



Town Council Meeting Minutes

Thursday, October 28, 2021, at 7:00 PM, in the Matthew Thornton Room



Chairman Koenig called the meeting to order at 7:05 pm. Present at the meeting were Chairman Koenig, Vice Chair Rothhaus, Councilor Healey, Councilor Hunter, Councilor Murphy, Councilor Woods, and Town Manager Paul Micali. Councilor Harrington was excused.

Pledge of Allegiance

Chairman Koenig led the Pledge of Allegiance.

Announcements

Upcoming Town Council Meetings:

Please note that the Town Council meets on the first and third Thursdays in the months of November & December.

- Thursday, November 4, 2021, 7:00 PM Regular meeting
- Thursday, November 18, 2021, 7:00 PM Regular meeting

Due to inclement weather predicted for Saturday, October 30th, the 29th Annual Halloween Party and Fireworks display at Wasserman Park has been postponed until Saturday, November 6th.

If you have any questions, please contact the Parks & Recreation office at 603-882-1046

The last Household Hazardous Waste Collection for the year will be on November 6th from 8:00 AM to 12:00 PM in Nashua at 25 Crown Street. (The old Park & Ride). They will resume again in April of 2022

The Town-wide Food Drive begins on Monday, November 1st. We will be collecting food through December 31st for the two food pantries in Merrimack. Drop off locations are at the Town Hall, Police Department, Fire Department, Highway Maintenance Complex, Transfer Station and the Library.

The Merrimack Police Department is pleased to provide a Firearms Safety Class for residents of Merrimack, ages 18 years and older on Saturday, November 6th from 9:00 - 11:00 a.m. at the Police Department. This NON-SHOOTING class will cover basic knowledge, skills, and safe handling of a firearm. It will include a short PowerPoint presentation followed by discussions and hands-on examples of carrying options, security, and cleaning techniques. We will conclude with home storage and security suggestions. Free gun locks will be provided to participants (while supplies last).

If interested in participating in this free class, please register no later than Thursday, November 4, 2021, by calling or emailing Detective / Community Services Officer William Vandersyde at wvandersyde@merrimacknh.gov or 603-420-1842. When registering, please provide the following information: name, age, address, contact phone number, and email address. For more information or questions, please contact Detective / Community Services Officer Vandersyde. PLEASE, NO Firearms are to be brought to this event.

Comments from the Press and Public

Michael Drouin from 5 Vanderbilt Drive spoke to the Council to share that he was injured last weekend at the entrance at Sklar Park and wanted to ask the Council to smooth out the road to prevent future injuries to the public. Chairman Koenig asked Mr. Drouin if he has reached out to the Highway Department to address his road concerns, in which Mr. Drouin stated that he has not, he wanted to come to the meeting tonight to

share what happened to him because of the bumpy road. Town Manager Paul Micali stated that he will follow up with the Highway Department, but he knows it can be difficult for them to get their equipment down to that area.

Recognitions, Resignations and Retirements

None.

Appointments

1. Annual Review with the Town Center Committee

Submitted by Town Center Committee Chair Nelson Disco

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

Town Center Committee Chair Nelson Disco began his presentation by sharing that the Committee was established from this Council as a way to make the town center more of a "center", and the Committee was formed in 2019 to oversee improvements to make the area more pedestrian friendly by building trails and sidewalks in the center of town. Current membership consists of Bill Wilkes, Karen Freed (who represents the library), Matt Shevenell (who represents SAU24), Bill Cummings, Kyle Fox (who represents the DPW), Nick Lavalley (who represents Media Services), Finlay Rothhaus as the Council representative, and Karen Contos.

Mr. Disco then wanted to highlight the Souhegan River Trail project, which was a trail that was designed to begin in Watson Park and go under Route 3, continue up along the Souhegan River, connect to the High School, and then end at Wildcat Falls. One major setback with this project is the financial cost of it, as the project costs more than was anticipated, but the trail plan has been revised to include a boardwalk across the wetlands area along Route 3 where the trail would connect to the school. The plan was submitted in September and they've heard nothing since.

Another project, the Souhegan River Footbridge, involves a footbridge that has some structural deficiencies, but the Committee has added it as a project through the Governor's Transportation Advisory Committee, and it will supposedly get repaired at some point in their 10-year plan.

Mr. Disco then shared that the Woodbury Street project, which has been on their radar since 2016, is finally under contract and some work has begun with the hopes of most of the sidewalk getting in place before wintertime. Mr. Disco also shared that with the addition of Nicholas Lavalley, the Committee has been able to post important information in the paper as well as create several videos on the Committee and its work and has filmed the progress of some of the projects currently underway to post on the town website. Additionally, Mr. Disco highlighted that the Committee is involved in the Safe Routes to School program, and the school district has initiated the creation of a master plan for the high school area that includes paving and sidewalk completion on O'Gara Drive.

Regarding plans for next year, Mr. Disco shared that the Committee wants to continue to support the previously mentioned high school master plan, as well as continue working with the Media Center and maintain their Town Center Committee Facebook page and continue to record projects. For recommendations, Mr. Disco highlighted that the Committee was disappointed of the removing of funding to implement portions of sidewalks in the center of Town. He is asking the Council to put the money back in for funding to add in sidewalk along the south side of Twin Bridge Road to connect the trail that connects

Approved: November 18, 2021

Posted: November 19, 2021

through the park back up to Route 3, as well as adding a piece on Baboosic Lake to connect to the new overpass that will be built in the future.

Public Hearing

None.

Legislative Updates from State Representatives

None.

Town Manager's Report

- The Woodbury Street Sidewalk project is in full swing. The contractor is utilizing daily road closures to facilitate completing the project early. Current work includes drainage repairs and additions, excavating existing ground to the subgrade elevation. The tree removal work has been completed and the utility pole relocation work is also complete.
- The roundabout project is nearly complete! Traffic has transitioned well to the new traffic pattern since it opened last week. With the assistance of Merrimack resident David Geyer, Nick Lavallee and his team produced a video on the operation of the roundabout which included video of the largest Town vehicles navigating through the roundabout.
- The Wastewater Treatment Plant took possession of our new sewer vacuum truck. The truck is registered, staff has been trained, and it is now available to address sewer related issues in Town.
- A failing direct buried electrical line from the Wastewater Treatment Plant to Anheuser Busch's discharge flume has been replaced with a new dedicated line. We extend our thanks to AB for their assistance with this project.

Consent Agenda

None.

Old Business

None.

New Business

Without objection, Chairman Koenig moved Item #5, Town Treasurer Appointment, on the agenda to be heard first.

5. Town Treasurer Appointment

Submitted by Town Manager Paul T. Micali

Town Council to consider appointing the Deputy Finance Director as Town Treasurer, in accordance with RSA 41:26-e, RSA 669:17-d, RSA 37 and Charter Article 8-18.

Town Manager Paul Micali began by stating that due to some position changes, he is bringing this to the Council tonight to appoint Xenia Simpson, the Deputy Finance Director, as the Town Treasurer.

MOTION made by Councilor Murphy and seconded by Councilor Healey to move that the Town Council appoint the current Deputy Finance Director to the role of Town Treasurer, pursuant to

Charter Article 8-18, effective November 1, 2021, and will review the appointment each time there is a new Deputy Finance Director.

MOTION CARRIES 6-0-0

2. Bear Christensen Charitable Trust

Submitted by Chris and Lynn Christensen

The Town Council to consider the request to turn over the Bear Christensen Charitable Trust funds to the Town of Merrimack / Trustees of Trust Funds, pursuant to RSA 31:19.

Chris Christensen was present to share that the Trust was formed in 1990, shortly after the death of their son, Bear. Over the years, they have taken the profits and distributed some to scholarships for Camp Naticook. The funds are currently around \$27,000 and they would like to turn it over to the Town Trustees of Trust Funds rather than going through the process of appointing successor trustees, as the original language when the Trust was created stated that they must turn the funds over when they are done being trustees. Mr. Christensen then said that they have to present this to the Council for a Public Hearing as this is part of the process of turning the money over to the town. Town Manager Paul Micali shared that he has been in touch with the town's attorney, who said that the Council can accept the money and they do not have to have a public hearing, but rather need to hold a public meeting for the Council to take a vote, in public, accepting the funds. He then shared that whatever amount of money they end up receiving from the Trust will go into principle, and Mr. Christensen would like \$3,000 to be set aside the first year to be used for day camp and camp activities for the following year. After this first year, the interest that is earned would be used for the camp scholarships and programs.

MOTION made by Councilor Hunter and seconded by Councilor Healey to consider to accept the Bear Christensen Charitable Trust funds into the Town of Merrimack / Trustees of Trust Funds with a December 31st value of \$25,737.26 and understanding that \$3,000 of the amount that comes in will be considered as profit to be used as distributions for this year and follow on the principle will be held and only the profits will be used.

Mr. Christensen wanted to clarify that the Trustees of Trust Funds maintain two funds: principle and accumulated income. The accumulated income does not necessarily get spent in any given year, but it is available to be withdrawn depending on requests. Additionally, it is the Trustees of Trust Funds who will decide how much gets spent in any one year, and that it can only come from the surplus funds beyond the principle. Chairman Koenig stated that seeing as Mr. Christensen is a member of the Trustees of Trust Funds Committee, he will be able to assist in the spending and determination of how the funds should be distributed on an annual basis.

Town Manager amended the motion as follows:

MOTION made by Councilor Hunter and seconded by Councilor Healey to consider to accept the Bear Christensen Charitable Trust funds into the Town of Merrimack / Trustees of Trust Funds pursuant to RSA 31:19, with the principle amount as of December 31, 2020, of \$25,737.26. Of that amount of principle that is transferred to the Trustee of Trust Funds, \$3,000 to be set aside into the income portion of the fund, and any remainder going towards the principle portion, and that the Town Manager or his designee can sign any documents as needed.

MOTION CARRIES 6-0-0

3. Agricultural Commission Discussion

Submitted by Agricultural Commission Chair Ronnie Miner

Town Council to consider the Agricultural Commission Chair's recommendation to disband the commission.

Town Manager Paul Micali wanted to begin by stating that at the Agricultural Commission's most recent meeting there was a motion made by the Committee to disband, however the Committee cannot disband but rather the Town Council can disband it as they were the ones to set it up. Chair Ron Miner III was present to discuss this in detail, stating that the Committee originally had three members, but someone recently resigned, leaving the secretary and Mr. Miner. Shortly after, the secretary left their position, leaving Mr. Miner as the sole member. Mr. Miner expressed interest in helping the DPW on future agricultural projects and ensuring a smooth transition, especially with helping get the community garden set up next year. Mr. Micali shared that he met with Parks and Recreation director Matt Casparius, who is more than willing to take over the community garden with some help, as well as get the summer farmer's market up and running. Councilor Hunter asked if there are any other services besides the gardens and the farmer's market that would be abandoned by disbanding the Committee, in which Mr. Miner stated that the Committee would do gardening classes at the library, but that was mostly before the pandemic. Mr. Micali then shared that the Committee had a scholarship, in which they would give \$500 to a graduating senior, as well as contribute prize money for 4-H and the Hillsborough County Fair, which was funded through what was collected from the garden (\$10 to purchase a plot) and farmer's market. Mr. Miner then stated that there is a few hundred dollars left in their fund, and they had made commitments to people for scholarships that have been covered.

MOTION made by Councilor Healey and seconded by Councilor Murphy to allow for the disbanding of the Agricultural Commission.

MOTION CARRIES 6-0-0

4. Bells of Peace: A World War I Remembrance Proclamation (Formerly Item #1)

Submitted by Larry Miller

The Town Council to consider the Bells of Peace: A World War I Remembrance proclamation, calling upon all residents across our town to toll bells in remembrance of those who served in World War I at 11:00 a.m. on November 11, 2021 as part of this annual event.

Bells of Peace: A World War I Remembrance Proclamation **A National Tolling of Bells to Honor Those Who Served**

WHEREAS, a century ago 4.7 million American families sent their sons and daughters off to World War I;

WHEREAS, men and women from Merrimack, New Hampshire as well as all over the State of New Hampshire and the United States served selflessly and honorably in World War I;

WHEREAS, 116,516 Americans gave their lives in the war, of which 697 were Granite Staters, and more than 200,000 were wounded;

WHEREAS, the tolling of bells is a traditional expression of honor and remembrance; and

WHEREAS, in November 2021 the world will commemorate the 103rd anniversary of the Armistice that ended the fighting in World War I at 11:00 A.M., November 11, 1918 -- the eleventh hour of the eleventh day of the eleventh month;

WHEREAS, on April 6, 2018, the United States World War I Centennial Commission called upon all Americans across the nation to toll bells in remembrance of those who served in World War I on Armistice Day as an annual event,

NOW THEREFORE, BE IT RESOLVED that the Town of Merrimack, New Hampshire does hereby call upon all residents across our town to toll bells in remembrance of those who served in World War I at 11:00 a.m. on November 11, 2021 as part of this annual event. We urge the people and organizations of Merrimack to display the American flag as well as other public expressions of recognition and remembrance of our World War I veterans.

Proclaimed this 28th day of October, 2021 by the Merrimack Town Council.

MOTION made by Councilor Healey and seconded by Councilor Woods to pass the Proclamation as read.

MOTION CARRIES 6-0-0

4. Direction for 2022/2023 Budget

Submitted by Town Manager Paul T. Micali & Finance Director Thomas Boland

To ask the Town Council to contemplate budget parameters for the 2022/2023 budget season.

Town Manager Paul Micali began by stating that the 2021 tax rate has been delayed, with the tax rate expected to be set sometime next week, and he will bring the information forward to the Council at the November 4th meeting. He then presented a slideshow of general information for the 2022/2023 budget season. Some highlights from the presentation include:

For the 2022-23 Budget General Fund:

- Decrease in Health Insurance
- Decrease in Dental Insurance
- Increase in Property Liability
- Increase in Worker's Compensation Insurance
- Four Union contracts (2% wage adjustment)
- Increase in CRF deposits
- Increase in fuel prices
- Increase in tipping fees (both trash and recycling)
- Communication upgrade- Phase II
- Natural Gas Rates- signed new agreement, 0% increase due to long term contract ending 12/2023
- Electrical Rates- no increase due to long term contract ending 12/23

Pending:

- State Revenues
 - Rooms & Meals
 - Highway Block Grant
 - AFSCME 2986 & Teamsters Contract Renewals
 - Non Union Wage Increase
- Fund Balance Use

Mr. Micali then shared that the estimated town tax rate of 2021 is \$3.82, and there was a significant rise in value due to the revaluation, which caused the decrease in the tax rate from \$5.06 to the projected \$3.82. He then wanted to address the budget increase for the Communication Upgrade- Phase II. He shared that due to the SAFER Grant and \$460,000 set aside for this upgrade, the \$700,000 hit to the budget is really only \$240,000 due to the grant and set aside funds, which is a \$0.05 increase. Overall, there was a decrease in revenue, and they are not projecting interest rates to come back any time soon. There was also large increase in current use tax from the MS-434 this past September, as there were properties that came out of current use for the new developments, and he does not foresee this happening again next year. With all these items added up, Mr. Micali states that there is going to be an effect on the tax rate of \$0.26.

Councilor Healey asked if the town currently charges for construction debris drop off, in which Mr. Micali stated that they charge for anything over 1,000lbs. Councilor Healey stated that with the new contracts, they need to offset that. Vice Chair Rothhaus asked if the 1,000lbs waive is just for residential or if that includes businesses as well, in which Mr. Micali stated that the first 1,000lbs is free for everybody for each visit.

Chairman Koenig asked Mr. Micali to briefly go over the timeline for when he expects to bring the budget to the Council, in which Mr. Micali stated that he will be bringing the CIP to the Council at the first meeting in December, and at the second meeting in December he will be bringing the budget forward to the Council. Looking at the calendar, he anticipates starting the budget discussions on January 6th, and come back January 12th for the next budget meeting. On January 19th, they will meet again to listen to the last budget and begin finalization of deliberations on January 20th.

Minutes

Approve the minutes from the following Town Council meeting:

♦ October 14, 2021

MOTION made by Councilor Woods and seconded by Councilor Murphy to approve the minutes of October 14, 2021, as amended.

Amendments:

Page 5, line 26: “rotations” should be “grants”

Page 6, line 44: Capitalize “F” in Atlas Fireworks

Page 7, line 34: Capitalize “Development” in Town Manager and Community Development

Page 3: “Motion made by Councilor Woods and seconded by Councilor Harrington to move the proposed amendments to Chapter 193 Welfare Guidelines to Charter Article 5 to a Final Reading”, the motion was supposed to be to adopt it as that was the final reading. Change to say “Move to approve the amendments”.

Page 7, lines 14 through 20: Motion states to approve the minutes as written, but there were amendments after the motion was voted on.

MOTION CARRIES 5-0-1, with Vice Chair Rothhaus abstaining

Comments from the Press

None.

Comments from the Public

None.

Comments from the Council

Councilor Healey wanted to share that on November 13th, VFW post 8641 will be celebrating its 60th anniversary since its inception. The public is invited for a dinner party, and tickets can be purchased on their website.

Councilor Murphy wanted to follow up on Nana's Diaper Drive, sharing that last year, Merrimack community came together and donated over 7,000 diapers to the Nashua Soup Kitchen. Further, on October 16th, they received over 5,000 diapers and wipes that were appreciated by the Nashua Soup Kitchen. She wanted to thank everyone that contributed to this cause. Lastly, Councilor Murphy wanted to remind everyone that Wreaths Across America for Last Rest Cemetery is still looking for donations to be able to place a wreath on each Veteran's grave on December 18th. To donate, please visit wreathsacrossamerica.org or their social media page.

Chairman Koenig wanted to point out that the Matthew Thornton Memorial is on November 7th at 1:00pm. Mr. Micali will have more information on this at the November 4th meeting.

Adjourn

MOTION made by Councilor Woods and seconded by Councilor Hunter to adjourn the meeting.

MOTION CARRIES 6-0-0

The meeting adjourned at 8:39 pm.

Respectfully submitted by Jennifer Steagald