



Town Council Meeting Minutes



Thursday, March 9, 2023, at 7:00 PM, in the Matthew Thornton Room

Call to Order

Chairman Rothhaus called the meeting to order at 7:01 pm. Present at the meeting were Chairman Rothhaus, Vice Chair Harrington, Councilor Hunter, Councilor Koenig, Councilor Woods, and Town Manager Paul Micali. Councilor Murphy arrived at 7:27pm and Councilor Healey was excused.

Pledge of Allegiance

Chairman Rothhaus led the Pledge of Allegiance.

Announcements

Upcoming Town Council Meetings:

- Thursday, March 16, 2023, 7:00 PM Nonpublic meeting
- Thursday, March 23, 2023, 7:00 PM Regular meeting
- Thursday, April 20, 2023, 7:00 PM Regular meeting

Important Dates to Remember:

- **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
- **Tuesday, April 11, 2023, 7:00 AM – 7:00 PM**
Annual Meeting / Voting Day - At your designated polling location

Dog licenses are available at the Town Clerk’s office. Owners must present a valid rabies certificate and a neutering or spaying certificate, if applicable.

All dogs are required to be licensed by April 30th.

The computer server in the Town Clerk’s office will be replaced on Friday, March 17th. Replacement is expected to be completed by 1:00 PM. During the replacement process, the Town Clerk’s office will not be able to process any motor vehicle or dog licensing transactions. The office will be open for all other business.

Due to vacancies within the Town Clerk / Tax Collector’s and the need for staff to be at the polling locations, the office will be closed on Election Day, Tuesday, April 11th.

Merrimack’s Ice Hockey Tomahawks won their D2 NHIAA Semi-Final playoff game on Wednesday night in overtime, a 4-3 victory over St. Thomas Aquinas High School. Merrimack TV covered the game LIVE and it’s available on their YouTube and cable channels. Merrimack TV will RECORD the State Championship this Saturday, but are awaiting permission from the NHIAA to provide LIVE coverage of the game.

Comments from the Press and Public

None.

1 **Recognitions, Resignations and Retirements**

2 None.

3 **Appointments**

4 None.

5 **Public Hearing**

6 **1. Public Hearing - Chapter 180, Temporary Sales Locations and Vendors, of the Merrimack**
7 **Town Code**

8 *Submitted by Town Council Chair Finlay Rothhaus and Vice Chair Nancy Harrington*

9 The Town Council will hold a public hearing to consider the recommended changes to Chapter 180,
10 Temporary Sales Locations and Vendors, of the Town Code, pursuant to Charter Article V.

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12 Town Manager Paul Micali recapped that at the previous meeting, there were minor language changes and
13 clarifications, with the biggest change being the multiple location license for vendors to apply for multiple
14 locations during the initial application process, as well as notifying police 24 hours in advance where
15 vendors will be selling their products. Mr. Micali also highlighted that all applications will take place during
16 the same time of year so there will no longer be various renewal dates for vendors, as well as discussed the
17 liability laws.

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19 Chairman Rothhaus opened the public hearing at 7:08pm and closed it at 7:09pm.

20
21 **MOTION made by Councilor Koenig and seconded by Vice Chair Harrington to move the**
22 **recommended changes to Chapter 180, Temporary Sales Locations and Vendors, of the Town Code,**
23 **pursuant to Charter Article V, to a third reading/consent agenda.**

24 **MOTION CARRIES 5-0-0**

25
26 **Legislative Updates from State Representatives**

27 None.

28 **Town Manager’s Report**

- 29
- 30 • We’ve received final approval from the Governor’s office for PFAS mitigation grant funds from the
31 New Hampshire Department of Environmental Services to be used towards the reimbursement of up
32 to \$6,500 for qualified homeowners to install either a Point of Entry Treatment or a Point of Use
33 system OR to connect to the Merrimack Village District water system. This reimbursement
34 opportunity will be available on a first come, first served basis, and only as long as there are grant
35 funds available.
36 The Merrimack Private Well Owners PFAS Grant Reimbursement Program application can be found
37 on the home page of the Town of Merrimack’s website at www.merimacknh.gov or contact the
38 Town Manager’s office at 603-424-2331 to request an application to be mailed to you.

39 **Consent Agenda**

40 None.

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Old Business

1. Town of Merrimack Naming Policy Review & Discussion [Tabled at the February 16, 2023 Town Council meeting]

Submitted by Town Manager Paul T. Micali

The Town Council to review and discuss the Town of Merrimack’s Naming Policy.

Town Manager Paul Micali shared that regarding the bench naming policy, he took the Council’s suggestion and added a section D to the Naming policy to state that “for all other benches, wood and or composite, bench service shall be smooth low-maintenance finish and to withstand the elements. Seating surface shall be 15 inches by 60 inches. Donor may request where the bench shall be placed from the available areas depicted in applicable park map. If the donor does not choose a location, a location will be chosen for the bench. All benches must be pinned to the ground, and if you’re engraving it will be the same engraving that you would do on a granite bench.” This policy was ran by Councilor Healey, who reviewed and made changes which have been incorporated into this. There was also a clarification for tree size, stating that there must be at least two inches or greater in diameter.

Councilor Woods asked about section 1 D- number 4, “if the donor does not choose a location...”: he asked if this should be up to a specific department in the town, such as conservation commission, or if the Council will need to determine the location. Mr. Micali stated that when this comes to the Council to discuss, they will know if there is a specific location that the donor wants or not, so this will be up to whichever department will have the best location available for the bench.

MOTION made by Councilor Koenig and seconded by Councilor Woods to accept the modifications to the Town of Merrimack’s Naming Policy as presented, with the change to the size of the tree to 2 inches in diameter instead of 2 or 3 inches.

MOTION CARRIES 6-0-0

New Business

1. Public Works Director Position Confirmation

Submitted by Town Manager Paul T. Micali

The Town Council shall consider the confirmation of the appointment of a new Public Works Director, pursuant to Charter Article 7-8.

Town Manager Paul Micali shared that Dawn Tuomala has accepted the position of Public Works Director. He also shared that they will be lining up interviews for Deputy Director within the next week or so, and Ms. Tuomala will be starting her new role next week.

MOTION made by Vice Chair Harrington and seconded by Councilor Woods to affirm the decision of the Town Manager of the hiring of Dawn Tuomala as Director of Public Works, pursuant to Charter Article 7-8.

MOTION CARRIES 6-0-0

2. New Position Request

Submitted by Town Manager Paul T. Micali

The Town Council to be presented with a new full-time position in the Parks and Recreation Department to be added to the Town’s Classification and Compensation Plan.

1 Chairman Rothhaus shared that this position is for the day camp and after school director. Mr. Micali shared
2 that this was discussed during the budget meeting, and this will be a year-round position that will be paid
3 100% out of the revolving fund, including benefits. If the after school program does not take off as it's
4 anticipated to, they will modify the budget for next year and reevaluate the position. Mr. Micali shared that
5 he needs the Council to accept the position and put it on the job classification scale, which will be a grade 9
6 (\$19.60/hr-\$28/hr pay range).

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8 Councilor Koenig asked if "director" was an appropriate title, or if this should be labeled as a coordinator, in
9 which Mr. Micali stated that they can change the name to coordinator as Mr. Casparius is the director
10 overall. Mr. Casparius then was present to discuss the position a bit more to the Council and share the
11 expected general duties.

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13 **MOTION made by Councilor Hunter and seconded by Councilor Woods to approve the new full-time**
14 **position in the Parks and Recreation Department to be added to the Town's Classification and**
15 **Compensation Plan as Grade 9, day camp and after school program coordinator.**

16 **MOTION CARRIES 6-0-0**

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18 **3. 2023 Deliberative Session**

19 *Submitted by Town Council Chair Finlay Rothhaus and Vice Chair Nancy Harrington*

20 Town Council to discuss the details and motions of the upcoming 2023 Deliberative Session being
21 held on Wednesday, March 15, 2023.

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23 Ms. Lynn Christensen was present to discuss the upcoming deliberative session along with Mr. Micali. The
24 following was determined by the Council:

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26 Warrant article 2: Operating budget, to be done by Chairman Rothhaus and Vice Chair Harrington

27 Warrant article 3: Capital Reserve fund, to be done by Vice Chair Harrington and Councilor Koenig

28 Warrant article 4: Wastewater fund, to be done by Councilor Woods and Councilor Hunter

29 Warrant article 5: IAFF contract agreement, to be done by Councilor Hunter and Councilor Healey

30 Warrant article 6: Supervisor police and fire union, to be done by Councilor Healey and Councilor Murphy

31 Warrant article 7: DPW worker contract, to be done by Councilor Koenig and Councilor Murphy

32
33 Ms. Christensen stated that the last 3 articles cannot be amended, but the first three can. She also shared that
34 this year should run exactly the same as the previous years and she is confident that everyone knows what
35 needs to be done and how to run this effectively and smoothly.

36
37 **4. Town of Merrimack Capital Asset and Depreciation Policy Review & Discussion**

38 *Submitted by Finance Director Thomas Boland*

39 The Town Council to review and discuss the possible approval of the Town of Merrimack's Capital
40 Asset and Depreciation Policy.

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42 Finance Director Tom Boland was present to share that this is basically a housekeeping issue, and every year
43 there is a letter generated by auditors about internal controls, noting if there are any issues to address, as well
44 as suggestions for improvements. For this year, they asked to formally document the policy that has been in
45 place for many years. The Council then discussed a general overview of the policy with Mr. Boland.

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47 **MOTION made by Councilor Hunter and seconded by Councilor Koenig to approve the Capital Asset**
48 **and Depreciation Policy.**

49 **MOTION CARRIES 6-0-0**

1 **Minutes**

2 Approve the minutes from the following Town Council meetings:

3 ♦ February 16, 2023

4 **MOTION made by Councilor Hunter and seconded by Councilor Murphy to approve the minutes**
5 **from February 16, 2023 as amended.**

6 **MOTION CARRIES 5-0-1 with *Chairman Rothhaus abstaining***

7
8 Amendments: Change header to remove “special meeting”

9 Page 2, Line 21: put “/” between “third reading” and “consent agenda”

10
11 ♦ February 23, 2023

12 **MOTION made by Councilor Koenig and seconded by Councilor Woods to approve the minutes from**
13 **February 23, 2023 as amended.**

14 **MOTION CARRIES 5-0-1 with *Councilor Hunter abstaining***

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16 Amendments:

17 Page 2, Line 10: change appropriation to \$500,000

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19 **Comments from the Press**

20 None.

21 **Comments from the Public**

22 None.

23 **Comments from the Council**

24 None

25 **Adjourn**

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

27 **MOTION CARRIES 6-0-0**

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29 The meeting adjourned at 8:03 pm.

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31
32 Respectfully submitted by Jennifer Steagald