

**Merrimack Town Council
Nonpublic Minutes
April 5, 2012**

Present: Chairman Finlay Rothhaus, Vice Chairman William Boyd III, Councilor David Yakuboff, Councilor Tom Mahon, Councilor Jackie Flood, Councilor Dan Dwyer, and Councilor Tom Koenig. Also in attendance was Town Manager Eileen Cabanel.

MOTION – Vice Chairman Boyd moved, seconded by Councilor Yakuboff, to enter into nonpublic session at 6:33 PM for the review and approval of nonpublic minutes. Motion passed by roll call vote 7-0-0.

Acceptance of Nonpublic Minutes

- February 15, 2010

MOTION – Chairman Rothhaus moved, seconded by Councilor Yakuboff to unseal the February 15, 2010 minutes. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

- March 8, 2010

MOTION – Councilor Yakuboff moved, seconded by Councilor Mahon to keep the March 8, 2010 minutes sealed. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

- March 25, 2010

MOTION – Chairman Rothhaus moved, seconded by Councilor Koenig to unseal the property portion of the March 25, 2010 minutes. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

MOTION – Councilor Yakuboff moved, seconded by Councilor Koenig to unseal the personnel portion of the March 25, 2010 minutes. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

- April 1, 2010

MOTION – Councilor Mahon moved, seconded by Councilor Koenig to unseal the Town Manager residency requirement portion of the April 1, 2010 minutes. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

MOTION – Councilor Yakuboff moved, seconded by Chairman Rothhaus to unseal the merit increase portion of the April 1, 2010 minutes. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

MOTION – Councilor Mahon move, seconded by Councilor Yakuboff to seal the Town Manager Score portion of the April 1, 2010 minutes. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

- April 8, 2010

MOTION – Councilor Mahon moved, seconded by Councilor Yakuboff to unseal the April 8, 2010 minutes. Motion passed by a roll call vote 4-0-3 with Vice Chair Boyd and Councilors Flood and Dwyer abstaining.

- May 13, 2010

MOTION – Councilor Dwyer moved, seconded by Councilor Flood to unseal the May 13, 2010 minutes. Motion passed by a roll call vote 6-0-1 with Vice Chair Boyd abstaining.

- May 27, 2010

MOTION – Chairman Rothhaus moved, seconded by Councilor Mahon to unseal the May 27, 2010 minutes. Motion passed by a roll call vote 6-0-1 with Vice Chair Boyd abstaining.

- March 24, 2011

MOTION - Councilor Mahon moved, seconded by Councilor Yakuboff to keep the March 24, 2011 minutes sealed. Motion passed by a roll call vote 6-0-1 with Vice Chair Boyd abstaining.

- May 26, 2011

MOTION – Councilor Mahon moved, seconded by Vice Chair Boyd to unseal the minutes of May 26, 2011 when the 2nd property is deeded. Motion passed unanimously 7-0-0.

- June 9, 2011

MOTION – Vice Chair Boyd moved, seconded by Councilor Flood to unseal the minutes of June 9, 2011 when the 2nd property is deeded. Motion passed unanimously 7-0-0.

- December 15, 2011

MOTION – Councilor Dwyer moved, seconded by Chairman Rothhaus to approve the minutes of December 15, 2011. Motion passed unanimously 7-0-0.

MOTION - Councilor Dwyer moved, seconded by Councilor Yakuboff to unseal the minutes of December 15, 2011 when all deeds are finalized. Motion passed unanimously 7-0-0.

- January 26, 2012

MOTION – Councilor Yakuboff moved, seconded by Councilor Dwyer to approve the minutes of January 26, 2012. Motion passed unanimously 7-0-0.

- March 8, 2012

MOTION – Councilor Koenig moved, seconded by Councilor Yakuboff to approve the minutes of March 8, 2012 and keep them sealed. Motion passed by a roll call vote 6-0-1 with Councilor Mahon abstaining.

- March 15, 2012

MOTION – Councilor Koenig moved, seconded by Councilor Dwyer to approve the minutes of March 15, 2012. Motion passed by roll call vote 6-0-1 with Councilor Flood abstaining.

MOTION – Councilor Koenig moved, seconded by Councilor Dwyer to unseal a portion of the March 15, 2012 minutes on the discussion of the Town Manager's evaluation form. Motion passed by roll call vote 6-0-1 with Councilor Flood abstaining.

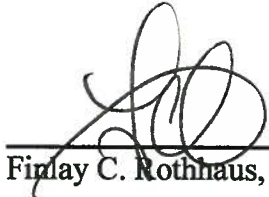
- March 22, 2012

MOTION – Councilor Mahon moved, seconded by Vice Chair Boyd to approve the minutes of March 22, 2012 with the change of the RSA 91-A:3, II (c) reference from Personnel to Personal. Motion passed unanimously 7-0-0.

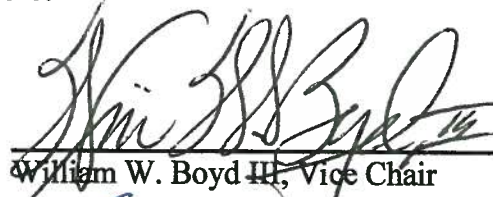
MOTION – Councilor Mahon moved, seconded by Vice Chair Boyd to unseal the acquisition of property portion of the March 22, 2012 minutes when the deeds are finalized. Motion passed unanimously 7-0-0.

MOTION – Chairman Rothhaus moved, seconded by Councilor Dwyer to seal the non public minutes. Motion passed unanimously 7-0-0.

MOTION – Councilor Dwyer moved, seconded by Councilor Flood, to close the non public session at 6:55 PM. Motion passed unanimously 7-0-0.



Finlay C. Rothhaus, Chairman




William W. Boyd III, Vice Chair




Jacqueline Flood, Councilor



Thomas J. Mahon, Councilor



Daniel Dwyer, Councilor



Thomas P. Koenig, Councilor

David G. Yakuboff, Sr., Councilor

Respectfully submitted by Eileen Cabanel