

**Merrimack Town Council  
Nonpublic Minutes  
November 5, 2015**

Present: Chairman Nancy Harrington, Vice Chairman Tom Mahon, Councilor William Boyd, Councilor Dan Dwyer, Councilor Tom Koenig, Councilor Vaillancourt and Councilor Finlay Rothhaus. Also in attendance were Town Manager Cabanel, Contract Assessor Loren Martin, and Finance Director/Assistant Town Manager Paul Micali.

**MOTION** – Councilor Boyd moved, seconded by Vice Chairman Mahon, to enter into nonpublic session at 6:45 PM for **RSA 91-A: 3, II (e)** – Consideration or negotiation of pending legal claims or litigation and **RSA 91-A: 3, II (a) & (c)** – Personnel and Personal. Motion passed by roll call vote 7-0-0.

Contract Assessor Martin discussed changing legal counsel on the Fairpoint Assessment Case to the Mitchell Group. She told the Council that the lead attorney from Upton & Hatfield retired and the Town had moved to Drummond Woodsum. She stated that several other communities are with the Mitchell Group and that the Town would be better served by going with the Mitchell Group.

**MOTION** – Vice Chairman Mahon moved, seconded by Councilor Boyd, that the Town Council change legal counsel on the Fairpoint case to the Mitchell Group. Motion passed unanimously 7-0-0.

Contract Assessor Loren Martin and Finance Director/Assistant Town Manager Paul Micali left the meeting at 6:50 PM

**MOTION** – Vice Chairman Mahon moved, seconded by Councilor Boyd, to approve the Town Manager be granted an additional week vacation for the week of October 26 - October 30, 2015. Motion passed unanimously 7-0-0.

**MOTION** – Councilor Boyd moved, seconded by Vice Chairman Mahon, to seal the nonpublic minutes. Motion passed unanimously 7-0-0.

**MOTION** – Councilor Boyd moved, seconded by Councilor Dwyer, adjourn at 6:55 PM. Motion passed by roll call vote unanimously 7-0-0.

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Nancy M. Harrington, Chairman

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Thomas J. Mahon, Vice Chair

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William W. Boyd, III, Councilor

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Finlay C. Rothhaus, Councilor

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Jody Vaillancourt, Councilor

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Daniel Dwyer, Councilor

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Thomas P. Koenig, Councilor

Respectfully submitted by Paul T. Micali