



# Town Council Meeting Minutes



Thursday, October 8, 2020, at 6:30 PM, in Abbie Griffin Park  
Meeting Continued in the Matthew Thornton Room at 7:00 PM

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Chairman Koenig called the meeting of the Town Council to order at 6:30 p.m. Present at the meeting were Chairman Koenig, Vice Chairman Boyd, Councilor Rothhaus, Councilor Harrington, Councilor Albert, Councilor Healey, Councilor Woods, Town Manager Eileen Cabanel and Assistant Town Manager/Finance Director Paul Micali.

## Pledge of Allegiance

Chairman Koenig led in the Pledge of Allegiance.

The Town Council met at the Abbie Griffin Bandstand gazebo to accommodate the large number of attendees.

## **1. Recognition of Retirement of Town Employee**

*Submitted by Human Resources Coordinator Sharon Marunicz*

The Town Council presented a recognition award to Police Chief Denise Roy in recognition of her retirement from the Merrimack Police Department after almost 27 years of full-time service to the Merrimack Police Department: January 16, 1994 – October 15, 2020. Denise also served in a part-time capacity for 3 years prior to being hired full-time. Employees with at least 10 years of service receive a Plaque with Town Seal upon retirement.

Deputy Chief Brian Levesque stated that Chief Denise Roy started in 1991 as a part time officer and during her career she filled every position within the Police Department. He stated that as a boss Chief Roy is caring and she worried about the safety of her officers. He stressed that he could not have asked for a better boss. He stated that she is progressive, willing to listen and is liked by every officer. Deputy Chief Levesque and the Police Department appreciates her comical side. He stressed that Chief Roy will be sorely missed.

State Representative Richard Hinch read a proclamation from Governor Sununu commending Chief Roy's service. State Representative Hinch expressed his personal appreciation to Chief Roy. Chairman Koenig presented Chief Roy with a plaque of appreciation for her service to the Town of Merrimack for 26 years.

Police Chief Denise Roy thanked everyone for coming. She thanked Town Manager Eileen Cabanel for her friendship and teaching her to stand up tall for what you believe in. She said other lessons Town Manager Eileen Cabanel taught her are that cooler heads prevail and not everything needs a response. Police Chief Roy hopes that their friendship will continue and from one cancer survivor to another she thanked her.

Police Chief Roy thanked members of the community for their constant support of the Police Department. She thanked her family for their support without which she would not have been successful in her career. She explained that having seven siblings it has forced her to have thick skin which she stated is the number one attribute a Police Chief must have in today's environment. Police Chief Roy thanked Kris for support and encouragement. She stated is excited for the next chapter.

1 Police Chief Roy thanked Brian, Matt, Kerry, and Eric. She expressed her love and gratitude to them for  
2 being there for her during the good and bad. She urged them always look out for each other. Police Chief  
3 Roy thanked the members of the Merrimack Police Department. She stated that the officers are the heart  
4 and soul of the department. She stated that their dedication to the profession is inspiring. Police Chief  
5 Roy encouraged the officers to be open minded and to always look out for each other. She sincerely  
6 thanked the Merrimack Police officers for unwavering support.  
7

8 Councilor Albert thanked Chief Roy for her dedication to the Merrimack Police Department. Councilor  
9 Rothhaus offered his appreciation to Chief Roy for everything she offered to the Town of Merrimack  
10 throughout her career. Vice Chair Boyd reiterated his admiration of Chief Roy. He stated that she is the  
11 consumet professional and she has passed those traits down throughout the Merrimack Police  
12 Department. Town Manager Eileen Cabanel stated that she has learned so much from Chief Roy. She  
13 has learned how to grow those around you and give credit to others. Town Manager Eileen Cabanel  
14 expressed that she is extremely proud of Chief Roy. Members of the Merrimack Crime Line spoke from  
15 the audience praising Chief Roy for her dedication to the Town of Merrimack. Chief Roy's name will be  
16 added to the list of retired police chiefs for a scholarship for students who want to explore law  
17 enforcement. Chairman Koenig expressed his appreciation to Chief Roy, he appreciates her integrity and  
18 humor. He is confident that her contributions to the Town and to the Police Department will have a lasting  
19 effect.  
20

## 21 **2. Police Chief Position Confirmation** *Submitted by Town Manager Eileen Cabanel*

22 The Town Council considered the confirmation of the appointment of a new Police Chief, pursuant to  
23 Charter Article 7-8. Town Manager Eileen Cabanel announced that she is recommending Deputy Chief  
24 Brian Levesque to be the next police chief. She explained that Merrimack has been fortunate to be able to  
25 appoint from within the department.  
26

### 27 **MOTION made by Councilor Harrington and seconded by Councilor Albert confirm the** 28 **appointment of Deputy Chief Brian Levesque as the new Merrimack Police Chief. MOTION** 29 **CARRIES 7-0-0** 30

31 Town Manager Eileen Cabanel recapped Deputy Chief Levesque's 20-year career. She stated that he has  
32 a tremendous amount of experience. She stated that he is intelligent and well rounded. Town Manager  
33 Eileen Cabanel stressed that she is proud of Deputy Chief Levesque and all the officers who make up the  
34 Merrimack Police Department. She spoke about the long-standing connection between the Merrimack  
35 residents and the police department.  
36

37 Police Chief Roy stated that she is leaving in the Police Department in great hands. She stressed to the  
38 officers that the command staff under Deputy Chief Levesque's leadership will do anything they can to  
39 make sure the officers go home safely.  
40

41 Police Chief Roy asked Deputy Chief Levesque's wife Megan and son Cole to join her for the pinning  
42 ceremony. Megan Levesque pinned Deputy Chief Levesque. Chairman Koenig expressed his  
43 appreciation to Megan Levesque for her support of her husband and for her sacrifice. Deputy Chief  
44 Levesque thanked the Town Council and the Town Manager for the opportunity to lead the best Police  
45 Department. He stated how proud the Police Officers and employees make him each day. He assured the  
46 officers that the department will continue to grow with the times, provide training and technology to assist  
47 them. Giving them the tools that they will need to be successful and safe. He urged the officers to look  
48 out for one another and support each other.  
49

1 Deputy Chief Levesque promised the residents of Merrimack that the connection they have with the  
2 Police Department will not change. He assured the residents that the Police Department is committed to  
3 being accountable, transparent and grow with the times. He thanked Chief Roy for her exceptional  
4 service. He stated that Chief Roy has been a mentor and his friend. He thanked Merrimack's prior Police  
5 Chiefs. Deputy Chief Levesque thanked his parents, sister, wife, and son.  
6

7 Chairman Koenig called a recess at 7:06 P.M. Chairman called the meeting back to order at 7:24 P.M. in  
8 the Matthew Thornton Room  
9

### 10 Announcements

11 Chairman Koenig made the following announcements

- 12 ▪ The upcoming General Election will be held on Tuesday, November 3<sup>rd</sup> from 7:00 AM – 7:00 PM at  
13 your designated polling location. Please be advised that the James Masticola Upper Elementary  
14 School polling location has been moved to the Merrimack High School for the General Election.
- 15 ▪ Upcoming Town Council meeting schedule: Thursday October 22, 2020 7:00 PM Regular meeting.
- 16 ▪ The Town Council meets on the first and third Thursdays in the months of November & December.  
17 Regular meetings on Thursday November 5, 2020 7:00 PM and November 19, 2020 7:00 PM  
18

19 Town Manager Eileen Cabanel made the following announcement

- 20 ▪ The Transfer Station will be partnering with Eversource again this year to provide a free Freon day for  
21 Merrimack Residents. On Saturday, October 17, Merrimack residents can bring their unwanted  
22 residential air conditioners, dehumidifiers, freezers, and refrigerators to the Transfer Station and  
23 Eversource will pick up the disposal cost.
- 24 ▪ Absentee ballots: The Town Clerk's office strongly encourages persons wishing to vote by absentee  
25 ballot in November to submit their request for an absentee ballot as soon as possible. An absentee  
26 ballot request form can be found on the Town's website. Due to the number of inquiries being  
27 received, we wish to inform voters that the General Election is the same as the Presidential  
28 Election. There will be only one ballot in November with all Republican and Democratic  
29 candidates. Party affiliation is not a factor in this election. Persons who are not registered to vote and  
30 wish to register and vote absentee should complete the absentee ballot request form. It serves as both  
31 a request for a ballot and voter registration.
- 32 ▪ Voter registration: The Town Clerk's office is open and is accepting voter registration applications in  
33 person during our normal hours for those who wish to do so in person. In addition, the Supervisors of  
34 the Checklist will hold voter registration hours at the Town Hall on the following dates/time:  
35 Tuesday, October 20, 6:30 to 7:30 PM and Tuesday, October 27, 7:00 to 8:00 PM  
36

### 37 Comments from the Press and Public

38 None

### 39 Recognitions, Resignations and Retirements

40 None  
41

### 42 Appointments

#### 43 **1. Annual Review with the Agricultural Commission**

44 *Submitted by Agricultural Commission Chair Bob McCabe*

45 Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the  
46 Agricultural Commission. This agenda item is to highlight the commission's significant actions, current  
47 projects, anticipated actions, and to raise any concerns the Council should know or could act on.  
48

49 Agricultural Commission Chair Bob McCabe advised the Town Council this year marked the 13<sup>th</sup> year for  
50 the Merrimack Community Garden. The garden was ready by mid-May and many veteran gardeners

1 returned. They rented half the available garden plots. The farmers market was delayed until safety  
2 protocols were in place. The members were proactive and kept up with all the new safety training and  
3 webinars offered by the UNH Extension. They knew it would be a different Farmers Market this year  
4 with the safety protocols in place. The Farmers Market started with 12 vendors being a mix of farmers,  
5 honey wine soap and pain reliefs. He stated that the Census Bureau was also present at the Farmers  
6 Market. Agricultural Commission Chair Bob McCabe believes the pandemic reduced the number of  
7 patrons by half but overall, the season was very safe.

8  
9 Agricultural Commission Chair Bob McCabe advised the Town Council that the Farmers Market ran for 7  
10 Wednesdays and ran from mid-June through mid-October. He explained that Agricultural Commission  
11 met a scholarship student who recently graduated from Merrimack High School. The student was  
12 interviewed and impressed the commission with her potential. She will be attending New England  
13 College in Henniker majoring in ornithology. After graduation from college she is hoping to begin a  
14 career with Fish and Game.

15  
16 Agricultural Commission Chair Bob McCabe spoke of the passing of Pete Gagnon. He had discussed  
17 with Nancy Gagnon, Pete's wife, the possibility of planting something in Town as a memorial to Pete.  
18 Nancy Gagnon asked Agricultural Commission Chair Bob McCabe to plant a red delicious apple tree at  
19 Wasserman Park near the community garden. The tree was planted in September. He stated that the tree  
20 memorial is in recognition of the 40 years of service that Pete Gagnon gave to Merrimack.

21  
22 Councilor Harrington appreciates the gesture to plant a tree in Pete Gagnon's memory. Agricultural  
23 Commission Chair Bob McCabe asked the Town Council to consider placing Pete Gagnon's name at the  
24 base of the tree. Councilor Harrington supports the idea of a memorial stone and asked if the marker  
25 would include Nancy Gagnon's name as she has recently passed away. Agricultural Commission Chair  
26 Bob McCabe will ask the stone keeper. Chairman Koenig and Vice Chair Boyd voiced their support.  
27 Councilor Albert thanked Agricultural Commission Chair Bob McCabe for his hard work and dedication.  
28 Chairman Koenig and Councilor Healey expressed their appreciation for the commission's adaptation to  
29 the new safety protocols and the seamless operation of the Farmers Market.

## 30 31 **2. Annual Review with the Heritage Commission – TABLED until October 24, 2020**

32 *Submitted by Heritage Commission Co-Chair Ralph Gerenz and Co-Chair Chip Pollard*

33 Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the  
34 Heritage Commission. Chairman Koenig explained that this item has been tabled until October 24, 2020.

### 35 36 **Public Hearing**

37 None

### 38 39 **Legislative Updates from State Representatives**

40 None

### 41 42 **Town Manager's Report**

- 43 • The Library is delighted to welcome patrons back to the Library for "Pop in and Pick up" services.  
44 The Library building is open for browsing, computer usage, technical assistance, and notary  
45 services. All visitors should wear masks or face coverings, hand sanitize upon entering and  
46 observe social distance. The library programs will remain virtual and meeting rooms are still  
47 closed to the public. Fines for overdue items remain suspended. More details are available at  
48 [www.merrimacklibrary.org](http://www.merrimacklibrary.org)

- 1 • Baboosic Lake Road sewer reconstruction update: The project is complete - pending final test  
2 results and as-built survey drawings prior to formal acceptance. Town Manager Cabanel  
3 commended Kyle Fox for his outstanding oversight of this project.
- 4 • Old Blood Road update: The road reconstruction project is complete. Utility work remains to be  
5 completed by Consolidated Communications so that the existing utility poles can be removed.  
6 Town Manager Cabanel commended Kyle Fox for his outstanding oversight of this challenging  
7 project.
- 8 • The work on removal of the toll plazas at the Exit 11 ramps started today. The project will remove  
9 the toll plaza canopies, structural supports, toll booths, and concrete islands, and repair the  
10 concrete roadway slabs including placing a paved surface. Some work will require that ramps to  
11 be closed which can only occur on Saturdays per the contract and only one ramp at a  
12 time. NHDOT and their contractor will provide advanced notice of the ramp closures so that we  
13 can share the information through our website and various social media accounts.
- 14 • Town Manager Cabanel asked Kyle Fox Public Works Director for an update on the installation of  
15 the fence at Watson Park. He explained that he and the Finance Department are reviewing the  
16 bids.

## 17 18 **Consent Agenda**

19 None

20 Chairman Koenig moved New Business item #1 up to be heard next on the agenda.

## 21 **New Business**

### 22 **1. Memorial Bench at Watson Park** *Submitted by Sharon Bellemore*

23 The Town Council considered a request to place a granite memorial bench, in memory of Richard E.  
24 Bellemore, under the third tree on the left of the park facing the street at Watson Park. Sharon Bellemore  
25 explained to the Town Council that her husband enjoyed Watson Park. He grew up in Merrimack and his  
26 family still lives in Merrimack. She stated the bench is 4 feet long and it is being made by Swenson  
27 Granite.

28  
29 Councilor Albert suggested that in the future the Town Council should consider a policy for the  
30 placement layout that coincides with the masterplan. Chairman Koenig agreed and suggested the Town  
31 Council should review the Town's policy it relates to naming places or things after someone.

32  
33 **MOTION** made by Councilor Healey and seconded by Councilor Harrington to accept the  
34 placement of a granite memorial bench, in memory of Richard E. Bellemore at the designated  
35 location and Mrs. Bellemore to coordinate the logistics with the Town Manager's office. **MOTION**  
36 **CARRIES 7-0-0**

## 37 38 **Old Business**

### 39 **1. Selection of Recycling Contract** *Submitted by Public Works Director Kyle Fox*

40 The current single stream recycling contract through the NRRRA between the Town of Merrimack and E.L.  
41 Harvey & Sons, Inc. is expiring November 30, 2020. The Town received proposals from two companies  
42 for the upcoming year(s) and Public Works is recommending accepting the proposal from EL Harvey,  
43 which is our current vendor, for the next twelve-month period.

44  
45 Town Manager Eileen Cabanel explained that cost to recycle has drastically increased over the years. She  
46 explained that years ago the town was paid for their recycled materials but now it costs the town \$57.00  
47 per ton. She is hopeful that things will turn around and she is comfortable with a one-year contract.

48  
49 Kristopher Perreault Solid Waste Foreman utilized a power-point presentation. He advised the Town  
50 Council that China who is a world leader in importing recycled material has banned all imports causing

1 prices to plummet. The Town of Merrimack has been protected by its contract which is expiring at the end  
2 of November 2020. Mr. Perreault advised the Town Council that single stream recycling tipping fee has  
3 increased from \$40.22 to over \$75.00 since 2017. He explained that going forward there are only a few  
4 options available regarding vendors. The three that are viable are Casella Waste Systems, EL Harvey &  
5 Sons (current vendor) and Waste Management.

6  
7 Mr. Perreault stated that Casella has not returned his inquiries leaving EL Harvey & Sons and Waste  
8 Management. He explained that EL Harvey & Sons quoted a tipping fee of \$95 per ton, a haul charge of  
9 \$275 per haul (two containers at a time) and equipment rental of \$225 per month (includes a compactor  
10 and 7 boxes). He projected an annual cost of \$183,165 which breaks down to \$124 per ton. Waste  
11 Management annual cost was projected to be \$212,636 which breaks down to \$144 per ton.

12  
13 Mr. Perrault recommends the Town Council accept the proposal from EL Harvey & Sons. He believes it  
14 makes good financial and operational sense to continue the long-standing relationship between the Town  
15 and EL Harvey & Sons.

16  
17 Councilor Albert asked what the cost would be if the town moved away from single stream. Assistant  
18 Town Manager/Finance Director Paul Micali said the price is \$133 per ton for trash removal. Chairman  
19 Koenig agrees with Town Manager Eileen Cabanel that the Town should continue single stream  
20 recycling.

21  
22 Councilor Albert commended Kyle Fox for the outstanding job he has done with the challenging road and  
23 bridge improvements he has overseen. He also commended the Public Works staff. Chairman Koenig  
24 and Councilor Harrington echoed the comments of Councilor Albert. Kyle Fox appreciates the kind  
25 words and will pass them along to his staff.

### 26 27 Minutes

28 Approve the minutes from the Town Council meeting from September 24, 2020.

29  
30 **MOTION made by Councilor Harrington and seconded by Councilor Healey to approve the**  
31 **minutes from the September 24, 2020 Town Council meeting as amended. MOTION CARRIES 7-**  
32 **0-0**

33  
34 Councilor Healey made the following amendments:

- 35 ▪ Page 7 line 35 strike “Cheer” insert “Spirit”

36 Chairman Koenig made the following amendments:

- 37 ▪ Page 2 line 25 strike “Merrimack TV DOT COM” insert “merrimacktv.com”
- 38 ▪ Page 7 line 25 strike “power” insert “power-point”

39 Chairman Koenig would like the motion as written to be reviewed. He recalls adding verbiage about  
40 moving the orange fence to the river’s edge.

### 41 42 Comments from the Press

43 None

### 44 45 Comments from the Public

46 None

### 47 48 Comments from the Council

49 Councilor Albert proposed the question to the Town Council to delay putting up the fence up until the  
50 Spring since the issues have subsided. He suggested the Town Council have a conversation about the

1 need for a fence. Chairman Koenig stated that he is still against the fence and he is hopeful that  
2 Congressman Papas will be successful in finding an avenue that will allow the Town more latitude  
3 relative to the LWCF grant. Councilor Harrington believes the issues will occur again and the fence is  
4 inevitable. Councilor Rothhaus expressed his opposition to the fence. Chairman Koenig would like to  
5 see if Congressman Papas can find a solution. Councilor Healey spoke about the specification for the  
6 fence that includes a gate. She stated that a gate gives the Town Council flexibility as to when the gate is  
7 open or closed. She views it as a win for the Town. Town Manager Eileen Cabanel suggested allowing  
8 the motion to stand and to delay when the fence is installed. She stressed her hope that the Town Council  
9 will not rescind their order. Chairman Koenig does not believe the Town Council, as a whole, wants the  
10 fence delayed.

11  
12 Chairman Koenig urged residents who are interested in voting by absentee ballot to do so sooner than  
13 later. He stressed that a tremendous effort is being made to keep everyone safe at the polls. He stated that  
14 voters need to wear a mask and social distance. Chairman Koenig reminded voters who typically vote at  
15 JMUES, that they will be voting at the high school.

16  
17 **Adjourn**

18 **MOTION made by Councilor Woods and seconded by Councilor Albert to adjourn the meeting at**  
19 **8:45 P.M. MOTION CARRIES 7-0-0**

20  
21 A copy of the backup material for each agenda item is available for review in the Town Council's Office located at the Merrimack Town Hall.

22  
23  
24 Submitted by Tracy Doherty

25  
26

DRAFT