



Town Council Meeting Minutes

Thursday, April 20, 2023, at 7:00 PM, in the Matthew Thornton Room

Call to Order

Chairman Rothhaus called the meeting to order at 7:00 pm. Present at the meeting were Chairman Rothhaus, Vice Chair Harrington, Councilor Hunter, Councilor Koenig, Councilor Mackenzie Murphy, Councilor Murphy, Councilor Woods, and Town Manager Paul Micali. Councilor Healey arrived at 8:10pm.

Pledge of Allegiance

Boy Scout Christopher Yon led the Pledge of Allegiance.

Announcements

Upcoming Town Council Meetings:

- Thursday, May 11, 2023, 7:00 PM Regular meeting
 - Thursday, May 25, 2023, 7:00 PM Regular meeting
 - Thursday, June 8, 2023, 7:00 PM Regular meeting
 - Thursday, June 22, 2023, 7:00 PM Regular meeting
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- The first 2023 Household Hazardous Waste Collection is this Saturday, April 22, 8am – 12 pm in Nashua at the Nashua City Park & Ride located at 25 Crown Street. The cost is \$15/vehicle, which covers up to 10 gallons or 20 pounds of waste. There is an additional charge of \$1 per gallon or \$0.50 cents per pound over 20 pounds.
 - Dog licenses are due by April 30th.
 - The Town Clerk/Tax Collector's office will be closed on Wednesday, May 17th for staff training.
 - Until further notice, the Transfer Station is now open on Thursday nights until 7 PM.
 - There are Rain Barrels for sale for \$72.00 and Compost Bins for sale for \$68.00 at the Transfer Station. They are going fast, please stop at the office by the entrance to the Station.
 - Do you like to garden? Registration is now open for a 2023 Garden Plot at the Merrimack Community Garden at Wasserman Park. You can purchase a 10 ft x 10 ft plot for the season for just \$20.00 for Merrimack residents or \$25 for non-residents. Once you register, you will receive a notification of your garden plot assignment. Spaces are selling out quickly – there are just 5 spaces left available in the garden for this year. For questions contact the Parks & Recreation Department at 603-882-1046 or register online www.merrimackparksandrec.org

Comments from the Press and Public

None.

Recognitions, Resignations and Retirements

None.

Reorganization of the Town Council

- **Pursuant to Charter Article IV, 4-2, Organizational Meeting**

Councilor Koenig nominated Chairman Rothhaus as Chair for the Council; the Council voted unanimously in favor of this.

Councilor Mackenzie Murphy nominated Vice Chair Harrington as Vice Chair for the Council; the Council voted unanimously in favor of this.

Appointments

- 1. Annual Review with the Parks and Recreation Committee**

Submitted by Parks and Recreation Committee Chair Tracy McGraw

Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the Parks and Recreation 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.

Parks and Recreation Committee Chair Tracy McGraw was present to share the annual review for the Committee. She began by stating that the garden is open for people to purchase plots. She then shared that the Committee is currently made up of Director Matt Casparius, Assistant Director James Golisano, Co-Chair Christine Lavoie, Secretary Michelle Creswell, Alternate member Laura Jaynes, School Board Representatives Naomi Halter and Laurie Rothhaus, MYA Representative Rick Greenier, Senior Citizens Club representative Maureen Hall, Student Representative Camryn Gaumont, and Full members Julie Poole, David Shaw, and Phil Pryzbyszewski. There are currently two positions that are open: full member and alternative member. She then shared the following updates:

Wasserman Park: The waterfront at Wasserman Park has been cleaned up and has a nice walkway with clean sand to play in. Additionally, the dock has changed and is now more "L" shaped, and there is a fishing dock as well. They are currently working on some ADA accessible areas for the park. Wasserman tennis courts have added 8 new court lines for pickle ball. The parking lot by the office (red building) has been paved with leftover milling from a previous DPW project. DPW also fixed the parking lot over by the dog park with similar paving, which has helped with the drainage issue. They also brought in some massive boulders to prevent individuals from doing donuts in the parking lot in the winter time.

Watson Park: the Souhegan area has been opened and remained open this year. The volleyball net has been set up by where the ice skating rink usually is in the winter time. The Lyons club donated enough money for them to be able to get some tools needed to maintain the park.

Community Events: The Committee hosted the winter carnival last February, a family ice skating day at Watson Park, the 30th annual Easter egg hunt- which had over 10,000 Easter eggs, the summer concert series last year- with 9 concerts, movie nights at Wasserman Park, last year's 4th of July parade with several floats, the 5k Sparkler race, the Rotary Club's pancake breakfast, National Night Out- with 500+ attendees, Naticook Challenge 5k race in 2022- with 87 runners, last year's Halloween event, last year's annual turkey scavenger hunt, last year's Christmas lights neighborhood tours and Christmas parade, school vacation camp and various children and adult educational programs, as well as the new after school program beginning this year.

Camp: Ms. McGraw shared that there is a new camp and after school program Director. Additionally, she shared an update on day camp, stating that Mr. Casparius was able to hire additional camp counselors, and the cost of camp has increased but is not higher than other local camp costs. Also, they are looking to hire lifeguards and a waterfront director, as well as a grounds maintainer primarily for Wasserman Park.

Community garden and park projects: ADA spots have been added, and trees in the area have been removed to create additional parking for events. Both Wasserman and Watson parks have had projects completed by Eagle Scouts, such as a gaga ball pit (two at Wasserman and one at Watson), a stairwell to connect the parking lot to the ball field over at Twin Bridge, an upcoming kayak/canoe holder down at Wasserman, and an upcoming information kiosk. Ms. McGraw stated that the need for fields is still an issue in Merrimack, especially with the MYA.

Subcommittee reports: The senior center was opened in 2022 and has been increasing. They have held yard sales and trips such as to Encore and Foxwoods at a reduced cost. MYA continues to grow and has full registrations, with four of their programs finishing as state champs and six other teams in the top 5. The Student rep informed the committee that things are returning to “normal”, and students have been making suggestions to improve the town. The school board has allowed MYA and the Hawks to use the gyms whenever needed, the concession stand was finished at the high school athletics area, and the playground equipment was replaced at Thornton’s Ferry School.

Future plans: Ms. McGraw shared some future goals and dreams, which include to continue to grow Naticook day camp as well as various kids and teen programs, possible road and field improvement projects such as an irrigation system for the fields and lights for the dog park, a possible new location for the skateboard park, and finishing the basement of the function hall at Wasserman Park.

Public Hearing

1. Public Hearing – Abbie Griffin Memorial Fund

Submitted by Fire Chief Mark DiFronzo and Police Chief Brian Levesque

The Town Council will hold a public hearing to authorize the acceptance and expenditure of funds from the Abbie Griffin Memorial Fund in the amount of but not to exceed \$23,666.00 for the purchase of a 2022 Polaris RZR Trail Premium edition UTV (utility task vehicle) for the Police Department and ten (10) CMC LEVR Escape System-Flash G2 “bail-out” kits and nine (9) Mustang Ice Commander Suits for the Fire & Rescue Department, pursuant to RSA 31:95-b and Charter Article 8-15.

Fire Chief DiFronzo first discussed the “bail-out” system, sharing that they already have this system but need 10 more due to the new firefighters. Chief DiFronzo stated that this basically allows firefighters to find a substantial object in a room to tie themselves to, break a window, and then throw themselves safely out the window using the harness system. Chief DiFronzo then talked about the 9 Mustang suits, sharing that the ones they have now are old and leak, so they would like to replace these with new sets for the primary engines and ambulance.

The public hearing was opened at 8:06pm and closed at 8:07pm.

MOTION made by Councilor Hunter and seconded by Councilor Koenig to authorize the acceptance and expenditure of funds from the Abbie Griffin Memorial Fund in the amount of \$11,833 for the purchase of 10 CMC LEVR Escape System-Flash G2 “bail-out” kits and nine (9) Mustang Ice

Commander Suits for the Fire & Rescue Department, pursuant to RSA 31:95-b and Charter Article 8-15, and authorize the Town Manager to sign any and all necessary documents.

MOTION CARRIES 6-0-0

Deputy Chief Tarleton then spoke about the utility task vehicle, sharing that their current one is old and needs to be replaced, and highlighted its many uses, such as events like Rib Fest and road races, as well as accessing various terrain throughout Merrimack. He then shared that they went with a Polaris since it's a well-known, dependable brand and this specific UTV is good for trail capability, and is safer than a traditional 4 wheeler as it has a seatbelt and power steering. He then shared that they were able to get some rebates as well as \$2,000 for their current two machines, plus cash back, making the total \$14,375. They will be putting the \$11,833 towards that cost.

The public hearing was opened at 8:17pm and closed at 8:18pm.

MOTION made by Councilor Murphy and seconded by Councilor Healey to authorize the acceptance and expenditure of funds from the Abbie Griffin Memorial Fund in the amount of \$11,833 for the purchase of a 2022 Polaris RZR Trail Premium edition UTV (utility task vehicle) for the Police Department, pursuant to RSA 31:95-b and Charter Article 8-15, and authorize the Town Manager to sign any and all necessary documents.

MOTION CARRIES 7-0-0

1. Public Hearing – GOFERR Locality Equipment Grant

Submitted by Fire Chief Mark DiFronzo

The Town Council will hold a public hearing to authorize the acceptance and expenditure of funds in the amount of \$54,990.61 received from the 2021 American Rescue Plan Act (ARPA) and through the new Hampshire Governor's Office for Emergency Relief and Recovery (GOFERR) Grant Program, for the purchase of three (3) multi-function portable ventilator units for the Merrimack Fire and Rescue Department, pursuant to RSA 31:95-b and Charter Article 8-15.

Chief DiFronzo shared that this is mostly a "clean up item" as they already have this equipment and they are running great. It was noted during review of the finances that the proper process for the approval of the grant was never done, so he is here to finish off this outstanding item on their end. This item helps assist patient breathing and lessens the time that is needed when they use a bag valve mask.

The public hearing was opened at 8:24 pm and closed at 8:25 pm.

MOTION made by Councilor Healey and seconded by Councilor Mackenzie Murphy to authorize the acceptance and expenditure of funds in the amount of \$54,990.61 received from the 2021 American Rescue Plan Act (ARPA) and through the new Hampshire Governor's Office for Emergency Relief and Recovery (GOFERR) Grant Program, for the purchase of three (3) multi-function portable ventilator units for the Merrimack Fire and Rescue Department, pursuant to RSA 31:95-b and Charter Article 8-15, and authorize the Town Manager to sign any and all necessary documents.

MOTION CARRIES 7-0-0

Legislative Updates from State Representatives

None.

Town Manager's Report

- On May 2nd, there will be a public hearing on the local limit by the EPA at 10:00am in the Matthew Thornton room.
- On June 3rd, the Rotary electronics recycling event will be held at the Town Hall parking lot from 8am-12pm.
- Merrimack was highlighted in March 2023 George Mason University Case Study on Accessory Dwelling Units: <https://www.mercatus.org/research/policy-briefs/new-hampshire-adu>

Consent Agenda

None.

Old Business

None.

New Business

1. Proposed Eagle Scout Project at Wasserman Park

Submitted by Parks and Recreation Director Matthew Casparius

Boy Scout Christopher Yon is proposing to build a new information kiosk at the Community Garden at Wasserman Park.

Boy Scout Christopher Yon was present to share the following information about his information kiosk project:

- Will provide a single space to display information relevant to the use of Wasserman Park community gardens such as rules, sign-up information, and temporary notices, as well as possibly allowing users to share ideas.
- The kiosk will be built according to the Appalachian Trail Community design for a community kiosk.
- The kiosk will likely be at the corner of the garden, but the location can be adjusted to the beneficiary's preference.
- Project will likely require about 10 workers.
- Will be recruited from scouts, their parents, possibly friends.
- Challenges include the fact that the current scout troop is very young due to an age gap in recruitment because of the pandemic. Younger scouts may have a more difficult time working for long periods of time.
- Challenges could be mitigated through rotating jobs and working in shifts to keep attention. Jobs could also be assigned based on what scouts enjoy most after they work each job.

Mr. Yon shared the following materials needed to complete the project:

- 2x 40lb bag of concrete
- 4x 4x6x12 pressure-treated lumber
- 2x 6x6x16 pressure-treated lumber
- 1x 49x97 plywood
- 1x 48x96 plexiglass
- 3x 2x2x8 pressure-treated board
- 1x 20x10 flashing
- 18x 2x4x10 lumber
- 12x 1/2x10 lag screws

- 18x 1/2x8 lag screws
- 1x box of galvanized nails
- 2x buckets for concrete
- Wood stain

Materials:

- Pizza for lunch on fundraising and work days
- Paper plates for food
- Water for fundraising and work days
- Flags for dig-safe
- Garbage bags for scrap material
- Signs for fundraiser
- Soap for car wash fundraiser
- Car sponges for car wash fundraiser
- Towels for car wash fundraiser

Tools:

- Shovels
- Hammers
- Table saw with Dado blade for notches
- Work gloves
- Wheelbarrow for concrete mixing
- Pole digger
- Ear protection
- Eye protection
- Screwdrivers
- Wrenches
- Ladder
- Paint brushes
- Auger, provided by town

Permits:

- Dig-safe permission
- MVD permission

Cost Estimate:

- Materials: \$800
- Supplies: \$200
- Tools: \$0 (loaned)
- Total: \$1,000

Fundraising:

- Will be done through car wash fundraisers at the Gulf gas station near the exit 11 Shaw's.
- Discounts on materials and supplies due to the nature of their use have been obtained in the past and may be obtained for this project.

Logistics:

- Parents of troop members have been generous in the past in their assistance with trucks, lending and helping to use tools, and transporting scouts.

Safety:

- Strict adherence to scouting age guidelines for tool usage- power tools will be operated by adults only.
- Safety glasses and work gloves for construction tasks.
- Proper authorities will be contacted before digging.
- At least 2 adults must be on site at all times.
- Power tools must be a safe distance away from scouts.
- Sunscreen and bug spray.
- Proper hydration.

General Planning:

- Review details of drawings with beneficiary.
- Plan out how to cut each board.
- Review safety measures for each tool.
- Figure out how to get electricity to site.
- Confirm that parents with trucks are willing to help move materials.
- Look into discounts on materials.
- Make sure no delays will be encountered while obtaining materials from supplier.

MOTION made by Councilor Koenig and seconded by Councilor Murphy to accept Boy Scout Christopher Yon's proposal for a new information kiosk at the Community Garden at Wasserman Park.

MOTION CARRIES 6-0-0

2. Public Works Week Proclamation

Submitted by Public Works Director Dawn Tuomala

The Town Council to proclaim May 21-27, 2023 as National Public Works Week.

New DPW Director Dawn Tuomala was present, sharing the following statement: "The public works proclamation is to showcase each and every one of our public works employees as our superheroes. Each and every one of them are public works professionals. They are always ready to serve our community and the citizens of this town. They are dedicated in the face of challenges. Whatever adversity they are facing, whether it be a flood, wind, snow, or ice, they are always there providing service to the community. They are able to pick themselves up, and continue to carry on in the face of adversity- the March snowstorm proved that fact. The public works divisions support every other department in this town; they are the first responders to our emergency personnel-, the police, the fire, and the ambulance. They make the connections across departments and divisions to get the work done. The town's infrastructure, facilities, buildings, and grounds, could not be serviced, improved, or beautified without the dedicated efforts of our public work professionals. We should honor them every day, but we are here tonight to ask that the community specifically honor all of our superheroes during the National Public Works week, which is the week of May 21st to the 27th. We would like to do that by asking the town council to please sign this proclamation as written to support and appreciate all our superheroes do for us."

**National Public Works Week Proclamation
May 21–27, 2023
“Connecting the World Through
Public Works”**

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of MERRIMACK, New Hampshire; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in MERRIMACK, New Hampshire to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association be it now,

RESOLVED, We, the MERRIMACK TOWN COUNCIL, do hereby designate the week of May 21–27, 2023 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Merrimack, Done at Merrimack, New Hampshire this 20th day of April 2023.

MOTION made by Councilor Mackenzie Murphy and seconded by Councilor Koenig to proclaim May 21-27, 2023 as National Public Works Week.

MOTION CARRIES 7-0-0

3. Withdrawal Request from Fire Equipment Capital Reserve Fund

Submitted by Fire Chief Mark DiFronzo

The Town Council to consider the request to withdrawal and expend \$875,000 from the Fire Equipment Capital Reserve Fund purchase of a new fire truck for the Merrimack Fire Rescue Department.

Chief DiFronzo was present to share that although they had plans to purchase the new truck for next year, the dealership (as well as other manufacturers) has informed them that it will take about 3 years to complete this purchase due to the backlog of purchases, catching up from Covid, and lack of employees and materials to build trucks. Chief DiFronzo then stated that because of this, they have decided to move to a Chassis model type truck, meaning that instead of being a medium duty type truck this will be a heavy duty truck. This will cost about \$30,000 more than the cost of the previous truck that was purchased. Additionally, there are also new emission standards that have further increased the cost of a truck. If they don't purchase this truck soon, there will be an additional \$150,000 to purchase a truck when all the costs of parts and emission standards are taken into account. He then shared that even if they purchase the truck now, they will still not see the truck for another two to three years, and they will not have to pay up front now, rather their name will go on

the list to have their truck put in the build queue and the funding will be there for when the truck is delivered in three years. The Council then discussed with Chief DiFronzo the differences between this truck and the previous truck.

MOTION made by Councilor Koenig and seconded by Councilor Healey to allow the withdrawal and expenditure of \$875,000 from the Fire Equipment Capital Reserve Fund purchase of a new fire truck for the Merrimack Fire Rescue Department, and to authorize the Town Manager to sign any and all necessary documents.

MOTION CARRIES 7-0-0

4. Withdrawal Request from Ambulance Capital Reserve Fund

Submitted by Fire Chief Mark DiFronzo

The Town Council to consider the request to withdrawal and expend \$385,182 from the Ambulance Capital Reserve Fund purchase of a new ambulance for the Merrimack Fire Rescue Department.

Chief DiFronzo began by stating that this is a proactive move, sharing that ambulances are taking about two years to build and he wants to be on schedule for this CRF purchase. They will be replacing the current ambulance with the same manufacture and same Chassis model in order to maintain the fleet for Merrimack.

MOTION made by Councilor Hunter and seconded by Councilor Mackenzie Murphy to allow the withdrawal and expenditure of \$385,182 from the Ambulance Capital Reserve Fund purchase of a new ambulance for the Merrimack Fire Rescue Department, and to authorize the Town Manager to sign any and all necessary documents.

MOTION CARRIES 7-0-0

5. Library Capital Reserve Fund Withdrawal Request

Submitted by Library Director Yvette Couser & Library Board of Trustees

The Town Council to consider the request to withdrawal and expend \$194,900 from the Library Capital Reserve Fund for the Library Elevator Upgrade Project for the Merrimack Public Library.

Library Director Yvette Couser, Chair of the Board of Trustees Debra Covell, and Library Treasurer Janet Krupp were present to discuss the elevator upgrade project, sharing that the current elevator was installed in 1979 and therefore many of the components and parts are no longer manufactured. Ms. Couser has worked with finance to budget for this and got a quote from Stanley elevators to have a newer model installed. Ms. Covell stated that it could take about six weeks to install the new elevator and they plan to do this in September, whereas if they don't replace the elevator and it breaks they will be without an elevator for a lot longer since they will not be able to find parts to repair it.

MOTION made by Councilor Mackenzie Murphy and seconded by Councilor Hunter to withdraw and expend \$194,900 from the Library Capital Reserve Fund for the Library Elevator Upgrade Project for the Merrimack Public Library, and to authorize the Library Director to sign any and all necessary documents.

MOTION CARRIES 7-0-0

6. Town Council Retreat / Goal Session

Submitted by Town Council Chair Finlay Rothhaus and Vice Chair Nancy Harrington

Town Council to decide when and where their Retreat / Goal Session will be held.

Town Manager Paul Micali discussed the following possible dates: The week of June 5th, except for June 8th due to a scheduled Council meeting, or the week of May 22nd, except for May 25th which is another scheduled Council meeting. The Council agreed on Monday, June 12th.

7. Changing April Voting Day Discussion

Submitted by School Board Chair Laurie Rothhaus

The Town Council to discuss the possibility of changing the Merrimack Town Election (Voting Day) from the month of April to the month of March.

School Board Laurie Rothhaus and Vice Chair Ken Martin were present to discuss changing the voting day, stating that by moving the day up to March, they will be able to recruit higher quality teachers. Ms. Rothhaus stated that there is a shortage with finding teachers, and they are at a critical point where a four week difference could help them recruit the best teachers possible for the town and allow for extra time for hiring and training. Mr. Micali stated that if this were to be done, the town would have to amend the Charter in the two areas that talk about voting day, and the town would then have to vote on that. The earliest that this change could happen would be 2025. The school ballot would also have to have a vote to change to the second week of March. Mr. Micali was unsure if this would be a significant enough change to require a Charter review. Ms. Christensen was present to share her knowledge, stating that there used to be a March election but this was changed when they went to SB2 since there were budgetary processes in which the March-April meeting schedule worked better. Ms. Christensen stated that the Election Day should not be changed to a different month, as changing it would confuse the voters. Ms. Rothhaus stated that they have no desire to change it, they just want to share that some surrounding towns have a March meeting and are successful in getting their budgets done. After some discussion, the Council was not in agreement with moving this date.

8. Town Council Committee Assignments

Submitted by Town Council Chair Finlay Rothhaus and Vice Chair Nancy Harrington

The Town Council will determine committee assignments for the current year.

The Council voted on the following:

Adult Community Center: Councilor Mackenzie Murphy

Parks & Rec: Councilor Mackenzie Murphy

Planning Board: Councilor Healey, alternate Councilor Koenig

Commission on the Environmental and Public Health Impacts of Perfluorinated Chemicals

(HB 737 Commission): Nancy Murphy

Conservation: Councilor Hunter

Heritage: Councilor Healey

Highway: Chairman Rothhaus

MYA: Vice Chair Harrington

Nashua Regional Planning Commission: Councilor Koenig

NH Transit Authority: Councilor Hunter

Town Center: Chairman Rothhaus

Minutes

Approve the minutes from the following Town Council meeting:

♦ March 23, 2023

MOTION made by Councilor Hunter and seconded by Councilor Healey to approve the minutes from March 23, 2023 as amended.

Approved: May 11, 2023

Posted: May 12, 2023

MOTION CARRIES 6-0-1 with Councilor Mackenzie Murphy abstaining

Amendments: Page 4 Line 39: should be \$500,000 not \$5,000

Comments from the Press

None.

Comments from the Public

None.

Comments from the Council

Councilor Healey shared an update on the Rotary dinner and awards, stating that there was a big crowd present, and Media Division's Nick Lavallee and Justin Slez and Police Chief Brian Levesque all got awards.

Adjourn

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

MOTION CARRIES 7-0-0

Respectfully submitted by Jennifer Steagald