



Town Council Meeting Minutes



Thursday, December 1, 2022, at 7:00 PM, in the Matthew Thornton Room

Call to Order

Vice Chair Harrington called the meeting to order at 7:00 pm. Present at the meeting were Vice Chair Harrington, Councilor Healey, Councilor Hunter, Councilor Koenig, Councilor Murphy, Councilor Woods, and Town Manager Paul Micali. Chairman Rothhaus arrived at 7:40pm.

Pledge of Allegiance

Vice Chair Harrington led the Pledge of Allegiance.

Announcements

Upcoming Town Council Meetings:

- Thursday, December 15, 2022, 7:00 PM Regular meeting
- Thursday, January 5, 2023 6:30 PM Budget meeting
- Thursday, January 12, 2023, 7:00 PM Regular meeting
- Wednesday, January 18, 2023, 7:00 PM Budget meeting

Tax bills were mailed on November 29th and are due by December 30th.

The Merrimack Parks & Recreation Department would like to invite you to join us in kicking off the official Holiday Season in Merrimack by joining us for the 29th Annual Holiday Parade & Tree Lighting Events; which will take place this Sunday, December 4th, 2022. The Annual Holiday Parade will kick off at 3:00 p.m. from the Commons Shopping Plaza located at 515 Daniel Webster Highway and will end in the Town Hall parking lot located at 6 Baboosic Lake Road. The Tree Lighting Ceremony will take place immediately after the Parade arrives at Town Hall (at approximately 3:45 pm).

On Saturday December 17th, the 2nd annual Wreaths Across America celebration event will take place at Last Rest Cemetery at noon, followed directly with refreshments at Our Lady of Mercy Church in the basement.

The Southern New Hampshire Tour of Lights is returning to a town near you this holiday season. Residents are encouraged to decorate the exterior of their homes with festive lights this upcoming holiday season and then register their address with the Merrimack Parks & Recreation Department no later than Monday, December 5th. This will guarantee your home is included in the official list of homes on the Southern New Hampshire Tour of Lights. For more information please visit Parks and Recreation website at www.merrimackparksandrec.org

Comments from the Press and Public

None.

Recognitions, Resignations and Retirements

None.

Appointments

1. Community Choice Aggregation Program Follow-up Discussion

Submitted by Bart Fromuth

The Town Council to receive an update and discuss the details of the Community Choice Aggregation Program, an optional buying group organized by a municipality or group of municipalities to benefit electric customers, as presented at the November 4, 2021 Town Council meeting.

1 Stuart Ormsbee and Mark Cappadona from Colonial Power were present to share the update on behalf of
2 Bart Fromuth. Mr. Ormsby began by providing a brief update on the Community Choice Aggregation
3 Program, highlighting that this is an “opt-out program”, and this allows the suppliers to have interest in the
4 program. He then shared some updates since they presented to the Council last November, sharing that the
5 utilities commission in NH was required to establish formal rules around how this would work, and they
6 were part of the stakeholder group that drafted the rules and formal process. The final rules were adopted in
7 October of this year, meaning that NH can begin putting plans together, and any plans will need to be filed
8 with the commission for their approval. He then stated that four plans have already been approved and are
9 free to go to market when its advantageous to do so, and there are another 9 or so plans that are pending. The
10 Council then asked some questions on how the plan would work and the approval process, as well as the
11 energy committee and how materials regarding the program would be distributed to town residents. The
12 Council agreed to revisit this in a future meeting under “old business”, and have Mr. Micali check with legal
13 to determine if in fact this is something that has to go before a town meeting to be discussed or voted on by
14 the town.

16 **2. Fire Station Feasibility Study Update**

17 *Submitted by Fire Chief Mark DiFronzo*

18 The Town Council to receive an update on the Fire Station Feasibility Study.

19
20 Robert McNally from Beacon GIS was present with Chief DiFronzo to discuss the Fire Station Feasibility
21 Study, presenting the following findings:

- 22 • Observations from July site visit, SWOT analysis with firefighter shifts findings:
 - 23 ○ Station 1 & 2 are beyond capacity, inefficient, not conducive to growth
 - 24 ○ Station 3 is currently unusable except for storage
- 25 • Demand Pattern:
 - 26 ○ Demand for service has risen since 2002 (47%)
 - 27 ○ 62% are emergency medical incidents. Hospitals are out of town
 - 28 ○ Seasonal highs in December/Jan & summer months. Daily higher during the weekdays
 - 29 ○ Hourly demand highest during the day, fires highest late afternoon
 - 30 ○ Frequent addresses include turnpike, medical facilities, followed by industry
 - 31 ○ Mutual aid given dropped significantly since 2006. Still net giver of aid
 - 32 ○ National Response Time Standard Consensus: From dispatch to arrival time = 5:20
 - 33 ○ Merrimack Response Time= 9:33
- 34 • Response Capacity:
 - 35 ○ NFPA 1710
 - 36 ■ House Fire: 17 firefighters
 - 37 ■ Apartment/Commercial fire: 27 firefighters
 - 38 ○ MFD Performance
 - 39 ■ On-duty: 11
- 40 • Community risks include population growth and age of housing
 - 41 ○ 15% aged 65+
 - 42 ○ 5.9% <65yo disabled
 - 43 ○ 2.8% without health insurance
 - 44 ○ 3.5% below poverty
 - 45 ○ Metrics are lower than county, state, & nation
 - 46 ○ Various station scenarios for locations throughout Merrimack
- 47 • Best choices:
 - 48 ○ Most coverage- 4 new stations
 - 49 ○ Improved coverage/ best 3 stations
 - 50 ■ 6 minutes

- 1 ▪ New stations
- 2 ○ Best 2 stations
- 3 ▪ New stations
- 4 • Benefits
- 5 ○ Improved response coverage
- 6 ○ Potentially improved insurance ratings for property owners
- 7 ○ Enhanced first alarm assembly
- 8 ○ Reduce property loss
- 9 ○ Increased EMS resources
- 10 ○ Improved facilities and room for future growth
- 11 • Approach
- 12 ○ Phased in approach beginning with station 3 because that improves the overall coverage the
- 13 most
- 14 ○ Move admin to that station to open room in station 1 until its move
- 15 ○ Build station 2
- 16 ○ Build station 1
- 17 • Drawbacks
- 18 ○ Current stations require significant renovations and lot may not accommodate growth
- 19 ○ New stations require procuring land, design, and construction. A lengthy and costly process as
- 20 well
- 21 ○ Additional station requires staff, equipment, and apparatus
- 22 • Other recommendations
- 23 ○ Adopt a response time objective for priority and non-priority incident types. The department
- 24 should strive to improve to 7:20 to 90% of emergencies within the Town Limits
- 25 ○ Adopt a critical tasking procedure to delineate staffing needs and refine the dispatch policy to
- 26 reflect these procedures
- 27 ○ Adopt a policy to close bay doors unless personnel are present in the bay or outside
- 28 ○ Provide fencing for occupied parking areas at stations for security and safety of the city and
- 29 staff vehicles
- 30 ○ Improve security at stations with cameras that can be monitored by station personnel
- 31 ○ Seek professional recommendations to protect central station from traffic accident potential
- 32 ○ Seek professional recommendations regarding feasibility and cost of rebuilt stations on
- 33 existing lots

Public Hearing

36 None.

Legislative Updates from State Representatives

39 None.

Town Manager's Report

42 None.

Consent Agenda

45 None.

1
2 **Old Business**

3 **1. Proposed Winter Maintenance / Salt Use Policy & Procedure Follow-up Discussion**

4 *Submitted by Town Manager Paul T. Micali*

5 The Town Council to receive an update on the meeting between the Town of Merrimack and the
6 Merrimack Village District regarding the proposed Winter Maintenance / Salt Use Policy &
7 Procedure.

8
9 Mr. Micali began by stating that he met with MVD and discussed their concerns with Wells 2 and 9
10 regarding brine and asked the Council to discuss salt use for this year. He shared that DPW has been
11 proactive in reducing salt throughout the town, and they will attempt to use their own self-made brine around
12 the wellhead and compare how it works with other areas of town. He also stated that MVD received a grant
13 for 36 wellhead protection signs and those will be posted in the brine protected areas. DPW will continue to
14 safely reduce salt areas while maintaining quality roads.

15
16 **2. Discussion of Overhead Costs for Tipping Fees**

17 *Submitted by Town Manager Paul T. Micali*

18 The Town Council to discuss the overhead costs for Tipping Fees.

19
20 Finance Director Tom Boland was present to share some new costs for tipping fees. He began by stating that
21 last November/December, they agreed to increase the rates for trash disposal commercial users to \$133 per
22 ton, which is comprised of the \$78 fee they pay their third-party haulers and the \$55 worth of overhead.
23 Further, the construction and demolition (c&d) rate was increased to \$150 per ton, with \$95 for the third-
24 party hauler cost and \$55 for overhead. The single stream recycling charges were set at \$124 per ton, with no
25 overhead fees. He then stated to the Council that they can choose to leave the rates as they are set, or they
26 can take a fresh look at what it really costs them and attempt to cover closer to 100% of those costs.

27
28 He then presented the following information via PowerPoint:

- 29
- 30 • Summarized the commercial trash, c&d, and SS disposal fee charges
 - 31 • Utility costs, insurance costs, labor costs, and other costs that captures the operating budget
 - 32 • Starting December 15, the new rates for trash collection and c&d will be \$80.50 per ton and \$97 per
33 ton, respectively, with \$150.50 per ton for overhead fees for trash and \$167 per ton for c&d

34 Chairman Koenig asked to clarify the fees, asking how they can make this a feasible business. Mr. Boland
35 stated that Merrimack has lower rates compared to other communities that accept commercial trash, and they
36 are trying to reallocate some of the costs. Mr. Micali described the hauling fees, sharing that Merrimack
37 currently has the cheaper option with price per ton for trash disposal and hauling. Councilor Healey asked if
38 the commercial haulers would bring in recyclables as well, in which Mr. Micali stated that they would.
39 Councilor Healey asked if there has been an increase in the past few months with trash, in which Solid Waste
40 Foreman Kris Perreault stated that trash has risen about 20 or 30 times the last few months. After some
41 discussion, Mr. Micali stated that in accordance with the ordinance, they will advertise the new tipping fees
42 in the paper if the Council is in agreement with the fees as discussed. Councilor Hunter suggested dividing
43 the overhead by 8,100, which is the amount of trash and c&d, with an overhead rate of \$82.38 and single
44 stream at \$150 per ton. Mr. Micali stated that the issue with this suggestion is the salary of the recycling
45 workers. Rodney Buckley of 2 Eagle Drive shared his thoughts on the fees, stating that his son owns Buckley
46 Disposal after his retirement and Nashua's fees for trash are \$80 per ton, \$200 per ton for demo in Bow,
47 \$130 per ton in Weare, and \$130 per ton in Allenstown. The Council discussed at length their options, with
48 Councilor Koenig and Vice Chair Harrington suggesting closing the recycling center since it's not being
49 utilized and benefitting the town like it was originally intended. Mr. Micali suggested discussing this at a

1 future meeting because he is not prepared to discuss the pros and cons of this issue; He suggested scheduling
2 a special meeting on January 11th to give time to prepare, and the Council agreed.
3

4 **New Business**

5 **1. First Quarter Financial Review**

6 *Submitted by Finance Director Thomas Boland*

7 Finance Director Thomas Boland will review the key financial information of the quarter ending
8 September 30, 2022.
9

10 **MOTION made by Councilor Woods and seconded by Councilor Healey go beyond the 10:00pm**
11 **curfew.**

12 **MOTION CARRIES 7-0-0**

13
14 Mr. Boland began by sharing that they are right on track with their budgeted projections and there are no real
15 red flags or major areas of concern from the first quarter of the fiscal year. They are feeling the effect of
16 inflation, but this is mostly impacting the major and minor capital projects. He then shared a PowerPoint
17 presentation highlighting the following:
18

19 Health Insurance Cost Comparisons:

- 20 • Small increase, but rates were flat to slightly down from the prior fiscal year
- 21 • Annual budget is \$3.7 million, we are currently at 22% through the first quarter

22
23 NHRS Comparison:

- 24 • Slight increase, but rates are flat, so this reflects the annual wage increases

25
26 Overtime Comparison:

- 27 • Running high, largely due to difficulties in filling open positions.
- 28 • Fire and police need a certain level of coverage, and this is done by using overtime
- 29 • The following departments are over their budget, but this is expected due to coverage issues and
30 some long-term illnesses of employees:
 - 31 ○ Fire- 29%
 - 32 ○ Police- 36.4%
 - 33 ○ Communications/dispatch- 67%
 - 34 ○ Solid waste-50%
- 35 • Overall, there are some savings in the wage portion of the budget that helps offset most of these
36 overtime increases

37 Departmental Summary:

- 38 • Welfare payments are made at the beginning of the year, with 100% to health services
 - 39 • Debt service payments are made twice a year, once in the first quarter and once in the third quarter
 - 40 • Revolving fund shows 44% of the budget remaining due to camp being concentrated in the first
41 quarter of the fiscal year
 - 42 • Encumbrances are monies that have been committed to spend in the future and don't necessarily
43 relate to the first quarter. Most of the departments have 75% or more of their budget remaining
44 through the end of the first quarter; the ones that don't are because they have large contracts that
45 skew the numbers (highway, library, buildings and grounds, wastewater)
- 46
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49
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1 Revenue Comparison:

- 2 • Auto registration is down slightly from the past two years, but still tracking with the \$5.6 million
3 budgeted for the fiscal year. Additionally, more registrations will come in due to all the new
4 apartment buildings
5 • Building permits are right on track with the annual budget
6 • Returns are up for cast reserves at \$170,000 through the first quarter, up from last year's \$19,000
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8 **Minutes**

9 None.

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11 **Comments from the Press**

12 None.

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14 **Comments from the Public**

15 None.

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17 **Comments from the Council**

18 None.

19
20 **Adjourn**

21 **MOTION** made by Councilor Woods and seconded by Councilor Healey to adjourn the meeting.

22 **MOTION CARRIES 7-0-0**

23
24
25 The meeting adjourned at 10:23 pm.

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28
29 Respectfully submitted by Jennifer Steagald