset any revenue shortfall. Due to Medicare Part 2 expansion, no pharmaceutical monies were spent. The State is required to pay welfare claims. All revenues are up. The Federal Reserve Bank increased its primary rate. There were more building permits. Auto registrations increased because the value of recent vintage used cars and auto prices increased while gasoline prices fell. Revenues increased by \$300,000-\$400,000. Revenues are projected to be \$4.4 million.

4. Polling Location Discussion – April 12, 2016 Town Election

Submitted by Town Council Chair Nancy Harrington

Town Council to designate the James Mastricola Upper Elementary School (JMUES) as the central polling place for the upcoming Tuesday, April 12, 2016, Town Election.

MOTION made by Councilor Boyd and seconded by Councilor Mahon to designate the James Mastricola Elementary School (JMUES) as the central polling place for the upcoming Tuesday, April 12, 2016, Town Election. MOTION CARRIED 6-0-0.

Minutes

Approve the minutes from the following Town Council meetings:

January 21, 2016 - [Tabled at the February 11, 2016 meeting]

January 25, 2016 - [Tabled at the February 11, 2016 meeting]

January 28, 2016 - [Tabled at the February 11, 2016 meeting]

MOTION made by Councilor Koenig and seconded by Councilor Mahon to approve the minutes of January 21, 2016, as submitted. MOTION CARRIED 6-0-0.

MOTION made by Councilor Koenig and seconded by Councilor Boyd to approve the minutes of January 25, 2016, with changes. MOTION CARRIED 6-0-0.

MOTION made by Councilor Mahon and seconded by Councilor Boyd to approve the minutes of January 28, 2016, with changes. MOTION CARRIED 6-0-0.

Comments from the Press –

None

Comments from the Public -

None

Comments from the Council

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Councilor Boyd announced Fire Fighters sponsorship of a fundraiser for Green Balls of Fire at noon on March 13, 2016, at Merrimack Ten Pin. All proceeds will go to the Muscular Dystrophy Association. People can sign up in teams of 4-6 at the Fire Fighters website.

Councilor Vaillancourt reported on the February 22, 2016, meeting of the Merrimack Conservation Commission. The Commission lacks one full-time member and two part-time alternates. Town officials addressed tree cutting by Wasserman Heights and Horse Hill Nature Preserve. Discussion continues about a potential target shooting ordinance. There are legal roadblocks. The Town Manager is helping with enforceable wording. The biggest problem is the Grater Woods parcel, where police responded to a target shooting incident last week. An RSA prohibits shooting firearms across trails. There is also some ATV use on the Horse Hill Nature Preserve, which is not allowed. The MCC will try erecting signs and educating the public.

Councilor Koenig “congratulated” Councilor Mahon on his retirement from Town Council and thanked him for his service and guidance over many years. His work for the Town is appreciated.

Councilor Mahon reported that he has been elected Secretary of the NH Rail Transit Authority Advisory Board.

Councilor Rothhaus said it was a privilege to work with Councilor Mahon and is disappointed that he is retiring. Although he may be a “curmudgeon” at times, that is just the way he talks. He will be missed. Councilor Rothhaus thanked Councilor Mahon for his many years of service.

Adjourn

MOTION made by Councilor Boyd and seconded by Councilor Vaillancourt to adjourn the meeting. MOTION CARRIED 6-0-0.

The February 25, 2016, meeting of the Town Council was adjourned at 8:30 p.m.

Respectfully submitted by Zina Jordan