



# TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, including back up information, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

## MEETING INFORMATION

Date Submitted: September 16, 2020  
Submitted by: Town Moderator Lynn Christensen  
Department:  
Speakers:

Date of Meeting: September 24, 2020

Time Required: 15 minutes

Background Info. Supplied: Yes:  No:

## CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input checked="" type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
<b>Public Hearing:</b>	<input type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

## TITLE OF ITEM

Polling Location Discussion

## DESCRIPTION OF ITEM

The Town Council to formally select the polling location for the upcoming General Election on Tuesday, November 3, 2020, to move the polling location from the James Masticola Upper Elementary School (JMUES) location to the Merrimack High School, in accordance with RSA 658:10 and Charter Article 3-4.

## REFERENCE (IF KNOWN)

RSA:	658:10	Warrant Article:	
Charter Article:	3-4	Town Meeting:	
Other:		N/A	

## EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

## CONTACT INFORMATION

Name: Lynn Christensen Address \_\_\_\_\_  
Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

## APPROVAL

# TITLE LXIII ELECTIONS

## CHAPTER 658 PRE-ELECTION PROCEDURE

### Additional Polling Places

#### Section 658:10

**658:10 In Towns.** – If any town shall so vote, the selectmen shall provide one or more additional polling places in such town and shall, at least 30 days before the next following general election, determine the boundaries of the voting district to be served by each such additional polling place.

**Source.** 1979, 436:1, eff. July 1, 1979.

*Town of Merrimack, NH  
Monday, September 21, 2020*

## Chapter C. Charter

### Article III. Elections; Election Officials; Conduct of Elections

#### § 3-4. Conduct of elections.

- A. Date of elections. The election officers shall conduct regular and special elections on the dates specified by New Hampshire State Law. The election officers shall use a nonpartisan official ballot system as detailed in the election laws of the State of New Hampshire, on the second Tuesday in April to choose Town Councilors and such other officials as specified by this Charter, each of whom shall be elected by the voters of the entire Town.  
[Amended 4-10-2007]
- B. Time and place of elections. The election laws of the State of New Hampshire shall govern the hours of polling. The Town Council shall specify the polling place(s) of the Town and determine the hours the polls shall open and close at least 30 days prior to any election.
- C. Qualifications for office. To be eligible for election to office in Merrimack, any candidate must meet the requirements of applicable New Hampshire state law and constitutional provisions concerning such qualifications. In accordance with RSA 669:6, no person shall hold elected office unless the person has a domicile in the Town. In addition to other requirements, a candidate for Town Council must be a registered voter as well as having been a resident for a minimum of one year prior to the first day of the filing period for candidacy.

Approved: June 26, 2014

Posted: June 30, 2014

## 2. Polling Location Discussion

*Submitted by Town Manager Eileen Cabanel*

The Town Council to determine the polling location for the September State Primary and the November general election.

Town Moderator Lynn Christensen, stated her opinion the September Primary Election be conducted at the James Mastricola Upper Elementary School and the November General Election at the High School. When asked, she stated the locations will be able to accommodate the elections.

Councilor Dwyer remarked he is in favor of maintaining the consistency of having elections at the middle school, although he believes it reasonable to conduct general elections at the High School given the larger turnout. Ms. Christensen responded with the way it is being proposed it will be known the November election is always at the High School. She commented the first year a second polling place was utilized was due to size restrictions of the upper elementary (challenging with a voter turnout of 6,000). The last few mid-term elections have seen a voter turnout of roughly 9,000. Councilor Rothhaus remarked given the proximity of the two buildings, it is just a matter of signage to ensure voters are aware of the polling place.

**MOTION made by Councilor Mahon and seconded by Councilor Rothhaus to accept the recommendation of the Town Moderator to conduct the September Primary Election at the James Mastricola Upper Elementary School and the November General Election at the High School**

## ON THE QUESTION

Town Manager Cabanel noted there to be a formal process whereby the Council establishes the boundaries. She noted RSA 658:10 states in part: "at least 30 days before the next following general election, determine the boundaries of the voting district to be served by each such additional polling place." As the last polling place was the High School, it would be necessary to address the change. Town Moderator Christensen stated the RSA is intended to address additional polling place(s). Unless there are to be additional polling places, it is not necessary to formally determine the boundaries as the boundaries are the entire town.

**MOTION CARRIED 7-0-0**

## 3. Proposed "Tiered" Sewer Access Fee Structure

*Submitted by Community Development Director Tim Thompson, Public Works Director Rick Seymour, and Wastewater Treatment Facility Assistant Director Jim Taylor*

To consider a recommended proposed revision to the existing Sewer Access Fee Structure.

Town Manager Cabanel informed the Council this issue has been discussed for some time in relation to new, larger businesses coming to town. Specifically, the topic came to light during discussions of a potential hotel on the pad site of the Merrimack Premium Outlets. Upon review of sewer access fees for such a project, it was felt they would be onerous and may exclude some businesses from coming in. A request was made for Timothy Thompson, Director, Community Development, Rick Seymour, Director, Public Works, and Jim Taylor, Assistant Director, Wastewater Treatment Facility to work collaboratively to devise a tiered approach to the fee structure.