



# Town Council Meeting Minutes



Thursday, October 28, 2021, at 7:00 PM, in the Matthew Thornton Room

Chairman Koenig called the meeting to order at 7:05 pm. Present at the meeting were Chairman Koenig, Vice Chair Rothhaus, Councilor Healey, Councilor Hunter, Councilor Murphy, Councilor Woods, and Town Manager Paul Micali. Councilor Harrington was excused.

## Pledge of Allegiance

Chairman Koenig led the Pledge of Allegiance.

## Announcements

### **Upcoming Town Council Meetings:**

Please note that the Town Council meets on the first and third Thursdays in the months of November & December.

- Thursday, November 4, 2021, 7:00 PM Regular meeting
- Thursday, November 18, 2021, 7:00 PM Regular meeting

Due to inclement weather predicted for Saturday, October 30<sup>th</sup>, the 29th Annual Halloween Party and Fireworks display at Wasserman Park has been postponed until Saturday, November 6<sup>th</sup>.

If you have any questions, please contact the Parks & Recreation office at 603-882-1046

The last Household Hazardous Waste Collection for the year will be on November 6<sup>th</sup> from 8:00 AM to 12:00 PM in Nashua at 25 Crown Street. (The old Park & Ride). They will resume again in April of 2022

The Town-wide Food Drive begins on Monday, November 1<sup>st</sup>. We will be collecting food through December 31<sup>st</sup> for the two food pantries in Merrimack. Drop off locations are at the Town Hall, Police Department, Fire Department, Highway Maintenance Complex, Transfer Station and the Library.

The Merrimack Police Department is pleased to provide a Firearms Safety Class for residents of Merrimack, ages 18 years and older on Saturday, November 6<sup>th</sup> from 9:00 - 11:00 a.m. at the Police Department. This NON-SHOOTING class will cover basic knowledge, skills, and safe handling of a firearm. It will include a short PowerPoint presentation followed by discussions and hands-on examples of carrying options, security, and cleaning techniques. We will conclude with home storage and security suggestions. Free gun locks will be provided to participants (while supplies last).

If interested in participating in this free class, please register no later than Thursday, November 4, 2021, by calling or emailing Detective / Community Services Officer William Vandersyde at [wvandersyde@merrimacknh.gov](mailto:wvandersyde@merrimacknh.gov) or 603-420-1842. When registering, please provide the following information: name, age, address, contact phone number, and email address. For more information or questions, please contact Detective / Community Services Officer Vandersyde. PLEASE, NO Firearms are to be brought to this event.

## Comments from the Press and Public

Michael Drouin from 5 Vanderbilt Drive spoke to the Council to share that he was injured last weekend at the entrance at Sklar Park and wanted to ask the Council to smooth out the road to prevent future injuries to the public. Chairman Koenig asked Mr. Drouin if he has reached out to the Highway Department to address his road concerns, in which Mr. Drouin stated that he has not, he wanted to come to the meeting tonight to share what happened to him because of the bumpy road. Town Manager Paul Micali stated that he will

1 follow up with the Highway Department, but he knows it can be difficult for them to get their equipment  
2 down to that area.

### 3 4 **Recognitions, Resignations and Retirements**

5 None.

### 6 **Appointments**

#### 7 **1. Annual Review with the Town Center Committee**

8 *Submitted by Town Center Committee Chair Nelson Disco*

9 Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with  
10 the Town Center Committee. This agenda item is to highlight the committee's significant actions,  
11 current projects, anticipated actions, and to raise any concerns the Council should know or could act  
12 on.

13 Town Center Committee Chair Nelson Disco began his presentation by sharing that the Committee was  
14 established from this Council as a way to make the town center more of a "center", and the Committee was  
15 formed in 2019 to oversee improvements to make the area more pedestrian friendly by building trails and  
16 sidewalks in the center of town. Current membership consists of Bill Wilkes, Karen Freed (who represents  
17 the library), Matt Shevenell (who represents SAU24), Bill Cummings, Kyle Fox (who represents the DPW),  
18 Nick Lavallee (who represents Media Services), Finlay Rothhaus as the Council representative, and Karen  
19 Contos.

20  
21 Mr. Disco then wanted to highlight the Souhegan River Trail project, which was a trail that was designed to  
22 begin in Watson Park and go under Route 3, continue up along the Souhegan River, connect to the High  
23 School, and then end at Wildcat Falls. One major setback with this project is the financial cost of it, as the  
24 project costs more than was anticipated, but the trail plan has been revised to include a boardwalk across the  
25 wetlands area along Route 3 where the trail would connect to the school. The plan was submitted in  
26 September and they've heard nothing since.

27  
28 Another project, the Souhegan River Footbridge, involves a footbridge that was donated by the State of New  
29 Hampshire while they were rebuilding the Merrill's Marauders bridge on the FE Everett Turnpike. This  
30 footbridge does have some structural deficiencies so it could not be used as a footbridge, but the Committee  
31 has added it as a project through the Governor's Transportation Advisory Committee, and it will supposedly  
32 get repaired at some point in their 10-year plan.

33  
34 Mr. Disco then shared that the Woodbury Street project, which has been on their radar since 2016, is finally  
35 under contract and some work has begun with the hopes of most of the sidewalk getting in place before  
36 wintertime. Mr. Disco also shared that with the addition of Nicholas Lavallee, the Committee has been able  
37 to post important information in the paper as well as create several videos on the Committee and its work and  
38 has filmed the progress of some of the projects currently underway to post on the town website. Additionally,  
39 Mr. Disco highlighted that the Committee is involved in the Safe Routes to School program, and the school  
40 district has initiated the creation of a master plan for the high school area that includes paving and sidewalk  
41 completion on O'Gara Drive.

42  
43 Regarding plans for next year, Mr. Disco shared that the Committee wants to continue to support the  
44 previously mentioned high school master plan, as well as continue working with the Media Center and  
45 maintain their Town Center Committee Facebook page and continue to record projects. For  
46 recommendations, Mr. Discos highlighted that the Committee was disappointed of the removing of funding  
47 to implement portions of sidewalks in the center of Town. He is asking the Council to put the money back in  
48 for funding to add in sidewalk along the south side of Twin Bridge Road to connect the trail that connects  
49 through the park back up to Route 3, as well as adding a piece on Baboosic Lake to connect to the new  
50 overpass that will be built in the future.

1  
2 **Public Hearing**

3 None.

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5 **Legislative Updates from State Representatives**

6 None.

7  
8 **Town Manager's Report**

- 9
- 10 • The Woodbury Street Sidewalk project is in full swing. The contractor is utilizing daily road closures to facilitate completing the project early. Current work includes drainage repairs and additions, excavating existing ground to the subgrade elevation. The tree removal work has been completed and the utility pole relocation work is also complete.
  - 11
  - 12
  - 13
  - 14 • The roundabout project is nearly complete! Traffic has transitioned well to the new traffic pattern since it opened last week. With the assistance of Merrimack resident David Geyer, Nick Lavallee and his team produced a video on the operation of the roundabout which included video of the largest Town vehicles navigating through the roundabout.
  - 15
  - 16
  - 17
  - 18
  - 19 • The Wastewater Treatment Plant took possession of our new sewer vacuum truck. The truck is registered, staff has been trained, and it is now available to address sewer related issues in Town.
  - 20
  - 21
  - 22 • A failing direct buried electrical line from the Wastewater Treatment Plant to Anheuser Busch's discharge flume has been replaced with a new dedicated line. We extend our thanks to AB for their assistance with this project.
  - 23
  - 24
  - 25

26 **Consent Agenda**

27 None.

28  
29 **Old Business**

30 None.

31  
32 **New Business**

33  
34 ***Without objection, Chairman Koenig moved Item #5, Town Treasurer Appointment, on the agenda to be heard first.***

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36  
37 **5. Town Treasurer Appointment**

38 *Submitted by Town Manager Paul T. Micali*

39 Town Council to consider appointing the Deputy Finance Director as Town Treasurer, in accordance with RSA 41:26-e, RSA 669:17-d, RSA 37 and Charter Article 8-18.

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41  
42 Town Manager Paul Micali began by stating that due to some position changes, he is bringing this to the Council tonight to appoint Xenia Simpson, the Deputy Finance Director, as the Town Treasurer.

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44  
45 **MOTION made by Councilor Murphy and seconded by Councilor Healey to move that the Town Council appoint the current Deputy Finance Director to the role of Town Treasurer, pursuant to Charter Article 8-18, effective November 1, 2021, and will review the appointment each time there is a new Deputy Finance Director.**

46  
47  
48 **MOTION CARRIES 6-0-0**

1  
2 **2. Bear Christensen Charitable Trust**

3 *Submitted by Chris and Lynn Christensen*

4 The Town Council to consider the request to turn over the Bear Christensen Charitable Trust funds to  
5 the Town of Merrimack / Trustees of Trust Funds, pursuant to RSA 31:19.  
6

7 Chris Christensen was present to share that the Trust was formed in 1990, shortly after the death of their son,  
8 Bear. Over the years, they have taken the profits and distributed some to scholarships for Camp Naticook.  
9 The funds are currently around \$27,000 and they would like to turn it over to the Town Trustees of Trust  
10 Funds rather than going through the process of appointing successor trustees, as the original language when  
11 the Trust was created stated that they must turn the funds over when they are done being trustees. Mr.  
12 Christensen then said that they have to present this to the Council for a Public Hearing as this is part of the  
13 process of turning the money over to the town. Town Manager Paul Micali shared that he has been in touch  
14 with the town's attorney, who said that the Council can accept the money and they do not have to have a  
15 public hearing, but rather need to hold a public meeting for the Council to take a vote, in public, accepting  
16 the funds. He then shared that whatever amount of money they end up receiving from the Trust will go into  
17 principle, and Mr. Christensen would like \$3,000 to be set aside the first year to be used for day camp and  
18 camp activities for the following year. After this first year, the interest that is earned would be used for the  
19 camp scholarships and programs.  
20

21 **MOTION made by Councilor Hunter and seconded by Councilor Healey to consider to accept the**  
22 **Bear Christensen Charitable Trust funds into the Town of Merrimack / Trustees of Trust Funds with**  
23 **a December 31<sup>st</sup> value of \$25,737.26 and understanding that \$3,000 of the amount that comes in will be**  
24 **considered as profit to be used as distributions for this year and follow on the principle will be held**  
25 **and only the profits will be used.**  
26

27 Mr. Christensen wanted to clarify that the Trustees of Trust Funds maintain two funds: principle and  
28 accumulated income. The accumulated income does not necessarily get spent in any given year, but it is  
29 available to be withdrawn depending on requests. Additionally, it is the Trustees of Trust Funds who will  
30 decide how much gets spent in any one year, and that it can only come from the surplus funds beyond the  
31 principle. Chairman Koenig stated that seeing as Mr. Christensen is a member of the Trustees of Trust Funds  
32 Committee, he will be able to assist in the spending and determination of how the funds should be distributed  
33 on an annual basis.  
34

35 *Town Manager amended the motion as follows:*

36 **MOTION made by Councilor Hunter and seconded by Councilor Healey to consider to accept the**  
37 **Bear Christensen Charitable Trust funds into the Town of Merrimack / Trustees of Trust Funds**  
38 **pursuant to RSA 31:19, with the principle amount as of December 31, 2020, of \$25,737.26. Of that**  
39 **amount of principle that is transferred to the Trustee of Trust Funds, \$3,000 to be set aside into the**  
40 **income portion of the fund, and any remainder going towards the principle portion, and that the Town**  
41 **Manager or his designee can sign any documents as needed.**

42 **MOTION CARRIES 6-0-0**  
43

44 **3. Agricultural Commission Discussion**

45 *Submitted by Agricultural Commission Chair Ronnie Miner*

46 Town Council to consider the Agricultural Commission Chair's recommendation to disband the  
47 commission.  
48

49 Town Manager Paul Micali wanted to begin by stating that at the Agricultural Commission's most recent  
50 meeting there was a motion made by the Committee to disband, however the Committee cannot disband but

1 rather the Town Council can disband it as they were the ones to set it up. Chair Ron Miner III was present to  
2 discuss this in detail, stating that the Committee originally had three members, but someone recently  
3 resigned, leaving the secretary and Mr. Miner. Shortly after, the secretary left their position, leaving Mr.  
4 Miner as the sole member. Mr. Miner expressed interest in helping the DPW on future agricultural projects  
5 and ensuring a smooth transition, especially with helping get the community garden set up next year. Mr.  
6 Micali shared that he met with Parks and Recreation director Matt Casparius, who is more than willing to  
7 take over the community garden with some help, as well as get the summer farmer's market up and running.  
8 Councilor Hunter asked if there are any other services besides the gardens and the farmer's market that  
9 would be abandoned by disbanding the Committee, in which Mr. Miner stated that the Committee would do  
10 gardening classes at the library, but that was mostly before the pandemic. Mr. Micali then shared that the  
11 Committee had a scholarship, in which they would give \$500 to a graduating senior, as well as contribute  
12 prize money for 4-H and the Hillsborough County Fair, which was funded through what was collected from  
13 the garden (\$10 to purchase a plot) and farmer's market. Mr. Miner then stated that there is a few hundred  
14 dollars left in their fund, and they had made commitments to people for scholarships that have been covered.

15  
16 **MOTION made by Councilor Healey and seconded by Councilor Murphy to allow for the disbanding**  
17 **of the Agricultural Commission.**

18 **MOTION CARRIES 6-0-0**

19  
20 **4. Bells of Peace: A World War I Remembrance Proclamation (Formerly Item #1)**

21 *Submitted by Larry Miller*

22 The Town Council to consider the Bells of Peace: A World War I Remembrance proclamation,  
23 calling upon all residents across our town to toll bells in remembrance of those who served in World  
24 War I at 11:00 a.m. on November 11, 2021 as part of this annual event.

25  
26 **Bells of Peace: A World War I Remembrance Proclamation**  
27 **A National Tolling of Bells to Honor Those Who Served**

28 WHEREAS, a century ago 4.7 million American families sent their sons and daughters off to World War I;

29  
30 WHEREAS, men and women from Merrimack, New Hampshire as well as all over the State of New  
31 Hampshire and the United States served selflessly and honorably in World War I;

32  
33 WHEREAS, 116,516 Americans gave their lives in the war, of which 697 were Granite Staters, and more  
34 than 200,000 were wounded;

35  
36 WHEREAS, the tolling of bells is a traditional expression of honor and remembrance; and

37  
38 WHEREAS, in November 2021 the world will commemorate the 103rd anniversary of the Armistice that  
39 ended the fighting in World War I at 11:00 A.M., November 11, 1918 -- the eleventh hour of the eleventh  
40 day of the eleventh month;

41  
42 WHEREAS, on April 6, 2018, the United States World War I Centennial Commission called upon all  
43 Americans across the nation to toll bells in remembrance of those who served in World War I on Armistice  
44 Day as an annual event,

45  
46 NOW THEREFORE, BE IT RESOLVED that the Town of Merrimack, New Hampshire does hereby call  
47 upon all residents across our town to toll bells in remembrance of those who served in World War I at 11:00  
48 a.m. on November 11, 2021 as part of this annual event. We urge the people and organizations of  
49 Merrimack to display the American flag as well as other public expressions of recognition and remembrance  
50 of our World War I veterans.

1  
2 Proclaimed this 28th day of October, 2021 by the Merrimack Town Council.  
3

4 **MOTION made by Councilor Healey and seconded by Councilor Woods to pass the Proclamation as**  
5 **read.**

6 **MOTION CARRIES 6-0-0**  
7

8 **4. Direction for 2022/2023 Budget**

9 *Submitted by Town Manager Paul T. Micali & Finance Director Thomas Boland*

10 To ask the Town Council to contemplate budget parameters for the 2022/2023 budget season.  
11

12 Town Manager Paul Micali began by stating that the 2021 tax rate has been delayed, with the tax rate  
13 expected to be set sometime next week, and he will bring the information forward to the Council at the  
14 November 4<sup>th</sup> meeting. He then presented a slideshow of general information for the 2022/2023 budget  
15 season. Some highlights from the presentation include:  
16

17 For the 2022-23 Budget General Fund:

- 18 ○ Decrease in Health Insurance
- 19 ○ Decrease in Dental Insurance
- 20 ○ Increase in Property Liability
- 21 ○ Increase in Worker's Compensation Insurance
- 22 ○ Four Union contracts (2% wage adjustment)
- 23 ○ Increase in CRF deposits
- 24 ○ Increase in fuel prices
- 25 ○ Increase in tipping fees (both trash and recycling)
- 26 ○ Communication upgrade- Phase II
- 27 ○ Natural Gas Rates- signed new agreement, 0% increase due to long term contract ending  
28 12/2023
- 29 ○ Electrical Rates- no increase due to long term contract ending 12/23  
30

31 Pending:

- 32 ○ State Revenues
  - 33 ○ Rooms & Meals
  - 34 ○ Highway Block Grant
  - 35 ○ AFSCME 2986 & Teamsters Contract Renewals
  - 36 ○ Non Union Wage Increase
- 37 ○ Fund Balance Use  
38

39 Mr. Micali then shared that the estimated town tax rate of 2021 is \$3.82, and there was a significant rise in  
40 value due to the revaluation, which caused the decrease in the tax rate from \$5.06 to the projected \$3.82. He  
41 then wanted to address the budget increase for the Communication Upgrade- Phase II. He shared that due to  
42 the SAFER Grant and \$460,000 set aside for this upgrade, the \$700,000 hit to the budget is really only  
43 \$240,000 due to the grant and set aside funds, which is a \$0.05 increase. Overall, there was a decrease in  
44 revenue, and they are not projecting interest rates to come back any time soon. There was also large increase  
45 in current use tax from the MS-434 this past September, as there were properties that came out of current use  
46 for the new developments, and he does not foresee this happening again next year. With all these items  
47 added up, Mr. Micali states that there is going to be an effect on the tax rate of \$0.26.  
48  
49

1 Councilor Healey asked if the town currently charges for construction debris drop off, in which Mr. Micali  
2 stated that they charge for anything over 1,000lbs. Councilor Healey stated that with the new contracts, they  
3 need to offset that. Vice Chair Rothhaus asked if the 1,000lbs waive is just for residential or if that includes  
4 businesses as well, in which Mr. Micali stated that the first 1,000lbs is free for everybody for each visit.  
5

6 Chairman Koenig asked Mr. Micali to briefly go over the timeline for when he expects to bring the budget to  
7 the Council, in which Mr. Micali stated that he will be bringing the CIP to the Council at the first meeting in  
8 December, and at the second meeting in December he will be bringing the budget forward to the Council.  
9 Looking at the calendar, he anticipates starting the budget discussions on January 6<sup>th</sup>, and come back January  
10 12<sup>th</sup> for the next budget meeting. On January 19<sup>th</sup>, they will meet again to listen to the last budget and begin  
11 finalization of deliberations on January 20<sup>th</sup>.

### 12 Minutes

13 Approve the minutes from the following Town Council meeting:

14 ♦ October 14, 2021

15  
16  
17 **MOTION made by Councilor Woods and seconded by Councilor Murphy to approve the minutes of**  
18 **October 14, 2021, as amended.**

19 Amendments:

20 Page 5, line 26: “rotations” should be “grants”

21 Page 6, line 44: Capitalize “F” in Atlas Fireworks

22 Page 7, line 34: Capitalize “Development” in Town Manager and Community Development

23 Page 3: “Motion made by Councilor Woods and seconded by Councilor Harrington to move the proposed  
24 amendments to Chapter 193 Welfare Guidelines to Charter Article 5 to a Final Reading”, the motion was  
25 supposed to be to adopt it as that was the final reading. Change to say “Move to approve the amendments”.

26 Page 7, lines 14 through 20: Motion states to approve the minutes as written, but there were amendments  
27 after the motion was voted on.

28 **MOTION CARRIES 5-0-1, with Vice Chair Rothhaus abstaining**

### 29 Comments from the Press

30 None.

### 31 Comments from the Public

32 None.

### 33 Comments from the Council

34 Councilor Healey wanted to share that on November 13<sup>th</sup>, VFW post 8641 will be celebrating its 60<sup>th</sup>  
35 anniversary since its inception. The public is invited for a dinner party, and tickets can be purchased on their  
36 website.

37 Councilor Murphy wanted to follow up on Nana’s Diaper Drive, sharing that last year, Merrimack  
38 community came together and donated over 7,000 diapers to the Nashua Soup Kitchen. Further, on October  
39 16<sup>th</sup>, they received over 5,000 diapers and wipes that were appreciated by the Nashua Soup Kitchen. She  
40 wanted to thank everyone that contributed to this cause. Lastly, Councilor Murphy wanted to remind  
41 everyone that Wreaths Across America for Last Rest Cemetery is still looking for donations to be able to  
42 place a wreath on each Veteran’s grave on December 18<sup>th</sup>. To donate, please visit wreathsacrossamerica.org  
43 or their social media page.  
44  
45  
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1 Chairman Koenig wanted to point out that the Matthew Thornton Memorial is on November 7<sup>th</sup> at 1:00pm.  
2 Mr. Micali will have more information on this at the November 4<sup>th</sup> meeting.  
3

4 **Adjourn**

5  
6 **MOTION** made by Councilor Woods and seconded by Councilor Hunter to adjourn the meeting.

7 **MOTION CARRIES 6-0-0**

8  
9 *The meeting adjourned at 8:39 pm.*  
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11  
12

DRAFT