



Town Council Meeting Minutes

Thursday December 20, 2018 at 7:00 PM, in the Matthew Thornton Room

Chairman Rothhaus called the meeting of the Town Council to order at 7:00 p.m. Present at the meeting were Councilor Boyd, Councilor Harrington, Councilor Healey, Councilor Thornton, Town Manager, Eileen Cabanel, and Assistant Town Manager/Finance Director Paul Micali. Vice Chairman Koenig and Councilor Albert were excused.

Pledge of Allegiance

Chairman Rothhaus led in the Pledge of Allegiance.

Announcements

Town Offices will close at noon on Monday, December 24th, and will be closed Tuesday, December 25th in observance of Christmas and Tuesday, January 1st in observance of New Year's Day.

A regular meeting of the Town Council will be conducted on Thursday, January 10th at 7:00 p.m. Budget meetings will be held on Monday, January 7th and January 14th at 6:00 p.m. All meetings will be in the Matthew Thornton Room.

Rape Aggression Defense (R.A.D.) is a self-defense program specifically designed for women. The R.A.D. system involves education and awareness, risk reduction, avoidance strategies, and physical training. Participants are taught by certified instructors and are provided take-home reference manuals. The program consists of four (4) 3-hour training sessions for a total of 12 hours. Our first program will be held on January 8th, 10th, 15th, and 17th from 5:30-8:30 p.m. at the John O'Leary Adult Community Center. Applications can be obtained and dropped off at the Police Station. Any questions, please contact Animal Control Officer Gulino (hgulino@merrimacknh.gov) or Officer Groves (agroves@merrimacknh.gov).

The Citizen Police Academy will begin on January 23rd. It is held from 6:00-9:00 p.m. each Wednesday until March 23rd. Applications can be found on the Police Department's website.

Town Manager Cabanel spoke of having received an email from Clark Freise, Assistant Commissioner, NH Department of Environmental Services (NHDES), indicating they are conducting a series of public hearings around the State relative to setting up Maximum Contaminate Levels for PFAs in the State. She is working with him and has offered Merrimack as a location for a Public Hearing in the March 4-8th timeframe. She was informed by Sarita Croce, Assistant Director, Public Works Department (PWD)/Wastewater, that they expect to have a number they will present as the recommendation, will conduct the public hearings, and then make a final recommendation to the Legislature.

Highway Garage Project Update

Paul Micali, Assistant Town Manager/Finance Director, spoke of a meeting conducted to review punch list items. A few significant items are waited on, e.g., air handlers. The items are expected to arrive December 26th and be installed immediately. It is likely staff will move into the new facility during the month of January. The project remains under budget.

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2 **Comments from the Press and Public** – None

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4 **Recognitions, Resignations and Retirements**

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6 **1. Recognition of Full-time Years of Service of Town Employee**

7 Submitted by Human Resources Coordinator Sharon Marunicz

8 The Town Council will present a recognition award to the following Town employees:

9
10 Police – SRO/Detective 1st Michael D. Murray - 30 year clock (Date of Hire: 9/18/1988)

11
12 Denise Roy, Chief of Police, remarked Detective Murray is a son, fiancé, dad, and one of the best
13 police officers the Town has ever had. He is a mentor to all of the officers and supervisors that have
14 had the opportunity to work with him. He has been a role model to the students he has encountered in
15 his nearly 20 years at the high school.

16
17 He has been Police Officer of the Year. In 2014, EMS and Fire Foundation awarded him the Lifetime
18 Achievement Award. In 1997, he received the Outstanding Effort award for looking beyond the ticket.
19 He started as a Dispatcher, became a Special Officer, went to full-time, became the SRO, and in 2013
20 became a Detective.

21
22 One of the biggest things he has done is be an ambassador for the department for Special Olympics.
23 He has traveled the world representing not only the United States, but the Merrimack Police
24 Department.

25
26 He and Detective Michael Lambert recently returned from Wreaths Across America; a journey that
27 begins in Maine traveling with tractor trailers full of wreaths stopping along the way to honor not only
28 the soldiers who have been killed, but the families they left behind. They are the only two officers
29 from the State of New Hampshire to do that.

30
31 *Chairman Rothhaus presented Detective Michael Murray with a clock in recognition of his 30 years
32 of dedicated service to the Town of Merrimack.*

33
34 Detective Murray commented back 30 years ago there were three payphones in Town the department
35 used to communicate with dispatch. The job has become very technical. He has loved his career with
36 the department, and is happy to see the new guards stepping up in a very challenging, thankless, and
37 dangerous profession. At the end, you have a feeling of pride for what you have done.

38
39 **Appointments** - None

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41 **Public Hearing** - None

42
43 **Legislative Updates from State Representative**

44
45 Representative Kathy Stack thanked Councilors Healey and Boyd for their attendance and participation
46 at the Merrimack Village District (MVD) meeting.

1 This session will begin on January 2nd. However, she noted she and Representatives Rung, Murphy,
2 Thomas, and Notter have all submitted Legislative Service Requests (LSRs) on behalf of the Town.
3 The majority deal with water issues.

4 **Town Manager's Report** - None

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6 **Consent Agenda** - None

7
8 **Old Business** - None

9
10 **New Business**

11
12 **1. Donation Acceptance for Town Center Committee**

13 Submitted by Town Center Committee Chairman Nelson Disco

14 The Town Council to consider the acceptance and expenditure of an anonymous donation in the
15 amount of \$750 to the Merrimack Town Center Committee to be used towards improving the
16 Town Center sidewalks and general appearance, pursuant to RSA 31:95-b and Charter Article 8-
17 15.

18
19 Nelson Disco, Chairman, Town Center Committee, stated he was contacted by an anonymous donor
20 wishing to contribute towards the projects of the Town Center.

21
22 With acceptance of this donation, the established fund will have an approximate \$1,000 balance.
23 When expenditures are identified, a request will be put before the Council.

24
25 **MOTION made by Councilor Boyd and seconded by Councilor Healey to approve the**
26 **acceptance and expenditure of the anonymous donation in the amount of Seven Hundred Fifty**
27 **Dollars (\$750) to the Merrimack Town Center Committee to be used towards improving the**
28 **Town Center sidewalks and general appearance, pursuant to RSA 31:95-b and Charter Article**
29 **8-15, and furthermore that the Town Council direct the Town Manager to write a Dear**
30 **Anonymous letter to the individual expressing deepest thanks and gratitude for the generous**
31 **contribution. MOTION CARRIED 5-0-0**

32
33 **2. Donation Acceptance for Merrimack Police Department**

34 Submitted by Deputy Chief Brian Levesque

35 The Town Council to consider the acceptance and expenditure of a donation from the Merrimack
36 Crimeline in the amount of \$5,000 to be used towards the purchase of a new canine, pursuant to
37 RSA 31:95-b and Charter Article 8-15.

38
39 Brian Levesque, Deputy Chief, Police Department, informed the Council of a donation received from
40 the Merrimack Crimeline in the amount of \$5,000. He spoke of the great partnership the department
41 has enjoyed with the Merrimack Crimeline and their support of the department. Dallas had to be
42 retired due to liability issues, and the intent is to utilize the donation towards the purchase of a new
43 canine.

44
45 Asked where Dallas is, Deputy Chief Levesque stated he was found a new home at the Merrimack
46 County Department of Corrections. He will be able to do single purpose; searching cells, etc.
47 Chairman Rothhaus commented he was just too nice.

1 Councilor Boyd questioned what protocols would be used in the future for the new canine, e.g., what
2 were some of the things discovered with Dallas at the onset that caused the regression. Deputy Chief
3 Levesque responded you can never predict how a canine will react. When Dallas was originally
4 purchased he was younger, and they thought he would work to maturity. He did some great work for a
5 while, then when he was deployed in the field they saw him fail. There was live scenario training in
6 New York the canine handler went to and regression was seen there. He related it to an officer who is
7 on the force for a few years and then determines police work is not for them. He cannot offer
8 protocols, but can say there is a dog training at the Boston Police Academy that is performing very
9 well with no hesitation.

10
11 Patrolman Wallin will continue as the Canine Officer. Part of the reason this all happened so quickly
12 is because the staff at the Boston Academy respects him as a handler. The dog they currently have was
13 earmarked for another department; however, they knew it was a good fit for Officer Wallin. They
14 waived the academy fee this time around.

15
16 **MOTION made by Councilor Boyd and seconded by Councilor Thornton to approve the**
17 **acceptance and expenditure of a donation from the Merrimack Crimeline in the amount of Five**
18 **Thousand Dollars (\$5,000) to be used towards the purchase of a new canine, pursuant to RSA**
19 **31:95-b and Charter Article 8-15, and furthermore to express the Council's continued gratitude**
20 **to the Crimeline for their efforts with community endeavors. MOTION CARRIED 5-0-0**

21
22 The canine officer's name is Pluto.

23

24 **3. Discussion and Consideration of Charter Change**

25 Submitted by Town Council Chairman Finlay Rothhaus

26 The Town Council will discuss the recommended change to the Charter in reference to Capital
27 Reserve Fund (CRF) deposits.

28

29 The Town was notified by the Department of Revenue Administration (DRA) that beginning with the
30 FY20 budget, Capital Reserve Deposits have to be placed on a separate warrant article due to a change
31 to RSA 35-5. Capital Reserve Fund (CRF) deposits can no longer be included in the bottom line of
32 budgets. The Council requested a Charter amendment to address this.

33

34 He questioned the will of the Council relative to continuing with a Charter change, and, if the desire, to
35 vote to move it to a Public Hearing. There are some actions legal counsel needs to take in advance of a
36 Public Hearing in addition to providing the proper language. They are working with the DRA to
37 ensure there are no holdups given the short timeline to get this on the ballot.

38

39 **MOTION made by Councilor Harrington and seconded by Councilor Thornton that the Town**
40 **Manager and/or her proxy proceed with the development of a Charter amendment related to the**
41 **special Warrant Article needed for the revision of the Capital Reserve Funds and to post to**
42 **Public Hearing. MOTION CARRIED 5-0-0**

1 **4. 2019-2020 Budget Meeting Schedule Discussion**

2 Submitted by Finance Director Paul T. Micali

3 The Town Council to discuss the January budget meeting schedule.

4
5 Assistant Town Manager/Finance Director Micali commented at the end of the last meeting the
6 Council discussed the possibility of changing the budget meetings from a Monday/Thursday schedule
7 to a Wednesday/Thursday schedule. He questioned the will of the Council.

8
9 *The Council agreed to the change in meeting dates.*

10
11 **5. Presentation of Proposed 2019/2020 Town Manager Budget**

12 Submitted by Town Manager Eileen Cabanel and Finance Director Paul T. Micali

13 Town Manager will present her recommended 2019/2020 budget to the Town Council.

14
15 Town Manager Cabanel stated being proposed is a tax rate increase of zero.

16
17 A presentation was provided (can be viewed [here](#); tape counter 31:00) (copy attached). The tax rate
18 involves both revenues and expenditures. In the General Fund, there is approx. \$10 million in revenue
19 gained from sources other than property tax revenue. Revenue generated from other sources is
20 subtracted from the overall budget to determine the amount to be generated through property taxes.

21
22 The proposed budget anticipates both increases and decreases in revenue from the various sources:
23 increases include; building permits - \$15,000 (proposed for FY20 is a total of \$150,000), ambulance
24 revenue - \$25,000 (proposed \$775,000), interest - \$55,500 (proposed \$455,500), administrative
25 charges - \$75,000 (proposed \$520,721) and dump fees - \$12,000 (proposed \$229,480), and decreases
26 include; SRO Grant \$85,000 (grant ends at end of September), media franchise fees - \$50,000
27 (proposed \$200,000), sale of property - \$15,500 (proposed \$66,460), and miscellaneous \$6,555. Total
28 net revenue increase is \$25,445.

29
30 With regard to appropriations, health insurance has increased by 10.1%, which was anticipated to have
31 a resulting increase of \$300,000. However, given the changing dynamic; have a lot of young people
32 and perhaps more single plans than family plans. The anticipated increase is now identified as
33 \$94,000. Workers' Compensation has an increase of \$33,000. A large increase is seen in the Fire
34 Department whose rate is in the area of 5.8%. That has to do with our own experience, which has been
35 very difficult over the past several years. Overtime in the Fire Department shows an increase of
36 \$15,000, which is related to increases associated with advancement. When wages increase it impacts
37 overtime.

38
39 Asphalt pile - increase of \$35,000. Each few years asphalt that is stored at the highway garage is used
40 for a base for road infrastructure. Cost associated with paving the MYA lot is \$25,000 as is the cost to
41 pave the fire department lots (south, central, and Reeds Ferry aprons). Police cruisers have an
42 associated cost of \$50,000. Proposed for this cycle/budget is the purchase of four cruisers. The
43 increased cost is associated with the fourth cruiser as well as an increase in the overall cost of all four.
44 The allocation for outside services (ambulance collection fees) is proposed to increase by \$22,000.

45
46 The allocation for the Naticook Lake dredging & docks is identified as \$95,000. Vehicle maintenance
47 shows an increase of \$19,000. Union wages (including steps) (Police Department) have an associated

1 increase of \$93,000. The Library has proposed moving the part time custodian position to that of full
2 time, which would result in an increase of \$22,000. Total increase is \$528,000.
3
4 Town Manager Cabanel spoke of the changes that allowed the Administration to get to a zero increase
5 to the tax rate. Savings/decreases include: compensated absences - \$160,000 (based on who is eligible
6 to retire), voting booths - \$19,000, Property & Liability insurance - \$9,000, HVAC Town Hall -
7 \$200,000 (paid in cash last year), debt service - \$24,000, consultants - \$20,000, vehicle (Community
8 Development) - \$20,000 (purchased last year), Police overtime - \$46,000, and Miscellaneous - \$2,399
9 for a total decrease of \$500,399. The end result is a General Fund increase of \$27,601.
10
11 The remaining charts provided allow for a review of the respective groups/items that make up the
12 budget.
13
14 The increase in the General Fund operating budget is \$143,291 or 0.59% (expenditures). In capital,
15 being proposed is an additional \$10,000 in CRF deposits and other capital (one-time expenses, etc.)
16 shows a decrease of \$101,690. Road infrastructure shows no increase over FY19 (left at \$800,000).
17
18 CRF expenditures are an in/out category (amount of revenue received is an exact match for proposed
19 expenditures). Increase in General Fund total is 0.19%.
20
21 Regarding CRF purchases, under computer equipment: licenses and server upgrades for Town Hall
22 (\$50,000), fire apparatus computer replacement (\$15,000), fire suppression hose (\$17,000) and large
23 apparatus for the fire trucks (\$47,000), under road infrastructure: drainage improvements (\$200,000)
24 D.W. & Woodbury Street Sidewalk (\$128,000 placeholder for Town's share of TAP Grant), Turkey
25 Hill Road Intersection (\$300,000 placeholder), Depot Street Boat Ramp (\$15,000 - in spring drone
26 photos will be taken of terrain), ¾ ton pickup (\$35,000), two six-wheel dump trucks (\$180,000 ea.),
27 traffic light preemption (\$5,000), and landscape trailer (\$15,000).
28
29 For the Solid Waste Department: Loader (\$250,000). For the Library: Children room windows
30 (\$75,000). Total General Fund CRF purchases \$1,480,000.
31
32 From the Sewer Fund: Manhole/sewer line rehab. (\$25,000), screener (\$305,000), sewer rate study
33 (\$25,000) and replacement instruments & controller (\$14,564). Total from the Wastewater Fund is
34 \$369,564. Total CRF purchases \$1,849,564. Grand total of all CRF appropriations is \$47,838,446. It
35 was noted included in that figure is the Waste Water Phase II, which is listed as a bond for
36 \$13,100,000.
37
38 The Town Value listed represents no change. The result would be a proposed tax rate of \$5.10 (no
39 increase over FY19).
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41 Pending budget items include the State budget; it is unclear what will impact the Town, State revenue
42 (rooms & meals taxes and highway block grant), non-union raises, and five union contracts.

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Minutes

December 6, 2018

MOTION made by Councilor Boyd and seconded by Councilor Thornton to approve the minutes of the December 6, 2018 meeting, as presented. MOTION CARRIED 4-0-1
Councilor Healey Abstained

Comments from the Press - None

Comments from the Public - None

Comments from the Council

Councilor Boyd wished everyone a Merry Christmas and Happy New Year!

Adjourn

MOTION made by Councilor Thornton and seconded by Councilor Boyd to adjourn the meeting. MOTION CARRIED 5-0-0

The December 20, 2018 meeting of the Town Council was adjourned at 8:06 p.m.

Submitted by Dawn MacMillan

