



# Town Council Meeting Minutes



Thursday, February 23, 2023, at 7:00 PM, in the Matthew Thornton Room

## Call to Order

Chairman Rothhaus called the meeting to order at 7:11 pm. Present at the meeting were Chairman Rothhaus, Vice Chair Harrington, Councilor Healey, Councilor Koenig, Councilor Murphy, Councilor Woods, and Town Manager Paul Micali. Councilor Hunter was excused.

## Pledge of Allegiance

Chairman Rothhaus led the Pledge of Allegiance.

## Announcements

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

- Thursday, March 9, 2023, 7:00 PM Regular meeting
- Thursday, March 23, 2023, 7:00 PM Regular meeting

Important dates to remember:

- **Wednesday, February 22, 2023 thru Friday, March 3, 2023 at 5:00 PM**  
Filing period for Town Offices to be elected at Town Meeting on April 11, 2023
- **Wednesday, March 15, 2023, 7:00 PM in the All-Purpose Room at James Mastricola Upper Elementary School located at 26 Baboosic Lake Road**  
Deliberative Session

The Parks & Recreation Department invites you to join them this Saturday, February 25<sup>th</sup> for the 31<sup>st</sup> Annual Winter Carnival at Wasserman Park from 12 – 3 pm. Despite not a lot of snow on the ground, we have 26 groups providing free games, crafts, raffles and other activities. We’re anticipating special appearances by Mack the Police Dept.’s Comfort Dog as well as the Oscar Meyer Weinermobile. Food will be available for purchase during the event. For questions contact the Parks & Recreation Department at 603-882-1046 or go online to [www.merrimackparksandrec.org](http://www.merrimackparksandrec.org)

### 2023 Dog Licenses Available at Town Clerk’s Office

Per NH State law, all owners of dogs four months and older are required to license their dog by May 1<sup>st</sup>. Owners must present a valid rabies certificate and a neutering or spaying certificate, if applicable. If you no longer have your dog, please contact the Town Clerk’s office at 603-424-3651 so that we may update our records.

## Comments from the Press and Public

None.

## Recognitions, Resignations and Retirements

None.

## Appointments

None.

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**Public Hearing**

None.

**Legislative Updates from State Representatives**

Representatives Jeanine Notter and Representative William W. Boyd III were present with an update for HB20, the bridge naming bill. Rep Boyd stated that this bill is to name the Bedford Road Bridge after the honorable Richard “Dick” Hinch to serve as his legacy to the Town of Merrimack. Rep Notter stated that this bill passed 356 to 4, and up next is to go to the Senate.

Councilor Murphy shared that HB614 was voted on yesterday. This is the bill for appropriating \$5,000 for the Department of Health and Human Services to fund the kidney cancer feasibility study. She shared that this passed yesterday on a voice vote and is on to Finance next.

Rep Boyd shared that HB35, which is the bill requiring student IDs to include the national Eating Disorders hotline, was brought up before the house and passed 238 to 105 and is off to the Senate. He wanted to publicly recognize student Matt Brown for having the courage and bravery to share his story and push this bill forward. Councilor Murphy commented that the committee decided to name this bill the “Matt Brown Act” to commend Mr. Brown for all the hard work he has done on this bill.

Mr. Micali shared that he heard from Executive Councilor Wheeler yesterday and two items for Merrimack were approved by the Executive Committee- the \$50,000 grant presented by Mr. Dias in IT, and the PFAS remediation grant for over \$1 million, and the town will be able to roll out the rebate program for filtration systems around March 1<sup>st</sup>.

**Town Manager’s Report**

None.

**Consent Agenda**

**1. Consideration of Changes to Chapter 178, Taxation (Article V, Optional Veterans Credit), of the Merrimack Town Code [Final Reading]**

*Submitted by Town Manager Paul T. Micali*

The Town Council to consider the acceptance of recommended changes to Chapter 178, Taxation (Article V, Optional Veterans Credit), of the Merrimack Town Code, pursuant to Charter Article V.

**MOTION made by Councilor Koenig and seconded by Councilor Woods to accept the recommended changes to Chapter 178, Taxation (Article V, Optional Veterans Credit), of the Merrimack Town Code, pursuant to Charter Article V.**

**MOTION CARRIES 6-0-0**

**Old Business**

None.

1 **New Business**

2 **1. Memorial Bench at Watson Park**

3 *Submitted by Representative Jeanine Notter and Representative William W. Boyd III*

4 The Town Council to consider a request to place a granite memorial bench in Watson Park in  
5 memory of The Honorable Phil Straight.

6  
7 Representative Jeanine Notter and Representative William W. Boyd III were present to share that they would  
8 like to place a memorial bench for the Honorable Phil Straight. Rep Boyd shared that Rep Straight was an  
9 incredible man who was deeply passionate about the community, and served as a friend and mentor to many.  
10 He shared that Rep Straight was the voice for Merrimack up in Concord, and accurately reflected the needs  
11 and wants of the Town over the years. The Council asked where they are planning on putting the bench, in  
12 which Rep Notter stated she is happy with wherever the Council decides to place it. Vice Chair Harrington  
13 stated that up the hill near the road would be the best place as Rep Straight used to water the plants around  
14 there, and also put up and take down the American flag.

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16 **MOTION made by Councilor Healey and seconded by Councilor Murphy to approve the request to**  
17 **place a granite memorial bench in Watson Park in memory of The Honorable Phil Straight.**

18 **MOTION CARRIES 5-0-1 with Vice Chair Harrington abstaining**

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20 **2. Town Clerk / Tax Collector Donation Acceptance**

21 *Submitted by Town Clerk / Tax Collector Diane Trippett*

22 The Town Council to consider the acceptance of a donation from a customer of five (5) “Town of  
23 Merrimack” stamps with an estimated value of \$50.00 to be used at each window station in the Town  
24 Clerk / Tax Collector’s office, pursuant to RSA 31:95-e and Charter Article 8-15.

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26 Mr. Micali shared that a customer noticed that the town stamp was missing from the Town Clerk’s office  
27 window, so he decided to bring in five to donate to have each window equipped with a stamp.

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29 **MOTION made by Vice Chair Harrington and seconded by Councilor Healey to accept the donation**  
30 **from a customer of five (5) “Town of Merrimack” stamps with an estimated value of \$50.00 to be used**  
31 **at each window station in the Town Clerk / Tax Collector’s office, pursuant to RSA 31:95-e and**  
32 **Charter Article 8-15.**

33 **MOTION CARRIES 6-0-0**

34  
35 **3. CIP Withdrawal Request - Computer Capital Reserve Fund**

36 *Submitted by Technology Coordinator Jonathan Dias*

37 The Town Council to consider the Capital Improvement Program withdrawal request from the  
38 Computer Capital Reserve Fund for the purpose of Storage Devices.

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40 Technology Coordinator Jonathan Dias was present to share that they have been accessing the infrastructure  
41 to work on a plan to move forward and minimize failures as the existing equipment is quite dated. Further,  
42 the current storage system is aging and technologically dated, and it is proposed to replace the storage system  
43 in the current technology plan. While some equipment failure is being currently experienced, the approach  
44 will manage this risk while positioning the town of Merrimack to leverage current and anticipated growth in  
45 the demand for capacity and uptime. Total capital costs of \$69,000 are estimated prior to best and final  
46 negotiations with vendors. Mr. Dias then presented the following description of the project and related  
47 capital:

1 Overview: The present configuration is made up of 7+ year old Netapp Storage arrays that have approached  
2 end of life. Industry standards are to upgrade/refresh gear every 3-5 years to sustain performance and  
3 reliability. The existing system has served the business since installation but equipment failures and  
4 efficiency have become problematic. The replacement storage array, compared to our current installation is  
5 10 times faster and will provide improved application response time; users will experience a dramatic  
6 improvement in speed of applications and file access. We performed an IT due diligence assessment of the  
7 existing storage system and determined the current system has had several failures, a limited capacity, and  
8 limited fault tolerance.

9  
10 Key Upgrade Points:

- 11 • Faster application and access to network resources
- 12 • Enhanced reliability
- 13 • Enhanced security
- 14 • Reliability
- 15 • Better management and visibility

16  
17 2023 Installation:

18 Upgrade primary and backup storage array. The core system is in main distribution point for the server  
19 infrastructure and file storage which provide connectivity to servers and end user devices. The secondary  
20 unit will provide a mirror or replica of the primary system to ensure a real-time restore in the event of  
21 unexpected events or natural disaster. This change-out provides a complete, consistent technology generation  
22 solution- important to maintain consistence on the total network for increased speed, reliability, security, and  
23 overall operational efficiency.

24  
25 Mr. Dias is requesting that up to \$69,000 be withdrawn from the Computer Capital Reserve Fund. They have  
26 been saving for these types of purchases, and have approximately \$82,000

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28 **MOTION made by Councilor Koenig and seconded by Councilor Healey to accept the withdrawal**  
29 **request from the Computer Capital Reserve Fund for the purpose of Storage Devices.**

30 **MOTION CARRIES 6-0-0**

31  
32 **1. Dell Seed Program Participation Discussion**

33 *Submitted by Technology Coordinator Jonathan Dias*

34 The Town Council to consider participating in the Dell Seed Program, which allows the Town to test  
35 Dell's newest devices and keep them in exchange for providing feedback. The estimated donation  
36 amount is \$1,500, pursuant to RSA 31:95-e and Charter Article 8-15.

37  
38 Mr. Dias shared that the seed program is an opportunity for the town to test out some of Dell's latest devices  
39 with the option of receiving up to \$1,500 from Dell for testing the devices. Feedback will need to be  
40 provided to Dell, such as sharing how the device works, any pros/cons of the device, etc. Mr. Micali shared  
41 that all town equipment is Dell, and this is a great opportunity to test out new products without having to  
42 purchase. Mr. Dias shared that the town would test out one product at a time (for up to five devices), provide  
43 some feedback, and if the device is liked they will have the option to keep it or send it back and test out a  
44 different device. Mr. Dias further shared with the Council that if they like a device, Dell will reimburse up to  
45 \$1,500 and the town will be responsible for paying any balance towards purchasing the device.

46  
47 **MOTION made by Councilor Murphy and seconded by Councilor Healey to accept participating in**  
48 **the Dell Seed Program, which allows the Town to test Dell's newest devices and keep them in exchange**  
49 **for providing feedback. The estimated donation amount is \$1,500, pursuant to RSA 31:95-e and**  
50 **Charter Article 8-15.**

1 **MOTION CARRIES 6-0-0**

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3 **2. 2<sup>nd</sup> Quarter Financial Review**

4 *Submitted by Finance Director Thomas Boland*

5 Finance Director Thomas Boland will review the key financial information of the quarter ending  
6 December 31, 2022.

7  
8 Finance Director Tom Boland was present to share the following information via PowerPoint:  
9

10 Regular Wages (not including overtime) paid through 12/31/22 compared to annual budget

- 11 • Budget- \$14,795,523
- 12 • YTD Expenditures- \$6,257,201.69
- 13 • % of budget remaining- 57.71%
- 14 • Annualized savings- \$1,780,543,48
- 15 • Code enforcement has less than 50% of the budget remaining is due to overages relating to the part-  
16 time building inspector that was hired to deal with the busy time of year (first and second quarter).  
17 This will correct itself over the course of the third quarter
- 18 • Mr. Boland stressed how difficult it can be to fill positions, and several positions in fire, police, and  
19 highway have been open for quite some time and there is a large amount of overtime to cover for  
20 these unfilled positions, as well as burnout and injuries

21  
22 Health Insurance Cost Comparisons

- 23 • Health insurance rates did go down compared to the prior year
- 24 • Open positions mean expenses are not being incurred
- 25 • Annual budget is \$3,356,000
- 26 • Through the first 6 months, 46% of the budget has been spent
- 27 • Annualized savings- \$300,000 for the year

28  
29 NHRS Contributions

- 30 • Down slightly compared to the prior year
- 31 • Rates did not change, open positions affect this as well
- 32 • Annual budget is \$3,332,000
- 33 • Through the first 6 months, \$1,646,000, or 49%, of the budget has been spent

34  
35 Overtime Comparison

- 36 • Rates are down for police and fire compared to the prior year, but this is tracking ahead of budget  
37 estimates
- 38 • Required for adequate staffing levels
- 39 • Minus police and fire, many other departments are exceeding the budget due to absences and increase  
40 in work volumes

41  
42 Departmental Summary

- 43 • Budget- \$68,821,913.05
- 44 • YTD Expenditures- \$21,849,626.38
- 45 • Balance before encumbrances- \$46,972,286.67
- 46 • Encumbrances- \$11,841,206.86
- 47 • Balance as of 12/31/22- \$35,131,079.81
- 48 • % of budget remaining- 51.05%

1 Revenue Comparison

- 2 • Auto registration is down a little from the prior year, but on track to hit budget number of \$5.6  
3 million  
4 • Received \$2,862,000 through the first 6 months (51% of annual budget)  
5 • Building permits are ahead from the prior year  
6 • Building permits budget is \$265,000  
7 • Interest income is increasing due to interest rates going up  
8 • Interest budget is \$439,000  
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10 **3. Update – Status of Permit Requirements for Craft Fairs (Potential Exemption Request)**

11 *Submitted by Jody Donohue*

12 Annual Craft Fair to be held May 13 from 10-5pm at Merrimack Premium Outlets.  
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14 Jody Donohue was present to discuss the exemption request for the craft fair vendor permits for the  
15 Merrimack Outlets, specifically if Ordinance 180 was reworked as this will impact the craft fair. She would  
16 like to ask the Council for a permanent exemption for craft fairs as the vendors are thoroughly vetted by her  
17 before they can attend the fairs. As a promoter, she is willing to provide the insurance and cover the  
18 inspection fees for the artists. The Council reviewed the one time exemption they granted to Ms. Donohue  
19 last year, stating that this was due to the fee being a “curve ball” to the vendors at the time and was a last  
20 minute decision to allow the exemption.  
21

22 **Minutes**

23 None.

24 **Comments from the Press**

25 None.

26 **Comments from the Public**

27 None.

28 **Comments from the Council**

29 None.

30 **Adjourn**

31 **MOTION made by Councilor Woods and seconded by Vice Chair Harrington to adjourn the meeting.**

32 **MOTION CARRIES 6-0-0**

33 The meeting adjourned at 8:38 pm.  
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35 Respectfully submitted by Jennifer Steagald