



Town Council Meeting Minutes

Thursday, December 19, 2019 at 7:00 PM, in the Matthew Thornton Room

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

Pledge of Allegiance

Chairman Koenig led in the Pledge of Allegiance.

Announcements

On behalf of the Merrimack Town Council, Chairman Koenig offered condolences to the family and friends of Edward Blaine who passed on Sunday, December 15th at the age of 86. Edward was the first Director of Public Works in Merrimack and continued to work as a civil engineer for the towns of Merrimack and Salem prior to retiring.

The Community Advisory Council met and discussed the 9 points included in the letter from the Town of Merrimack to Saint-Gobain: 1) immediately ceasing the use of PFOA, PFOS, PFHsX and PFNA including all forms and their precursors, collectively PFAS, from Merrimack operations until installation of a thermal oxidizer or other air emissions control technology with guaranteed 99% removal efficiency, 2) to agree to 99% removal of PFAS, which is part of the best available control technology and a shutdown mechanism for an exceedance of any condition or violations in NHDES issued air permit, 3) to replace the roof and gutter system at the Merrimack facility, 4) replacing the stormwater piping and control system and commence filtration of stormwater to comply with applicable standards, 5) clean PFAS from the sewer line from where Saint-Gobain's Merrimack facility connects to the interceptor to the nearest pumping station, 6) pump groundwater at Saint-Gobain's Merrimack facility to an onsite treatment system for treatment to comply with the applicable standards, 7) cover all costs associated with the removing of PFAS from MVD wells 4 and 5 including ongoing operation and maintenance, filter replacement, etc., 8) to install a scrubber to remove hydrogen fluoride from the stack emissions; and 9) Saint-Gobain's Merrimack facility shall comply with all current and future PFAS regulations.

The Community Advisory Council is planning to have these 9 points as a center point of their ongoing discussions.

Regular meetings of the Town Council will be conducted on Thursday, January 9th and January 23rd at 7:00 p.m. Budget meetings will be conducted on Wednesday, January 15th and Thursday, January 16th at 6:30 p.m. All meetings will be held in the Matthew Thornton Room.

Absentee ballots for the February 11th Presidential Primary are now available at the Town Clerk's Office.

The Merrimack Police Department is still accepting applications for the Merrimack Police Citizen's Academy. The course will be on Wednesdays from 6:00 - 9:00 p.m. beginning January 15th, and will run for 10 weeks. This program will educate the participants in police operations and help them have a better understanding of how police officers do their job. There are only a few slots left so sign up

1 today by going on the Police Department’s website or follow their Facebook Page and download the
2 application.

3
4 Councilor Harrington spoke of being a member of the State commission to investigate and analyze the
5 environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil,
6 and groundwater in Merrimack, Bedford, and Litchfield. The commission has a statement that will be
7 placed on the website of each of the towns, which reads as follows:

8
9 “Commission Established to Study PFAS Impacts to Local Area.

10
11 A law passed in 2019 establishes a commission to investigate and analyze the environmental and
12 public health impacts relating to releases of perfluorinated chemicals (PFAS) in the air, soil, and
13 groundwater in Merrimack, Bedford and Litchfield.

14
15 The commission began meeting in October 2019 and information pertaining to their work, including
16 meeting minutes, documents, and agendas is accessible through the following website:

17 <http://www.gencourt.state.nh.us/statstudcomm/committees/1495/>

18
19 A list of commission members can be found here:

20 [http://www.gencourt.state.nh.us/statstudcomm/details.aspx?id=1495&rbl=1&txtchapternumber=126-](http://www.gencourt.state.nh.us/statstudcomm/details.aspx?id=1495&rbl=1&txtchapternumber=126-a:79-a)
21 [a:79-a”](http://www.gencourt.state.nh.us/statstudcomm/details.aspx?id=1495&rbl=1&txtchapternumber=126-a:79-a)

22
23 She sought approval of the Council to place the statement on the Town’s website. The Council stated
24 agreement.

25
26 Chairman Koenig noted Paul Adams, Recruiting Assistant and Hillsborough/Manchester contact for
27 the US Census, will be at the Library on Wednesdays from 1:00 - 5:00 p.m. to answer questions about
28 the Census, and to talk to people who might want to help.

29
30 At the December 5th meeting, Jim Spotts, U.S. Census Bureau Partnership Specialist, provided a
31 presentation. The Census is coming up in 2020. He stated the process to be easy and spoke of the
32 measures in place to protect confidential information. He noted the importance of ensuring all who
33 reside in the United States are counted; determines the number of seats each state has in the U.S.
34 House of Representatives and the annual allocation of federal dollars.

35
36 **Comments from the Press and Public** - None

37
38 **Recognitions, Resignations and Retirements** - None

39
40 **Appointments** - None

41
42 **Public Hearing** - None

43
44 **Legislative Updates from State Representatives**

45
46 Jeanine Notter, Deputy Republican Floor Leader, commented at the last meeting she noted New
47 Hampshire is paying the highest energy costs in the country and all over highest transmission costs.

1 She displayed an app on her phone; ISO to go. With the app, users can view, in real time, the price
2 being paid per megawatt and compare it to other states. The app also has the fuel mix, e.g., oil and
3 coal.

4
5 She spoke of having attended the Heartland Institute's conference in New Orleans, which was a forum
6 on multiple issues, e.g., food labeling, education choice, energy.

7
8 Representative Notter provided the Council a copy of an article related to fuel and the coal plant. One
9 of the issues discussed at the forum was energy, and how we need to rethink the current trend to do
10 away with all fossil fuels. The modern world actually runs on fossil fuels. They provided a video of
11 everything in your home right down to yoga pants that are manufactured using fossil fuels.

12
13 She left information with the Council on a company that cleans up environmental disasters, including
14 water.

15
16 Another issue discussed was drugs and asset forfeiture. She provided a copy of the Legislative Service
17 Request for a Bill she will co-sponsor, which permits funds in the drug forfeiture fund to be used for
18 the establishment of substance misuse, addiction, recovery, or rehabilitation centers, programs or
19 services.

20 21 **Town Manager's Report**

22
23 The pest and rodent problem that occurred at Station 3 (the North Fire Station) has been eradicated and
24 cleaned up.

25
26 Congratulations to Dawn Tuomala, Town Engineer, and Greg Blecharczyk, Highway Foreman, who
27 were awarded the Master Roads Scholar distinction through the UNH T Squared Program. To achieve
28 Master Roads Scholar, a candidate must take 100 hours of training in Public Works specific courses in
29 the categories of Environmental, Safety, Supervisory, and Technical training.

30
31 Bedford Road Bridge Update: The early onset of winter and frost in the ground, coupled with
32 difficulties with relocating the utilities in the area, the contractor will not be able to shift traffic onto
33 the new bridge this year. Traffic will continue to utilize the detour bridge through the winter before
34 moving to the new bridge in a one-way alternating pattern in the spring, with the full traffic opened to
35 the bridge in late spring/early summer. We thank the users of Bedford Road for your patience on this
36 very important project.

37
38 Councilor Albert questioned if the projected completion date has been posted to the website. Assistant
39 Town Manager/Finance Director Micali stated his belief the Facebook page of the PWD includes the
40 information. He will look to ensure that is the case.

41
42 Councilor Albert spoke of residents informing him of lights not working properly; in the area when
43 coming down Pearson Road to Bedford Road. Assistant Town Manager/Finance Director Micali
44 stated he would have the Public Works Department (PWD) look into it the following day.

45
46 Assistant Town Manager/Finance Director Micali stated the Town has upgraded its phone server. The
47 process went very well. The company hired worked through the night Monday to resolve an issue so
48 that the system was up and operational by 6:30 a.m. on Tuesday morning. There remain a few pieces
49 to be addressed, but all phones are operational. If residents call a number and do not reach an

1 individual or receive a quick busy they should contact the Town Manager's Office at 424-2331 to
2 report the issue.

3
4 Councilor Harrington commented the project at the North Fire Station also included improvements to
5 the structure itself to prevent re-infestation. Assistant Town Manager/Finance Director Micali stated
6 the company hired to do the work addressed the areas of entry, e.g., hot patch in one section of a wall,
7 changed out a lower panel on one of the garage doors, had the garage doors adjusted to close properly.
8 All materials that were located in the facility were moved and cleaned. Traps have been placed as an
9 additional precaution. Should any sign appear, the company will address it. It is believed the structure
10 is critter free.

11
12 **Consent Agenda** - None

13
14 **Old Business** - None

15
16 **New Business**

17
18 **1. Consideration for Eagle Scout Project at Wasserman Park**

19 Submitted by Parks and Recreation Director Matthew Casparius

20 The Town Council to consider Boy Scout Jay Haddad's proposed Eagle Scout project to utilize the
21 existing lifeguard shack (currently used for storage) and turn it into public changing rooms for
22 patrons using the beach at Wasserman Park.

23
24 Life Scout Jay Haddad, Troop 424, provided a presentation. Can be viewed [here](#) (beginning at tape
25 counter 17:24).

26
27 The project is the conversion of an old lifeguard shack into a changing room for Naticook Lake at
28 Wasserman Park. The original use of the cabin was to be a place for the lifeguards to go when not on
29 duty, e.g., bathroom/shower. Over time, that use stopped and the structure became a storage facility.
30 It has not been used for many years, and needs repair.

31
32 The project includes tearing down a wall to accommodate the addition of 7 changing stalls; two of
33 which are large enough to accommodate families and handicap use. With the two large doors being
34 36", it is the first step towards making the facility ADA compliant. The bathroom would be renovated.
35 The toilet, sink, and shower will be torn out and a new toilet and sink added, which will require some
36 plumbing work. Vinyl tiles will be added to the floor. New lights would brighten the entire space and
37 the walls on the inside would be painted. There is the possibility wiring will be required, which would
38 involve a licensed electrician. The details of that remain unknown at this time. Railings would be
39 added to the exterior stairs to ensure safety.

40
41 Diagrams were displayed showing existing and planned layouts/dimensions (smaller; 43" x 40" and
42 larger approx. 69" x 83"). All changing areas are equipped with doors.

43
44 Fundraising efforts will include sale of food items and donations. Estimated project cost is \$1,676.28,
45 and includes a 10% contingency. The estimate was based on pricing identified on the Lowe's website.
46 It is believed the cost could be reduced significantly dependent on favorable pricing from Reeds Ferry
47 Lumber, which has consistently supported scouting projects in the past.

1 Approval was received from the Parks and Recreation Commission on November 20th. Troop
2 Committee approval was received the previous day. It is believed the Eagle Board review will be
3 conducted in January. Fundraising will take place following Eagle Board approval. It is hoped all
4 funds will be acquired by the end of March. Construction will commence once sufficient funds are
5 raised to begin the project. The intent is for the changing rooms to be completed and able to be used
6 by the camp in June.

7
8 Councilor Rothhaus thanked Life Scout Haddad for his presentation and willingness to take on such a
9 large project. Councilor Woods spoke of the review conducted by the Parks and Recreation
10 Commission, and commented on the quality of the presentation.

11
12 Asked if the changing rooms would be unisex, Life Scout Haddad indicated his belief they would
13 noting the camp would dictate how the facility is used, e.g. boys and girls taking turns using the
14 facility. The doors will be equipped with hook and eye locks. Councilor Harrington suggested a
15 locking doorknob for the front entrance.

16
17 **MOTION made by Vice Chairman Boyd and seconded by Councilor Healey to approve Life**
18 **Scout Jay Haddad's proposed Eagle Scout project to utilize the existing lifeguard shack**
19 **(currently used for storage) and turn it into public changing rooms for patrons using the beach**
20 **at Wasserman Park, and furthermore that the Town Manager or her proxy be authorized to sign**
21 **any paperwork necessary to move Mr. Haddad's project forward. MOTION CARRIED 7-0-0**

22 23 **2. Assistant Technology Coordinator Position Discussion**

24 Submitted by Town Manager Eileen Cabanel

25 The Town Council to discuss and consider creating an Assistant Technology Coordinator position.

26
27 Assistant Town Manager/Finance Director Micali stated when the Technology Assistant position was
28 created, the goal was to aid the Technology Coordinator who had been operating as a one-person
29 division for many years while technological needs continued to increase. With the position being
30 vacant and the current Technology Coordinator notifying the Town he is looking to retire in a year or
31 so, a closer look was taken of the division needs in regard to future staffing.

32
33 When the Assistant Technology Coordinator position was created the intent was for it to perform the
34 less technical duties. The position does not currently require the incumbent to have all the skills and
35 experience necessary in order to fill in or take over when the current Technology Coordinator leaves.
36 It is currently placed at a Grade 11 (\$43,388.80 - \$61,817.60) in the Wage and Classification Plan,
37 which is level with an Executive Secretary position.

38
39 The desire is to recruit an individual having the education, experience, and technical skills that would
40 permit him/her to eventually be considered for the Technology Coordinator position. With that in
41 mind, the position description has been amended. The amended description would place the position
42 at a Grade 15 (\$53,248.00 - \$75,420.80). Grade 15 includes positions such as Assistant Planner and
43 Assistant Assessor.

1 Sought would be an individual having an Associates Degree in computer science, business
2 administration or related field (Bachelor's degree preferred); minimum of five 5 years' experience in
3 IT systems management, preferably in a municipal setting or an equivalent combination of education
4 and experience, including experience managing Microsoft and VMWare servers and associated
5 hardware including but not limited to Active Directory, Group Policy, SQL server, and SAN
6 technology, experience with cloud and hybrid environments. Required knowledge of windows server
7 operations and configuration, IP, and routing protocols, DHCP, Active Director, Exchange, Web, and a
8 host of other computer related technologies and certifications.

9
10 Wage information for IT assistant positions in several surrounding communities was provided and is
11 comparable to what is being recommended. A copy of the proposed job description was provided for
12 review/consideration.

13
14 Merrimack has 185 full-time employees, approximately 35 part-time employees, and the budget
15 currently includes 2 full-time IT positions. Salem contracts out their IT services. Bedford has 150
16 full-time employees, 15 part-time employees, 1 full-time IT person and has requested another full-time
17 IT person. Derry has 3 full-time IT positions. Hollis has 1 full-time position and about 57 full-time
18 employees. Laconia has 2 full-time IT positions, Rochester has 4, and Concord has 6. Londonderry
19 outsources their IT department for the Town, fire, and police. Their contractor provides 2 individuals
20 who are onsite Monday through Friday and a 3rd for the police department for 32 hours/week. They
21 pay roughly \$250,000/year for this service, which does not include server upgrades, software, etc.

22
23 Last year the Town of Merrimack spent around \$196,000 for staff and two outside consultants used
24 when issues arise with servers, etc.

25
26 Councilor Albert stated his support for the requested change commenting one of the things we do as a
27 municipality is collect information; vital, personal, private information. Cyber security and having the
28 right competent individuals involved in addressing those issues is vital.

29
30 Councilor Rothhaus commented he does not object to the requested change; however, is interested in
31 additional information relative to contracted serviced.

32
33 Assistant Town Manager/Finance Director Micali spoke of the favorable arrangement the Town of
34 Londonderry achieved with an individual who resides in town. He is uncertain what the Town of
35 Salem has in their contract other than the cost being roughly \$250,000.

36
37 Councilor Rothhaus stated his understanding the current employee is at a favorable cost to the Town,
38 and questioned how the cost of that position may change. Assistant Town Manager/Finance Director
39 Micali stated the assistant position has been vacant for several months. The Finance Director is
40 helping in that department. The desire is to be able to fill the assistant position in a timeframe that
41 allows for training to take place. When the retirement occurs, consideration could be given to
42 outsourcing some of the functions.

43
44 Councilor Rothhaus stated agreement with being readied to hire as soon as possible. He would like the
45 opportunity for a deeper look into contracting.

1 Councilor Albert spoke of the damage and cost that could result from Ransomware, and the need to
2 staff the department with individuals having the proper skillset.

3
4 Councilor Harrington agreed there is a need at this time, as well as a need to plan for the eventual
5 retirement.

6
7 Councilor Woods agreed with the comments of his colleagues. He spoke of being impressed with the
8 information he was provided relative to the position.

9
10 Councilor Healey commented on the possibility of the position being part-time. She questioned the
11 number of trouble tickets generated per week, and was informed a log is not kept of trouble tickets.
12 Assistant Town Manager/Finance Director Micali commented on the Technology Coordinator being
13 continually interrupted by software and other issues during the phone server upgrade. Every time there
14 is a problem with remote access not working, the network going down, etc., he receives a call. He
15 spoke of the variety of programs/software utilized by the different departments and the individual
16 protocols, etc. required. A part-time position was tried with the creation of the assistant position;
17 however, based on the workload, the position was moved to full-time. Asked, he indicated there to be
18 at least 3 virtual servers being run.

19
20 **MOTION made by Councilor Woods and seconded by Councilor Harrington to approve**
21 **upgrading the position of Technology Assistant to that of Assistant Technology Coordinator as**
22 **described in the submittal to the Town Council**

23
24 ON THE QUESTION

25
26 Vice Chairman Boyd remarked several years back when the Technology Assistant position was
27 discussed, he was in opposition as he felt being the 8th largest community in the State we should have
28 been contracting out the services to provide a higher level of service to the community. As the
29 community is growing the needs are changing dramatically. In her budget presentation, the Town
30 Manager included approx. \$20,000 to put towards cyber security, which he is supportive of.

31
32 He believes approving this position to be jumping ahead, and that the Town needs to look at what the
33 technology needs will be moving forward. He understands the need for succession planning, but
34 questioned if the Town would be in a better position, from a technology perspective, 12-18 months
35 down the road. He suggested the Council engage the Town Manager and department heads to identify
36 an appropriate strategy moving forward so that we can determine the true staffing and technology
37 needs.

38
39 He would like to see some kind of engagement with the volunteer technology committee. He indicated
40 he would vote in opposition believing the position to be putting the cart before the horse.

41
42 Councilor Harrington asked the Chair, as an IT person, to provide his opinion on in-house staff versus
43 contracted services. Chairman Koenig stated he does not have a solid opinion he would stand on, but
44 believes with the vacancy of the assistant position, the heavy workload on the current Technology
45 Coordinator, and the fact that he is looking to retire, something needs to be done to obtain someone
46 with a higher caliber as a backup to then provide the comfort margin to look at it on a more extensive
47 basis. He is uncertain contracting makes sense to him. Every time the Town has tried contracting
48 there have been issues. IT is a very sensitive position with a lot of personal information that needs to

1 be carefully covered. It feels more comfortable to him if the individual handling that information is an
2 employee. That is a personal opinion.

3
4 The challenge is that we need to be evaluating exactly how we want to proceed, in depth, between now
5 and 6-8 months from now. He does not see approving the position as precluding the Town from going
6 forward in any direction.

7
8 Councilor Albert spoke of the varying systems, operated by emergency personnel, that run through
9 Town Hall. He commented on the uniqueness of each community's systems and the historical
10 knowledge of the individual running/maintaining them.

11
12 Ben Niles, 11 Fernwood Drive

13
14 Stated there to be a firm, VC3, that has 230 government clients (99% of their clientele). If considering
15 outsourcing, he would recommend reaching out to them. He asked, and was informed the Town
16 currently has 2 consultants it works with.

17 **MOTION CARRIED 5-2-0**

18 *Vice Chairman Boyd and Councilor Healey voted in opposition*

19
20 **3. Town Council Budget Schedule Revision Discussion**

21 Submitted by Finance Director Paul T. Micali

22 The Town Council to consider revising the budget schedule.

23
24 Assistant Town Manager/Finance Director Micali spoke of the information provided with the agenda
25 packet noting Option 1 did not include a description of the individual departments to be discussed
26 during the budget meeting on January 16th.

27
28 Chairman Koenig noted mention made that Councilor Healey would not be available on the 15th and
29 16th of January. Chairman Koenig will not be available for the meeting on January 8th.

30
31 *The consensus of the Council was for Option 2.*

32
33 **Minutes**

34
35 November 21, 2019

36
37 *The following amendments were offered:*

38
39 Page 3, Line 3; correct the spelling of "Pediatric"

40 Page 14, Line 24; replace "to be" with "there is" following "Chairman Koenig noted that"

41 Page 14, Line 24; remove "Town Council" and insert "in Town" following "meeting"

42 Page 14, Line 26; replace "was" with "is"

43
44 **MOTION made by Vice Chairman Boyd and seconded by Councilor Woods to approve the**
45 **meeting minutes of the Town Council meeting of November 21, 2019, as amended. MOTION**

46 **CARRIED 7-0-0**

47 December 5, 2019

1 *The following amendments were offered:*

2

3 Page 7, Line 14; replace “with” with “to discuss”

4 Page 9, Line 13; replace “ransom ware” with “anti-ransomware”

5

6 **MOTION made by Vice Chairman Boyd and seconded by Councilor Albert to approve the**
7 **meeting minutes of the Town Council meeting of December 5, 2019, as amended. MOTION**

8 **CARRIED 6-0-1**

9 *Councilor Albert Abstained*

10

11 **Comments from the Press** - None

12

13 **Comments from the Public** - None

14

15 **Comments from the Council**

16

17 Councilor Albert recognized the passing of a longtime resident, Maryanne Bonislawski. Maryanne
18 and her husband Stanley were both involved in the community. He expressed his sympathies to her
19 family.

20

21 Vice Chairman Boyd commented Mr. & Mrs. Bonislawski were both at his wedding as very good
22 friends of his father and mother-in-law.

23

24 Chairman Koenig spoke of having worked with Stan on the Planning Board, and of the big loss to the
25 community.

26

27 Councilor Healey spoke of an email she sent to the Chair, Town Manager and Assistant Town
28 Manager/Finance Director earlier in the day. She was approached by residents regarding the situation
29 at Central Fire; postings being done on social media regarding the number of times equipment is out
30 for calls and having to look to mutual aid for backup. She stated her understanding of what the answer
31 is knowing what the budget is, and understanding there was not additional staff counted in for the
32 budget for the current year. She questioned if there is anything that can be done to increase staffing
33 within the current budget, and into the next budget.

34

35 Assistant Town Manager/Finance Director Micali spoke of the Town Manager’s budget presentation
36 and the proposal to increase overtime in the budget of the Fire Department to allow for staffing up to 9.
37 The Town Manager has given the Fire Chief the go ahead to start staffing at that level. Normally they
38 staff to 9 and would drop down to 8 in the instance of a call out, etc. Being evaluated is the potential
39 for a grant opportunity.

40

41 Councilor Rothhaus spoke of having received an email from a resident who was upset. He commented
42 on the discussion around the fire department at the last meeting. The email sounded as if there was a
43 raging disaster and he does not believe that to be the case. He believes the Town is very safe. The
44 Town Manager has always brought it to the attention of the Council when she believes staffing should
45 be upgraded. It can’t happen without a budgeting process.

46 Councilor Rothhaus stated residents should be assured the Town has the protection that is necessary
47 and works for the community at this point. Growth is recognized and will be addressed when the time
48 is appropriate. Chairman Koenig remarked while there have been questions about mutual aid, he is

1 certain there is ongoing evaluations, by staff and management, of the amount of mutual aid necessary.
2 At the moment, to the best of his knowledge, things are working as expected.
3
4 Councilor Harrington commented on the Council receiving information on the types of calls, number
5 of calls, time of day, day of week, number of mutual aid calls, etc. That information has been used in
6 the past to evaluate staffing needs.
7

8 **Adjourn**

9
10 **MOTION made by Vice Chairman Boyd and seconded by Councilor Healey to adjourn the**
11 **meeting. MOTION CARRIED 7-0-0**

12
13 *The December 19, 2019 meeting of the Town Council was adjourned at 8:21 p.m.*
14
15

16 Submitted by Dawn MacMillan
17

DRAFT