

**Merrimack Town Council
Nonpublic Minutes
April 2, 2019**

Present: Chairman Finlay Rothhaus, Vice Chairman Tom Koenig, Councilor Nancy Harrington, Councilor William Boyd, Councilor Tom Thornton and Councilor Barbara Healey. Also in attendance were, Finance Director/Assistant Town Manager Paul Micali and Town Clerk Tax Collector Diane Trippett and Attorney Keriann Roman

Excused: Councilor Peter Albert and Town Manager Eileen Cabanel

MOTION – Councilor Harrington moved, seconded by Councilor Boyd, to enter into nonpublic session at 6:00 PM for **Personnel, RSA 91-A: 3, II (c)** and **Personal, RSA 91-A: 3, II (a)**.

Motion passed by roll call vote 6-0-0.

RSA 91-A: 3, II (c) – Personal

TC/TC Trippett updated the Council on a list of homes that are on the tax deeding list (attached) as of April 1, 2019. Of the 27 properties on the list 11 properties require a do not deed letter to be signed. In addition, the Council asked Attorney Roman to develop a solution for the manufactured homes that are on the list.

In addition, Attorney Roman informed the Town Council of potential law changes as it related to the sale of property that is held for more than 3 years.

MOTION – Councilor Boyd moved, seconded by Councilor Thornton, to seal the nonpublic minutes as they relate to **RSA 91-A: 3, II (c) – Personal (Tax Deeding)**

TC/TC Trippett and Attorney Roman left at 7:02 pm

Motion passed by roll call 6-0-0

MOTION – Vice Chairman Koenig moved, seconded by Councilor Harrington, to unseal the approval of minutes portion of the nonpublic minutes of March 29, 2018.

Motion passed by roll call 4-0-2 with Councilors Healey and Thornton abstaining.

MOTION – Councilor Boyd moved, seconded by Councilor Healey, to unseal the nonpublic minutes of October 25, 2018.

Motion passed unanimously by roll call 6-0-0

MOTION – Councilor Boyd moved, seconded by Councilor Thornton, to approve the nonpublic minutes of December 6, 2018, referencing **RSA 91-A: 3, II (e) – Consideration or negotiation of pending claims or litigation** and **RSA 91-A: 3, II (I) – Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.**

Motion passed by roll call 4-0-2 with Councilors Healey and Vice Chairman Koenig abstaining.

MOTION – Councilor Boyd moved, seconded by Councilor Thornton, to unseal the nonpublic minutes of December 6, 2018, pertaining to **RSA 91-A: 3, II (e) – Consideration or negotiation of pending claims or litigation**

Motion passed by roll call 4-0-2 with Councilors Healey and Vice Chairman Koenig abstaining.

MOTION – Councilor Boyd moved, seconded by Councilor Thornton, to approve the nonpublic minutes of January 24, 2019, referencing **RSA 91-A: 3, II (d) – Consideration of acquisition, sale, or lease of personal property**

Motion passed unanimously by roll call 6-0-0

Assistant Town Manager/ Finance Director Micali left at 7:12 pm

RSA 91-A: 3, II (a) – Personnel

Town Council discussed the Town Manager's review and completed the evaluation with a satisfactory outcome.

MOTION – Councilor Boyd moved, seconded by Councilor Healey, to seal the nonpublic minutes as they relate to **RSA 91-A: 3, II (a) – Personnel (Town Manager evaluation)**

Motion passed unanimously by roll call 5-0-0

MOTION – Vice Chairman Koenig moved, seconded by Councilor Boyd, to close the nonpublic session at 9:29 PM.

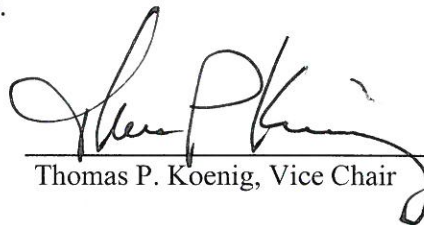
Motion passed unanimously by roll call 5-0-0.

MOTION – Councilor Thornton moved, seconded by Councilor Healey, to adjourn the public session at 9:30 PM.

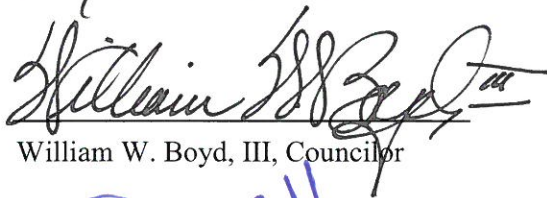
Motion passed unanimously by roll call 5-0-0.



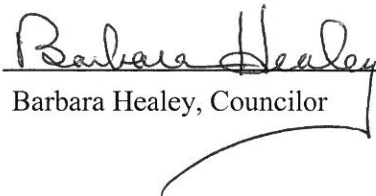
Finlay C. Rothhaus, Chairman



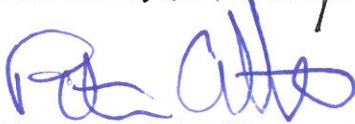
Thomas P. Koenig, Vice Chair



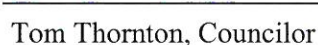
William W. Boyd, III, Councilor



Barbara Healey, Councilor



Peter Albert, Councilor



Tom Thornton, Councilor



Nancy M. Harrington, Councilor

Respectfully submitted by Paul T. Micali