



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 the requested meeting date to meet publication deadlines (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: October 23, 2023

Date of Meeting: November 16, 2023

Submitted by: Chris Christensen

Time Required: 5 minutes

Department:

Background Info. Supplied: Yes No

Speakers:

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

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input checked="" 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

Public Hearing - Bear Christensen Fund Acceptance

DESCRIPTION OF ITEM

This is a recurring request. The Town to accept a \$10,000 donation to the Bear Christensen Fund held by the Trustees of Trust Funds. \$7000.00 to be allocated to the principal account and \$3000.00 to be allocated to the income account.

REFERENCE (IF KNOWN)

RSA:	31:95-b, 31:19	Warrant Article:
Charter Article:	8-15	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:	Chris Christensen	Address:	27 Greatstone Dr
Phone Number:	603.424.2542	Email Address:	descant34@gmail.com

APPROVAL

Town Manager: Yes No Chair/Vice Chair: Yes No

Hold for Meeting Date:

LEGAL NOTICE
Town of Merrimack
Public Hearing

Residents of Merrimack are hereby advised that the Town Council will hold a public hearing to authorize the acceptance of the amount of but not to exceed \$10,000 for the Bear Christensen Fund, pursuant to RSA 31:95-b and Charter Article 8-15. The public hearing will be held on **Thursday, November 16, 2023, at 7:00 PM** in the Matthew Thornton Room located at 8 Baboosic Lake Road in Merrimack.

For Town of Merrimack Use:

Posted: November 7, 2023

To Be Published: November 7, 2023 (*Union Leader*)

To Be Published: November 10, 2023 (*Sunday Select Merrimack Edition*)

Approved: January 12, 2023

Posted: January 17, 2023

2. Public Hearing - Bear Christensen Fund Acceptance

Submitted by Finance Director Thomas Boland

The Town Council will hold a public hearing to authorize the acceptance of the amount of but not to exceed \$10,000 for the Bear Christensen Fund, pursuant to RSA 31:95-b and Charter Article 8-15.

Town Manager Paul Micali began by stating that Mr. Christensen has another \$3,000 to add to the fund, totaling \$13,000- \$10,000 for principle and \$3,000 for income. He then stated that he reached out to the attorneys and the trust, and confirmed that when additional money is added, they have to accept it. Finance Director Tom Boland then stated that this will be an annual occurrence. Councilor Hunter asked why the amount has to be limited to \$10,000, in which Mr. Boland stated that it really should be a fixed amount, but the "not to exceed" is required per the town attorneys.

The public hearing was opened at 8:47pm and closed at 8:48pm.

MOTION made by Councilor Murphy and seconded by Councilor Healey to authorize the acceptance of the amount of \$13,000- \$10,000 for principle and \$3,000 for income- for the Bear Christensen Fund, pursuant to RSA 31:95-b and Charter Article 8-15, and authorize the Town Manager to sign any and all necessary documentation.

MOTION CARRIES 6-0-0

Legislative Updates from State Representatives

State Rep Bill Boyd was present to share that state reps were just sworn in last week and are waiting for committee assignments. The current make up is 201, 198, and 1 TBD. He confirmed that Jeanine Notter has been reappointed as majority whip. He also shared that he was elected Chair of the Drinking Water and Groundwater advisory commission.

Town Manager's Report

The Public Works Department (The Town) would like to congratulate Dawn Tuomala, Deputy Director/Town Engineer and Sarita Croce, Assistant Director/Wastewater as they prepare for the next phase of their careers. During Dawn's time as Town Engineer, Dawn was responsible for accomplishing many projects and initiatives for the Department and the Town. Notable projects include the beach restoration project at Wasserman Park, the Turkey Hill Roundabout, the Town Hall sidewalks and ramp improvement project, two major emergency pipe replacements that occurred on Amherst Road and DW Highway - both of which carry Naticook Brook under those roads, Gail Road drainage improvements, design of Woodland Park drainage systems, management of the Towns MS4 stormwater permit and program, managing the Towns paving program and so much more. Sarita served in two roles for the Town - first as Pretreatment Manager at the wastewater facility and currently as Assistant Director. In both roles, Sarita brought an enthusiasm, passion, and drive that allowed her to accomplish great things for the Town. Sarita was instrumental in developing the plans for the facility upgrades that are ongoing, working and meeting with Town groups and citizens to explain the need for the projects which helped in the passage of three bonds to fund the work, secured millions of dollars in Federal grants to offset costs of the project, and helped the Town through the PFAS crisis with her diligence and knowledge. Thank you both for your dedication and service to the Town of Merrimack.

Mr. Micali also shared that Public Works Director Kyle Fox has resigned, and thanked him for his 17 years of service with the town.

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 31

POWERS AND DUTIES OF TOWNS

Trust Funds

Section 31:19-a

31:19-a Trust Funds Created by Towns. –

I. A town may at any annual or special meeting grant and vote such sums of money as it deems necessary to create trust funds for the maintenance and operation of the town; and any other public purpose that is not foreign to the town's institution or incompatible with the objects of its organization. The town may appoint agents to expend any funds in the trust for the purposes of the trust. An annual accounting and report of the activities of the trust shall be presented to the selectmen and published in the annual report.

II. Trust funds created pursuant to this section shall be revocable by majority vote of the legal voters present and voting at any annual meeting, unless the vote creating the trust expressly provides that the trust shall be irrevocable, and upon revocation the trustees of trust funds holding the account for said trust shall pay all the moneys in such fund to the town treasurer.

III. Notwithstanding any other provision of this chapter, any trust fund created under this section shall be subject to the same provisions concerning custody, investment, expenditure, change of purpose, and audit as are reserve funds established under RSA 34:1, 34:1-a, 35:1 or 35:1-c. The legal validity of such a fund properly established shall not be affected by its designation as a "trust," "reserve," "capital reserve," or any other designation.

IV. The local legislative body may authorize the acceptance of privately donated gifts, legacies, and devises to be utilized for the same purposes as a trust fund created under this section; provided, however, that such gifts, legacies, or devises shall be invested and accounted for separately from, and not commingled with, amounts appropriated under paragraph I, and shall be subject to the custody and investment provisions applicable to trust funds accepted under RSA 31:19.

V. A trust fund created under the provisions of this section that is established for the purpose of maintaining health insurance funds for the benefit of employees and retired employees of any town shall be exempt from the provisions of RSA 35:8 or 34:4, and, when so established, the town may name its own trustees who may expend any funds in the trust for the payment of health claims or health insurance premiums for the benefit of any employees or retired employees of the town. An annual accounting and report of the activities of the trust shall be presented to the selectmen and published in the annual report.

Source. 1983, 264:2. 1991, 231:1. 1993, 176:1, 2. 1995, 20:2, 3, eff. June 11, 1995. 1998, 44:1, eff. July 4, 1998.