



2024 Town Warrant
Town of Merrimack
6 Baboosic Lake Road, Merrimack, New Hampshire 03054



The State of New Hampshire

To the inhabitants of the Town of Merrimack in the County of Hillsborough in said state, qualified to vote in town affairs:

You are hereby notified that the First Session (*Deliberative*) of the Annual Meeting of the Town of Merrimack will be held at the Mastricola Upper Elementary School's All-Purpose Room on 26 Baboosic Lake Road in said Merrimack on Wednesday, March 13 2024 (snow date Friday, March 15, 2024), at 7:00 o'clock in the evening (pm) for explanation, discussion, and debate of each Warrant Article. Warrant Articles may be amended at this session per RSA 40:13, IV.

You are hereby notified that the Second Session (*Ballot Voting*) of the Annual Meeting of the Town of Merrimack will be held on Tuesday, April 9, 2024, at 7:00 o'clock in the forenoon (am) for the choice of town officers elected by official ballot, to vote on questions required by law to be inserted on the Official Ballot, and to vote on all Warrant Articles from the First Session on Official Ballot per RSA 40:13, VII. The polling places for the election of town officers, and other actions required to be inserted on the ballot, will open on said date at 7:00 o'clock in the forenoon (am) and will not close earlier than 7:00 o'clock in the evening (pm).

The three aforementioned polling places will be as follows:
James Mastricola Upper Elementary School All-Purpose Room, 26 Baboosic Lake Road
St. John Neumann Church, 708 Milford Road (Route 101A)
Merrimack Middle School, 31 Madeline Bennett Lane

Article 1

To choose all necessary town officers for the ensuing year.

- Three (3) Town Councilors 3-year term
 - Two (2) Library Trustee for a 3-year term
 - One (1) Ethics Committee Member for a 3-year term
 - One (1) Trustee of Trust Funds for a 3-year term
 - One (1) Town Clerk/ Tax Collector for a 3-year term
 - One (1) Moderator for a 2-year term
 - One (1) Supervisor of the Checklist for a 6-year term
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Article 2

Shall the Town of Merrimack approve the charter amendment reprinted below?

PROPOSED AMENDMENT to Charter Article VI, Section 6-1 (B):

Conservation Commission. There shall be a Conservation Commission consisting of seven members. Six of these members shall be appointed by the Town Council for terms of three years, such terms to be staggered. One Town Council member shall be appointed annually to serve as an ex officio member **[and one student representative would be recommended by the School Board and appointed by the Town Council, this individual is not a voting member, nor a member for quorum purposes.]** There shall also be three alternate members appointed in the same manner as regular appointed members, except no more than one alternate appointed member's term shall expire in a single year. The Town Council shall fill any vacancy for the period of the unexpired term. The Conservation Commission shall have all the powers granted to conservation commissions by New Hampshire state law Effective April 1, 2024.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 3

To see if the Town will vote to raise and appropriate the sum of Two Hundred Sixty Six Thousand Three Hundred Thirty Eight Dollars (\$266,338)(gross budget) for the purpose of developing final design plans for the stormwater and infrastructure project for the Baboosic Lake (Pine Knoll Shores) Drainage Study, addressing roadway improvements, stormwater conveyance, treatment needs, and to include solutions that promote energy efficiency, water quality and flood resiliency in accordance with the 2017 or newer NH Small MS4 General Permit (“the Project”); and to authorize the issuance of not more than \$266,338 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33, as amended), and to authorize the Town Council to issue and negotiate such bonds or notes and to determine the rate of interest and other terms thereof; and further to authorize the Town Council to apply for, accept, and expend any federal, state, or private funds that may become available to be applied to the Project to reduce the amount that must be bonded or borrowed or to pay debt service on such bonds or notes; and further to authorize the Town Council to apply for, accept, and expend any funds or loan forgiveness through the Clean Water State Revolving Fund (CWSRF). This Article is contingent upon approval of the loan application and the CWSRF program being able to provide 100% of the funding for the Project. It is anticipated that the Town will receive up to \$93,268 in loan forgiveness from the CWSRF program.

(Recommended by the Town Council 7-0-0) (3/5 ballot vote required)

Article 4

Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$39,778,556? Should this article be defeated, the default budget shall be \$38,484,241, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the Town Council may hold one (1) special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 5

To see if the town will vote to raise and appropriate the sum of \$2,250,000 to be added to the following Capital Reserve/Expendable Trust Funds previously established for the purposes for which they were created and to apportion the sum among the several funds as listed below:

Liability Trust Fund	10,000
Ambulance	250,000
Athletic Fields	5,000
Communications Equipment	55,000
Computer Equipment	95,000
Daniel Webster Highway	75,000
Fire Equipment	400,000
Highway Equipment	425,000
Library Building Maintenance Fund	75,000
Playground Equipment	5,000
Property Revaluation	20,000
Solid Waste Disposal	100,000
Traffic Signal Pre-emption	5,000
GIS	20,000
Road Infrastructure CRF	700,000
Total CRF	2,240,000
Milfoil	10,000
Total GENERAL FUND	2,250,000

These appropriations are **not** included in the total town operating budget warrant article 2.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 6

To see if the town will vote to raise and appropriate the sum of \$550,000 to be added to the Sewer Infrastructure Capital Reserve Fund previously established with said amount to come from sewer fees and no amount to come from taxation.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 7

Shall the Town of Merrimack vote to approve the cost items included in a collective bargaining agreement reached between the Merrimack Town Council and the New England Police Benevolent Association (NEPBA), Local 12, which calls for the following increases in salaries and benefits at the current staffing levels:

Fiscal Year	Wage and Benefit Costs Increase
2024-25	\$ 293,873
2025-26	170,465
2026-27	185,130

and further to raise and appropriate the sum of \$293,873 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels? This collective bargaining agreement covers the Police Officer, Sergeants and Detectives in the Police Department.

Should this article fail to pass, the cost items approved by the 2020 Town Meeting for the New England Police Benevolent Association (NEPBA) Local 12 collective bargaining agreement for the term ending June 20, 2025 shall remain in place for fiscal year 2024-2025.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 8

Shall the Town of Merrimack vote to approve the cost items included in a collective bargaining agreement reached between the Merrimack Town Council and New England Police Benevolent Association, Local 112, which calls for the following increases in salaries and benefits at the current staffing levels:

Fiscal Year	Wage and Benefit Costs Increase
2024-25	\$ 59,943
2025-26	38,868
2026-27	25,313
2027-28	22,089

and further to raise and appropriate the sum of \$59,943 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels? This collective bargaining agreement covers Dispatchers and Office Staff of the Police.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 9

Shall the Town of Merrimack vote to approve the cost items included in a collective bargaining agreement reached between the Merrimack Town Council and Teamsters, Local 633, which calls for the following increases in salaries and benefits at the current staffing levels:

Fiscal Year	Wage and Benefit Costs Increase
2024-25	\$ 84,762
2025-26	54,232
2026-27	40,153

and further to raise and appropriate the sum of \$84,762 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels? \$44,556 towards the first year's payment to come from sewer fees from the Waste Water Enterprise Fund. This collective bargaining agreement covers supervisory and clerical employees of the Highway, Solid Waste Disposal, Wastewater Treatment, and Equipment Maintenance Divisions of the Public Works Department.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 10

To see if the Town will vote to adopt the Town of Merrimack Community Choice Aggregation Plan, prepared by the Merrimack Electric Aggregation Committee/Community Choice Aggregation Committee (CCAC), and to further authorize the Town Council to develop and implement Merrimack Community Power, and to take all action in furtherance of the Town of Merrimack Community Choice Aggregation Plan, pursuant to RSA 53-E.

(Recommended by the Town Council 7-0-0) (Majority vote required.)

Article 11 (By Petition)

Shall the Town raise and appropriate the sum of \$1,000,000 for the purpose of development of town owned land on Pearson Rd into a multiple use athletic field, for the use of Soccer, Football, Lacrosse, Baseball, Softball etc.? Reference: Tax Map 7C Lot 40-2

(by petition) (Recommended by the Town Council 2-5-0) (Majority vote required).

Article 12 (By Petition)

To see whether police officers shall be permitted to enforce federal immigration laws, comply with immigration detainer requests, or contact federal immigration authorities to conduct a background investigation on anyone arrested on evidence of any other crime. No school district nor town official shall establish "Sanctuary Cities" policies that prevent immigration laws from being enforced by any police officer nor federal immigration officer in the performance of their job. Four towns, Cheshire County, and the City of Manchester have enacted "Sanctuary City" policies for illegal immigrants without notifying the general public beforehand.


A yes vote is to stop our community from being turned into a "Sanctuary City.

(by petition) (Majority vote required).

Given under our hands and seal this 20th day of February, in the year of our Lord, Two Thousand twenty-four.




MERRIMACK TOWN COUNCIL




Nancy M. Harrington, Vice Chair




Andy Hunter, Councilor



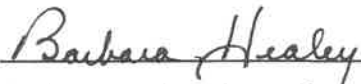
Mackenzie Murphy, Councilor



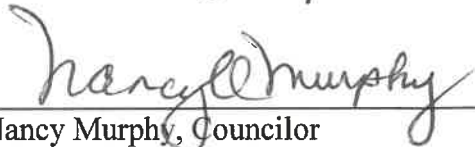
Finlay C. Rothhaus, Chairman



Thomas P. Koenig, Councilor



Barbara Healey, Councilor

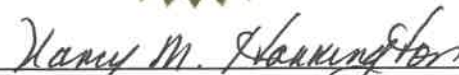


Nancy Murphy, Councilor

Attest: a true copy of the Warrant




MERRIMACK TOWN COUNCIL




Nancy M. Harrington, Vice Chair



Andy Hunter, Councilor



Mackenzie Murphy, Councilor



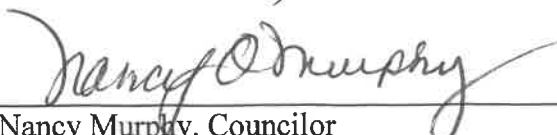
Finlay C. Rothhaus, Chairman



Thomas P. Koenig, Councilor



Barbara Healey, Councilor



Nancy Murphy, Councilor

**Town of Merrimack, New Hampshire
Certificate of Service**

We, the Town Council, certify that we gave notice to the inhabitants within named, to meet at the time and place and for the purpose within mentioned, by posting an attested copy of the within Warrant at the place of meeting within named, and a like attested copy at the Town Hall and Town Library, being public places in said Town on or before the 26th day of February 2024.

MERRIMACK TOWN COUNCIL



Nancy M. Harrington
Nancy M. Harrington, Vice Chair

Andy Hunter
Andy Hunter, Councilor

Mackenzie Murphy
Mackenzie Murphy, Councilor

Finlay C. Rothhaus
Finlay C. Rothhaus, Chairman

Thomas P. Koenig
Thomas P. Koenig, Councilor

Barbara Healey
Barbara Healey, Councilor

Nancy Murphy
Nancy Murphy, Councilor