



# 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: February 8, 2024  
Submitted by: Town Manager Paul T. Micali  
Department: General Government

Date of Meeting: February 15, 2024

Time Required: 20 minutes

Speakers:

Background Info. Supplied: Yes:  No:

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

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

## TITLE OF ITEM

Review of the 2024 Town Warrant

## DESCRIPTION OF ITEM

The Town Council will review and make recommendations on each article of the 2024 Town Warrant.

## REFERENCE (IF KNOWN)

RSA:	Warrant Article:	_____
Charter Article:	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: Paul T. Micali Address: 6 Baboosic Lake Road  
 Phone Number: 603-424-2331 Email Address: pmicali@merrimacknh.gov

## APPROVAL

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

Hold for Meeting Date: \_\_\_\_\_



2024 Town Warrant  
**Town of Merrimack**  
6 Baboosic Lake Road, Merrimack, New Hampshire 03054



The State of New Hampshire

To the inhabitants of the Town of Merrimack in the County of Hillsborough in said state, qualified to vote in town affairs:

You are hereby notified that the First Session (*Deliberative*) of the Annual Meeting of the Town of Merrimack will be held at the Masticola Upper Elementary School's All-Purpose Room on 26 Baboosic Lake Road in said Merrimack on Wednesday, March 13 2024 (snow date Friday, March 15, 2024), at 7:00 o'clock in the evening (pm) for explanation, discussion, and debate of each Warrant Article. Warrant Articles may be amended at this session per RSA 40:13, IV.

You are hereby notified that the Second Session (*Ballot Voting*) of the Annual Meeting of the Town of Merrimack will be held on Tuesday, April 9, 2024, at 7:00 o'clock in the forenoon (am) for the choice of town officers elected by official ballot, to vote on questions required by law to be inserted on the Official Ballot, and to vote on all Warrant Articles from the First Session on Official Ballot per RSA 40:13, VII. The polling places for the election of town officers, and other actions required to be inserted on the ballot, will open on said date at 7:00 o'clock in the forenoon (am) and will not close earlier than 7:00 o'clock in the evening (pm).

The three aforementioned polling places will be as follows:

James Masticola Upper Elementary School All-Purpose Room, 26 Baboosic Lake Road  
St. John Neumann Church, 708 Milford Road (Route 101A)  
Merrimack Middle School, 31 Madeline Bennett Lane

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**Article 1**

To choose all necessary town officers for the ensuing year.

Three (3) Town Councilors 3-year term  
Two (2) Library Trustee for a 3-year term  
One (1) Ethics Committee Member for a 3-year term  
One (1) Trustee of Trust Funds for a 3-year term  
One (1) Town Clerk/ Tax Collector for a 3-year term  
One (1) Moderator for a 2-year term  
One (1) Supervisor of the Checklist for a 6-year term

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## Article 2

Shall the Town of Merrimack approve the charter amendment reprinted below?

PROPOSED AMENDMENT to Charter Article VI, Section 6-1 (B):

Conservation Commission. There shall be a Conservation Commission consisting of seven members. Six of these members shall be appointed by the Town Council for terms of three years, such terms to be staggered. One Town Council member shall be appointed annually to serve as an ex officio member **[and one student representative would be recommended by the School Board and appointed by the Town Council, this individual is not a voting member, nor a member for quorum purposes.]** There shall also be three alternate members appointed in the same manner as regular appointed members, except no more than one alternate appointed member's term shall expire in a single year. The Town Council shall fill any vacancy for the period of the unexpired term. The Conservation Commission shall have all the powers granted to conservation commissions by New Hampshire state law Effective April 1, 2024.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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## Article 3

To see if the Town will vote to raise and appropriate the sum of Two Hundred Sixty Six Thousand Three Hundred Thirty Eight Dollars (\$266,338)(gross budget) for the purpose of developing final design plans for the stormwater and infrastructure project for the Baboosic Lake (Pine Knoll Shores) Drainage Study, addressing roadway improvements, stormwater conveyance, treatment needs, and to include solutions that promote energy efficiency, water quality and flood resiliency in accordance with the 2017 or newer NH Small MS4 General Permit (“the Project”); and to authorize the issuance of not more than \$266,338 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33, as amended), and to authorize the Town Council to issue and negotiate such bonds or notes and to determine the rate of interest and other terms thereof; and further to authorize the Town Council to apply for, accept, and expend any federal, state, or private funds that may become available to be applied to the Project to reduce the amount that must be bonded or borrowed or to pay debt service on such bonds or notes; and further to authorize the Town Council to apply for, accept, and expend any funds or loan forgiveness through the Clean Water State Revolving Fund (CWSRF). This Article is contingent upon approval of the loan application and the CWSRF program being able to provide 100% of the funding for the Project. It is anticipated that the Town will receive up to \$93,268 in loan forgiveness from the CWSRF program.

(Recommended by the Town Council 0-0-0) (3/5 ballot vote required)

**Article 4**

Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$39,778,556? Should this article be defeated, the default budget shall be \$38,484,241, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the Town Council may hold one (1) special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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**Article 5**

To see if the town will vote to raise and appropriate the sum of \$2,250,000 to be added to the following Capital Reserve/Expendable Trust Funds previously established for the purposes for which they were created and to apportion the sum among the several funds as listed below:

<b>Liability Trust Fund</b>	<b>10,000</b>
<b>Ambulance</b>	<b>250,000</b>
<b>Athletic Fields</b>	<b>5,000</b>
<b>Communications Equipment</b>	<b>55,000</b>
<b>Computer Equipment</b>	<b>95,000</b>
<b>Daniel Webster Highway</b>	<b>75,000</b>
<b>Fire Equipment</b>	<b>400,000</b>
<b>Highway Equipment</b>	<b>425,000</b>
<b>Library Building Maintenance Fund</b>	<b>75,000</b>
<b>Playground Equipment</b>	<b>5,000</b>
<b>Property Revaluation</b>	<b>20,000</b>
<b>Solid Waste Disposal</b>	<b>100,000</b>
<b>Traffic Signal Pre-emption</b>	<b>5,000</b>
<b>GIS</b>	<b>20,000</b>
<b>Road Infrastructure CRF</b>	<b>700,000</b>
<b>Total CRF</b>	<b>2,240,000</b>
<b>Milfoil</b>	<b>10,000</b>
<b>Total GENERAL FUND</b>	<b>2,250,000</b>

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These appropriations are **not** included in the total town operating budget warrant article 2.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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**Article 6**

To see if the town will vote to raise and appropriate the sum of \$550,000 to be added to the Sewer Infrastructure Capital Reserve Fund previously established with said amount to come from sewer fees and no amount to come from taxation.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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**Article 7**

Shall the Town of Merrimack vote to approve the cost items included in a collective bargaining agreement reached between the Merrimack Town Council and the New England Police Benevolent Association (NEPBA), Local 12, which calls for the following increases in salaries and benefits at the current staffing levels:

<b>Fiscal Year</b>	<b>Wage and Benefit Costs Increase</b>
2024-25	\$ 293,873
2025-26	170,465
2026-27	185,130

and further to raise and appropriate the sum of \$293,873 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels? This collective bargaining agreement covers the Police Officer, Sergeants and Detectives in the Police Department.

Should this article fail to pass, the cost items approved by the 2020 Town Meeting for the New England Police Benevolent Association (NEPBA) Local 12 collective bargaining agreement for the term ending June 20, 2025 shall remain in place for fiscal year 2024-2025.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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**Article 8**

Shall the Town of Merrimack vote to approve the cost items included in a collective bargaining agreement reached between the Merrimack Town Council and New England Police Benevolent Association, Local 112, which calls for the following increases in salaries and benefits at the current staffing levels:

<b>Fiscal Year</b>	<b>Wage and Benefit Costs Increase</b>
2024-25	\$ 59,943
2025-26	38,868
2026-27	25,313
2027-28	22,089

and further to raise and appropriate the sum of \$59,943 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels? This collective bargaining agreement covers Dispatchers and Office Staff of the Police.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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**Article 9**

Shall the Town of Merrimack vote to approve the cost items included in a collective bargaining agreement reached between the Merrimack Town Council and Teamsters, Local 633, which calls for the following increases in salaries and benefits at the current staffing levels:

<b>Fiscal Year</b>	<b>Wage and Benefit Costs Increase</b>
2024-25	\$ 84,762
2025-26	54,232
2026-27	40,153

and further to raise and appropriate the sum of \$84,762 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels? \$44,556 towards the first year's payment to come from sewer fees from the Waste Water Enterprise Fund. This collective bargaining agreement covers supervisory and clerical employees of the Highway, Solid Waste Disposal, Wastewater Treatment, and Equipment Maintenance Divisions of the Public Works Department.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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**Article 10**

To see if the Town will vote to adopt the Town of Merrimack Community Choice Aggregation Plan, prepared by the Merrimack Electric Aggregation Committee/Community Choice Aggregation Committee (CCAC), and to further authorize the Town Council to develop and implement Merrimack Community Power, and to take all action in furtherance of the Town of Merrimack Community Choice Aggregation Plan, pursuant to RSA 53-E.

(Recommended by the Town Council 0-0-0) (Majority vote required.)

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**Article 11 (By Petition)**

Shall the Town raise and appropriate the sum of \$1,000,000 for the purpose of development of town owned land on Pearson Rd into a multiple use athletic field, for the use of Soccer, Football, Lacrosse, Baseball, Softball etc.? Reference: Tax Map 7C Lot 40-2

(by petition) (Recommended by the Town Council 0-0-0) (Majority vote required).

Given under our hands and seal this 15th day of February, in the year of our Lord, Two  
Thousand twenty-four.

MERRIMACK TOWN COUNCIL

\_\_\_\_\_  
Finlay C. Rothhaus, Chairman

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Nancy M. Harrington, Vice Chair

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Thomas P. Koenig, Councilor

\_\_\_\_\_  
Andy Hunter, Councilor

\_\_\_\_\_  
Barbara Healey, Councilor

\_\_\_\_\_  
Mackenzie Murphy, Councilor

\_\_\_\_\_  
Nancy Murphy, Councilor

Attest: a true copy of the Warrant

MERRIMACK TOWN COUNCIL

\_\_\_\_\_  
Finlay C. Rothhaus, Chairman

\_\_\_\_\_  
Nancy M. Harrington, Vice Chair

\_\_\_\_\_  
Thomas P. Koenig, Councilor

\_\_\_\_\_  
Andy Hunter, Councilor

\_\_\_\_\_  
Barbara Healey, Councilor

\_\_\_\_\_  
Mackenzie Murphy, Councilor

\_\_\_\_\_  
Nancy Murphy, Councilor



**Town of Merrimack, New Hampshire  
Certificate of Service**

We, the Town Council, certify that we gave notice to the inhabitants within named, to meet at the time and place and for the purpose within mentioned, by posting an attested copy of the within Warrant at the place of meeting within named, and a like attested copy at the Town Hall and Town Library, being public places in said Town on or before the 26th day of February 2024.

MERRIMACK TOWN COUNCIL

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Finlay C. Rothhaus, Chairman

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Nancy M. Harrington, Vice Chair

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Thomas P. Koenig, Councilor

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Andy Hunter, Councilor

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Barbara Healey, Councilor

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Mackenzie Murphy, Councilor

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Nancy Murphy, Councilor