



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 13, 2024
Submitted by: Town Manager Paul T. Micali
Department: General Government
Speakers:

Date of Meeting: February 15, 2024
Time Required: 10 minutes
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"/>
Public Hearing:	<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

Town of Merrimack Charter Article 6-1 (B) Recommended Amendment

DESCRIPTION OF ITEM

The Town Council to consider adding the recommended amendment to Charter Article 6-1 (B), Conservation Commission, of the Town of Merrimack Charter to 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:	<u>Paul T. Micali</u>	Address:	<u>6 Baboosic Lake Road</u>
Phone Number:	<u>603-424-2331</u>	Email Address:	<u>pmicali@merrimacknh.gov</u>

APPROVAL

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

Hold for Meeting Date: _____

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

February 2, 2024

Diane Trippett
Town Clerk/Tax Collector
Town of Merrimack
6 Baboosic Lake Road
Merrimack, NH 03058

Re: Merrimack Charter Amendment

Dear Clerk Trippett:

Pursuant to RSA 49-B:4-a, on behalf of the Town of Merrimack, you submitted a charter amendment for review, dated December 14, 2023.

Upon review, the New Hampshire Attorney General's Office, the Secretary of State's Office, and the Department of Revenue Administration, pursuant to RSA 49-B:4-a, **do not object** to the proposed amendment to the town charter.

Please note that this non-objection is explicitly conditioned on the student representative being a non-voting member and not counting towards a quorum as is made clear in the documentation forwarded to our offices. Under RSA 36-A:3, a conservation commission may have no fewer than three members and no more than seven. That same statute is silent on having any representatives that do not vote and do not count towards a quorum. Therefore, the amendment as proposed is not violative of RSA 36-A:3. However, if the student representative had the traditional rights and powers of other council members under RSA 36-A, that representative would constitute an eighth member of the council and, therefore, would be violative of the statute.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. G. Conley".

Matthew G. Conley
Assistant Attorney General

cc: Keriann Roman, Merrimack Town Counsel
David Scanlan, Secretary of State
Lawrence Gagnon, Department of Revenue Administration

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

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ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

January 2, 2024

Diane Trippett
Town Clerk/Tax Collector
Town of Merrimack
6 Baboosic Lake Road
Merrimack, NH 03058

Re: **Town of Merrimack Proposed Charter**

Dear Clerk Trippett:

Pursuant to RSA 49-B:4-a, this letter acknowledges receipt of the Town of Merrimack's Proposed Charter Amendment dated December 14, 2023.

Please be advised, this letter memorializes acknowledgment of receipt of the Office of the Attorney General, the Secretary of State's Office, and the Department of Revenue Administration by December 21, 2023.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Conley".

Matthew Conley
Assistant Attorney General

cc: Keriann Roman, Merrimack Town Counsel
David Scanlan, Secretary of State
Lawrence Gagnon, Department of Revenue Administration