

Approved: April 28, 2016

Posted: April 29, 2016



Town Council Meeting Minutes

Thursday April 14, 2016, at 7:00 PM, in the Matthew Thornton Room

Chairman Harrington called the meeting of the Town Council to order at 7:00 p.m. Present at the meeting were Vice Chairman Mahon, Councilor Boyd, Councilor Dwyer, Councilor Koenig, Councilor Rothhaus, Councilor Vaillancourt, Town Manager Eileen Cabanel, and Assistant Town Manager/Finance Director Paul Micali.

Pledge of Allegiance

Chairman Harrington led in the Pledge of Allegiance.

Announcements

On Tuesday, April 12th, Merrimack's Sal's Pizza franchise owner, John Borrun, passed away at Elliot Hospital following an automobile accident. John, along with his business partner, Mark Kondry received the Merrimack Rotary Club's Excellence in the Workplace Award in 2014 for their generosity and contributions to local events, sports teams, fundraisers, the Police Department, and the community as a whole.

Chairman Harrington, on behalf of the Town Council, extended sincere condolences to the family and friends of John Borrun.

The Council observed a moment of silence in memory of John Borrun.

Regular meetings of the Town Council will be conducted on Thursday April 28th, May 12th, May 26th, and June 5th at 7:00 p.m. in the Matthew Thornton Room.

Dog Licenses are due by April 30th. The Town Clerk's Office will be open this Saturday, April 16th, from 9:00 a.m. to Noon for dog licensing. The Rotary Club will be offering a rabies clinic at the same time in the Town Hall parking lot at the former MARS ambulance garage. Rabies shots are \$20. Please bring current shot records with you.

Kinder Morgan – Proposed Northeast Energy Direct (NED) Pipeline Project

Chairman Harrington stated there to be nothing new to report.

Chairman Harrington questioned the will of the Council with regard to amending the agenda to allow for inclusion of a section titled Perfluorooctanoic Acid (PFOA) Information. She also asked for consensus with regard to future agendas including this topic. When asked, she stated the intent to allow for public input as well as disseminate any information the Council may have.

The consensus of the Council was to amend the agenda, and that future agendas include the topic.

Perfluorooctanoic Acid (PFOA) Information

Chairman Harrington noted since the receipt of the initial notification on Thursday, March 3rd regarding the PFOA contamination in the Merrimack Village District (MVD) public water supply, the Town Council Meeting Minutes – April 14, 2016

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Town Council has worked diligently to maintain transparency, and update the residents with information as it is received. On Friday, March 4th, a page was created on the Town website, which has been consistently maintained, and includes information such as the video of the March 23rd meeting with the New Hampshire Department of Environmental Services (NHDES) as well as a link to the handouts that were provided, a link to the NHDES PFOA page, which has been and continues to be the primary resource for results and findings, a link to the MVD website, important correspondence including letters from members of State Government and Congressional Delegation, and a public statement from Saint-Gobain Performance Plastics.

Senator Ayotte requested a meeting with representatives of the affected towns and the MVD to gain more in depth knowledge regarding the issue. That meeting was conducted on Friday, April 8th. As a result, it was suggested that Senator Ayotte do the following: encourage the U.S. Environmental Protection Agency (EPA) to quickly establish lifetime PFOA levels in order to evaluate all water resources for safety (throughout the country; varies from state to state), encourage the EPA to establish a consistent laboratory standard upon which all testing can be evaluated, encourage the Federal and regional EPA to become much more visible and active in this investigation, and to further explore and investigate the historical and current air quality monitoring conducted by the NHDES.

After that meeting, the towns of Merrimack, Litchfield, Bedford, and Londonderry, and the MVD formed a consortium for the purpose of focusing on monitoring and sharing of information, responding to concerns of residents, and contact with the NHDES and Saint-Gobain.

The Council will continue to update information on the website. Chairman Harrington stated there have been a few press releases issued; one of which was released the previous day by the NHDES relative to an expansion of the private well testing analysis from a 1 mile radius to a 1.5 mile radius from the Saint-Gobain facility. All results are on the NHDES website. In addition to listing the results, there is a map indicating where all of the results are from. Another press release was put out earlier in the day, which read in part:

“The New Hampshire Department of Environmental Services (NHDES) today announced that it has received preliminary sample results for groundwater and soil samples taken at the Saint-Gobain facility in Merrimack, N.H. The groundwater test results were found to contain perfluorooctanoic acid (PFOA) concentrations ranging from 280 parts per trillion (ppt) to 5,800 ppt. A review of the preliminary soil sampling data found PFOA soil concentrations ranging from non-detect to 30 parts per billion (ppb). NHDES compared these results against residential soil screening levels developed by the United States Environment Protection Agency (EPA) Region 4 of 16,000 ppb and the State of Vermont, which currently has a residential soil screening level of 0.3 mg/kg (equivalent to 300 ppb). The soil sample levels of PFOA detected at the Saint-Gobain facility are well below either of these screening values.

In addition to soil samples taken near the Saint-Gobain facility, at NHDES’s request, Saint-Gobain will be testing soil at properties with sensitive populations (e.g., schools, daycare centers and playgrounds) within a 1-mile radius of the Saint-Gobain facility in Merrimack. NHDES identified eight properties in Merrimack and Litchfield that will be tested. NHDES has reviewed and commented on a draft work scope, and testing is anticipated to begin late next week.”

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Town Manager Cabanel stated the date for the preliminary meeting of the consortium has been set for Tuesday, April 26, 2016 at 6:30 p.m.

Chairman Harrington commented Councilor Boyd had suggested the MVD could be a bit more proactive in communicating; the idea was to have a summary followed by updates for all of the customers of MVD. Chairman Harrington spoke with Rob Miner, Superintendent, MVD and one of the Commissioners regarding the suggestion and noted the MVD has customers that do not utilize the Internet and/or cable television, but do receive monthly bills, and would be able to get the information through such a mailing. The subject will be discussed during Commission's April 18th meeting.

Councilor Boyd spoke of the Press Release put out on April 12th by Senator Shaheen's Office, which read in part:

"This morning, U.S. Senator Jeanne Shaheen (D-NH) called the Environmental Protection Agency (EPA) Administrator Gina McCarthy to discuss the elevated levels of the chemical PFOA detected in the wells of multiple New Hampshire communities. During their lengthy discussion, Administrator McCarthy assured Sen. Shaheen that the long-term health advisory standard for PFOA will be released soon and will be an important step in a broader initiative by federal agencies to study the health implications of PFOA."

"Communities in New Hampshire must be able to trust their water supply," said Shaheen. "Today, I had a productive conversation with Administrator McCarthy and received assurances that she was marshalling federal resources to provide these communities with timely and thoroughly researched information. I will continue to work closely with federal agencies to ensure that they are responding to this contamination with the urgency that it deserves."

Town Manager Cabanel stated she learned earlier in the day that there will be a weekly NHDES conference call with her and the Town Managers from Litchfield, Bedford, and Londonderry.

Comments From the Press and Public - None

Recognitions, Resignations and Retirements

1. Recognition of Prudential Spirit of Community Award Honoree - Emma Williams

Submitted by Town Council Chairman Nancy Harrington and Vice Chair Tom Mahon

The Town Council to recognize Emma Williams of Merrimack as one of New Hampshire's top two volunteers of 2016 by the Prudential Spirit of Community Awards, a nationwide program honoring young people for outstanding acts of volunteerism.

Chairman Harrington read the following Proclamation into the record:

"WHEREAS as a Senior at Bishop Guertin High School, Emma began organizing an annual basketball tournament to raise money to provide Christmas gifts for families in need in her community,

WHEREAS she was challenged by the club's advisor to think of ways to raise money for charity of which she proposed a fundraiser "Heart to Hoops" basketball tournament,

WHEREAS Emma reached out to coaches referees, and recruited eight teams that paid an entrance fee to play in the tournament, and additional money was raised by selling tickets to spectators as well as conducting a raffle and shooting competitions,

WHEREAS Emma also encouraged spectators to bring canned food to the tournament, which was donated to charity,

WHEREAS Emma's annual tournaments have raised more than \$8,000, enough to brighten the holidays of 80 families in her area,

WHEREAS Emma Williams was recently named one of our State's top honorees in the Prudential Spirit of Community Awards Program, a nationwide program honoring young people for outstanding acts of volunteerism; and

WHEREAS Emma received \$1,000, an engraved silver medallion, and an all-expense-paid trip in early May to Washington, D.C., where she will join the other State honoree as well as the two top honorees from each of the other states and the District of Columbia for four days of national recognition events. During the trip, 10 students will be named America's top youth volunteers of 2016.

NOW THEREFORE, The Merrimack Town Council commends Emma Williams, our Prudential Spirit of Community Award Honoree for her outstanding volunteer contribution to others in our community."

MOTION made by Councilor Boyd and seconded by Councilor Mahon to proclaim Thursday, April 14, 2016 as Emma Williams Prudential Spirit of Community Recognition Day in Merrimack, New Hampshire. MOTION CARRIED 7-0-0

2. Recognition of Retirement of Town Employee

Submitted by Human Resources Coordinator Sharon Marunicz

The Town Council will present a recognition award to Lt. Edmonds in recognition of his retirement from the Town of Merrimack Police Department after more than 30 years of service. Lt. Edmonds retired effective December 31, 2015.

3. Recognition of Retirement of Town Employee

Submitted by Human Resources Coordinator Sharon Marunicz

The Town Council will present a recognition award to Lt. Paul A. Trepaney in recognition his retirement from the Town of Merrimack Police Department after more than 30 years of service. Lt. Trepaney retired effective December 31, 2015.

Mark Doyle, Chief, Merrimack Police Department, remarked, between Lt. Edmonds and Lt. Trepaney, they have provided over 60 years of exemplary service to the Town of Merrimack. He spoke of the institutional knowledge, talent, leadership, and mentorship they have provided the department, fellow officers, and members of the community.

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Chief Doyle stated both Lt. Edmonds and Lt. Trepaney were hired in 1985 and both attended the 74th Police Academy. Lt. Edmonds served as a Patrolman, Detective, was a Patrol Sergeant as one of the department's supervisors, and retired as a Patrol Lieutenant. Lt. Trepaney served as an Administrative Lieutenant from the Services Division when he retired. He worked as a Detective Lieutenant, a Patrol Sargent as well as a Detective and a Patrolman.

Lt. Edmonds had a specialty in computer and I.T. applications and worked diligently with the Records Management Service Provider to constantly upgrade and tweak the system allowing the department to become more efficient.

Both Lt. Edmonds and Lt. Trepaney were past Commanders of the Accident Investigation and Technical Reconstruction Team.

Lt. Edmonds was a founding member of the department's Honor Guard, was an Identi-Kit trainer, has an Associates Degree in Criminal Justice, having attended the New England Institute of Law Enforcement Management at Babson College, and 2,300-2,500 hours of training gained over his 30-year career.

Lt. Trepaney was a Specialist in Grant Writing, and was responsible for the radio system oversight and for putting together the department's Capital Improvement Plan for the current radio system the department is working towards installing. He was responsible for upgrading the department's access control, was directly responsible for recruitment, hiring, and training of all personnel as well as a lot of the department's social media outreach and website development. Lt. Trepaney has accumulated approx. 3,000 hours of training over the last 30 years, has an Associates of Science Degree in Business Computer Applications, a Bachelors of Science Degree in Business Management, and attended the New England Institute of Law Enforcement Management at Babson College. He was a Firearms Instructor.

Lt. Trepaney was the Police Officer of the Year in 2013 for single-handedly apprehending an armed robbery suspect from the Bank of America robbery. Lt. Edmonds was the 1996 Officer of the Year and received the Meritorious Service Award, the Chief's Achievement Award, the Life Saving Award, several distinguishing accommodations, received the Purple Heart for a serious injury sustained during the course of carrying out his duties, and the Exceptional Service Award.

Chief Doyle remarked they have provided so much to the community it would be near impossible to thank them for it all. They will both be missed greatly. He thanked them both for the past 30+ years of friendship and the 60+ years they and their families have devoted to the Town of Merrimack.

Lt. Edmonds thanked the Council for recognizing his retirement, and the citizens of Merrimack for allowing him to serve them. He remarked it has been a pleasure, and a job that he wanted since he was a child. He commented he has never regretted leaving Massachusetts to come to New Hampshire. He brought his family to Merrimack, and plans on staying.

Lt. Trepaney expressed his gratitude for the recognition. He stated it to have been an honor and a privilege to work with the Merrimack Police Department, and thanked his Wife for her support.

Appointments

1. Annual Review with the Parks and Recreation Committee

Submitted by Parks and Recreation Committee Chair Chris Christensen

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

Laura Jaynes, Vice Chairman, Parks and Recreation Committee (Committee), noted the Committee functions in an advisory capacity to the Town Manager through Matt Casparius, Director, Parks and Recreation Department. Director Casparius coordinates the construction of the meeting agendas and attends their meetings.

The Committee consists of 12 members including representatives from the Town Council, School Board, the Merrimack Youth Association (MYA) and the Senior Citizens Club. There are currently vacancies for 1 full-time position and 2 alternate positions.

The Committee strives to encourage activities for all ages with events aimed at the younger population such as the Easter Egg Hunt as well as the elders of the community such as bus trips and afternoon feature movies at the John O'Leary Adult Community Center. The Christmas and 4th of July parades are geared towards families of all ages as are the Winter Carnival and Halloween Party at Wasserman Park. The Committee works with others to co-sponsor or coordinate events such as Merrimack Friends & Family in the Library. Some of the things the Committee has done directly include staffing and volunteering at these events as well as some of the new events started by Director Casparius.

Chris Christensen, Chairman, Parks and Recreation Committee, stated the Committee has discussed and provided input to Director Casparius on new rules for renting of the function hall at Wasserman Park, which has been vacant for some time. There was significant discussion around the rules; particularly in terms of insurance requirements the types of functions that may require a police detail.

Mr. Christensen remarked the Committee looks forward to working under the newly established Recreation Revolving Fund approved by the voters, which will allow for additional programs as well as providing for some to be self-supporting. The Committee will continue to rely on the Town for capital improvements and the like; however, the revolving fund will provide opportunities for additional functions and events.

Mr. Christensen stated over the past year or so the Committee has focused on improvements to Wasserman Park, and has appreciated the Council's support in those endeavors. In the coming year, the focus will have a broader range of activities. In the coming months, the Committee hopes to have more information on the O'Gara Drive recreation area. The tennis courts have been an issue for the Town for a long time, and it remains undecided whether the tennis courts, for example, might be better built and operated by the school system. He commented on the school busing students to Wasserman Park. There has been interest expressed by citizens in a full-size outdoor basketball court.

Mr. Christensen remarked as the Committee moves into the planning stage, the Town's history of citizen funding comes up; Martel Field, Abbie Griffin Park, Kids Kove, and Veterans Park all have a very heavy component of citizen fundraising and support. The most current example is the Merrimack

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Dog Park, which will hopefully be opened next fall. That project is primarily through citizen funding and the contest award. It is hoped the Town will come across additional funds to support that effort when more specific numbers are known.

The Committee is looking at is recreational playing fields. There is roughly \$150,000 in the Capital Reserve Fund earmarked for that purpose. However, funds have not been added to that in some time. If looking to build a new recreation field in today's dollars, the \$150,000 would not be sufficient. The Committee may recommend adding some level of funding to that each year earmarked for field development.

Councilor Dwyer commented on having enjoyed working with the Committee. He remarked the consensus on the Council for the past few years has been to put funding towards caring for amenities the Town already has. A lot of effort has been put towards Wasserman Park in particular. One of the big events that took place was the Easter Egg Hunt, which had 800 participants. He thanked Mr. Christensen for his work on the Committee.

Councilor Vaillancourt thanked the Committee for the work it does. She commented on how pleased she has been to see the amount of improvements that have taken place at Wasserman Park, which will undoubtedly result in greater use of the park.

Councilor Vaillancourt commented the tennis courts at O'Gara Drive are not currently used by anyone as they are not safe for use. She remarked the comment made that the school buses students over to Wasserman Park for practice was not accurate. Mr. Christensen responded "bus" was used in a generic way. To his knowledge the tennis team was going over to Wasserman Park for practices.

Councilor Rothhaus remarked if they are using Wasserman Park for tennis practice, personal vehicles are being driven there, which he sees as a potential liability. He added teams go up to the elementary school from the High School, and that has always been via personal transportation.

Public Hearing

1. Public Hearing - NH Highway Safety STEP Grant Acceptance for MPD

Submitted by Lieutenant Brian Levesque

Town Council will hold a public hearing to consider the acceptance and expenditure of a New Hampshire Office of Highway Safety STEP (Sustained Traffic Enforcement Patrols) grant in the amount of \$14,591.41 that has been awarded to the Merrimack Police Department to conduct selective traffic enforcement patrols including "Join the Clique" and "Operation Safe Patrol" programs, pursuant to RSA 31:95-b and Charter Article 8-15.

Brian Levesque, Lieutenant, Merrimack Police Department, stated the patrols would allow officers to work overtime to enforce traffic violations and educate the public. The grant is a little different this year where programs such as "Join the Clique" and "Operation Safe Patrol" have been rolled into the Sustained Traffic Enforcement Patrol grant by the Highway Safety Division. It allows the department to customize the needs towards the issues that are present in Town. The grant funding would cover the cost of 232 hours of patrol for selective traffic enforcement.

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Councilor Rothhaus questioned statistical information from previous grant monies received for the various programs. Lt. Levesque stated he did not have the information with him; however, it could be provided.

Councilor Rothhaus commented he is always a little uncomfortable with this. He can remember in the '70s Merrimack was a community that was red lighted by Triple A; be careful, go slow, etc. He stated his desire to see grant dollars put towards patrols that are geared toward educating the public as opposed to issuing tickets/fines. Lt. Levesque remarked it is an educational tool to make motorists aware of laws they may not even be aware of.

Councilor Rothhaus reiterated his desire to receive statistical information on the number of stops versus warnings, tickets, etc.

Councilor Vaillancourt stated Exhibit C-1, Page 1 of 1 includes language that appears to be standard on all grants. Lt. Levesque remarked the exhibits are from the New Hampshire Office of Highway Safety. Councilor Vaillancourt stated she is uncomfortable with quotas, and is aware Councilor Koenig voted in opposition to the last grant acceptance because he was uncomfortable with that as well. The 12th bullet point on Exhibit C-1 states "Departments are recommended to conduct a minimum of three documented stops/contacts per hour." However, the 14th bulleted item states: "Nothing in this grant shall be interpreted as a requirement, formal or informal, that a law enforcement officer issue a specified or predetermined number of summons in pursuance of the department's obligation associated with this grant."

Councilor Vaillancourt stated whenever the Council accepts these grants that language is included, and she is personally uncomfortable with quotas and having any kind of a recommended number as to her that is arbitrary. Lt. Levesque responded, unfortunately, there were some agencies that took advantage of the system, and didn't follow through with enforcement. The New Hampshire Office of Highway Safety is simply stating they would like to see some activity.

He remarked earlier in the day he was working on a grant for next year. Last year one of the issues was seat belts, and those efforts resulted in 1 summons to 10 warnings. It is a mere suggestion just to ensure the Federal Government and the State is actually getting some enforcement out there; some education and awareness of the laws.

Councilor Rothhaus commented information provided in the past has indicated 6-8% of the stops result in tickets. If the statistics for these efforts in prior years are similar to that then he is comfortable with accepting the grant dollars. Lt. Levesque stated in years past the summons to warning ratios is rather large on the warning side. There is a great deal of education and awareness that is focused on. The officers use their discretion towards issuing a summons for those extreme cases. Councilor Rothhaus commented that is good community policing in his opinion.

Town Manager Cabanel stated a desire for the numbers to be put into perspective noting on the D.W. Highway alone, 12,000-18,000 cars travel that road each day.

Lt. Levesque commented the issue they are noticing is policing is turning into more call taking services. As a result the officers can't be out enforcing traffic violations. By allowing the department to accept grant dollars to cover the cost of additional/dedicated patrols towards those efforts, they are

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able to make the roadways safer for our citizens as well as those motorists traveling to Town for business or traveling through.

Councilor Koenig noted the \$14,591.41 comes to the Town as additional money, but it is only used to pay overtime patrols. It goes straight to putting police back on the street above and beyond our standard police enforcement activities that are paid for out of the regular budget. Lt. Levesque stated that to be the case.

Councilor Koenig questioned if there is a plan for how those hours would be assigned. Lt. Levesque responded it would depend on the week. Officers would be put out on shifts during times when issues are known to occur. There are also several times during the year where the Operation Safe Commute will be operating, which is a nationwide standard as is Join the Clique. There are times in May and October where the recommendation is for the department to participate.

Councilor Koenig remarked there are certainly advantages to it, but there is also the other thought that it is not really money that is enhancing the Town unless looked at as enhanced protection for motorists. Lt. Levesque commented when a police presence is seen motorists will not speed, which could ultimately drive down the number of accidents. The hope is that by doing these types of patrols the number of accidents will decrease every year.

Councilor Dwyer questioned if the seat belt clicking has taken a backseat to the cell phone use since the law has changed. Lt. Levesque stated while driving around in his personal vehicle he sees that much more often than when driving a giant black and white police car. He believes there to be several people that aren't aware of the law, and that it is something that still needs to be enforced as it leads to negligent driving.

Chairman Harrington opened the Public Hearing at 7:54 p.m.

No one from the public came forward to speak.

Chairman Harrington declared the Public Hearing closed at 7:55 p.m.

MOTION made by Councilor Mahon and seconded by Councilor Dwyer to accept the New Hampshire Office of Highway Safety STEP (Sustained Traffic Enforcement Patrols) grant in the amount of Fourteen Thousand Five Hundred Ninety One Dollars and Forty One Cents (\$14,591.41), and to authorize the Town Manager to execute the documents as required.

MOTION CARRIED 6-1-0

Councilor Koenig voted in opposition

There being no objection, the Council went out of the regular order of business to take up Item # 3 followed by Item #2 under New Business.

3. Acceptance of Police Standards and Training Council Grant Funds

Submitted by Lieutenant Brian Levesque

The Town Council to consider the acceptance and expenditure of two training grants from the New Hampshire Police Standards and Training Council in the amount of \$595 for Field Training Officer

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training and \$1,900 for At Scene Accident Investigation training (\$950 x 2 officers), pursuant to RSA 31:95-b and Charter Article 8-15.

Lt. Levesque stated the request is for acceptance of two training grants; one for \$595 and the other for \$1,900. These are funds the department had to pay for school that were previously offered by the Police Standards and Training Council at no cost to the department. Due to funding issues this past year and a reduction in their penalty assessment funds they receive to run the training programs, they eliminated these types of courses that the Merrimack Police Department needs as a police department. Lt. Levesque spoke of several new hires coming on board and the number of retirements. There are a limited number of field training officers. The desire was to utilize the \$595 to cover the cost that was incurred to get another field training officer trained (course taken and passed). Lt. Levesque commented Lt. Trepaney and Lt. Edmonds were members of the Accident Investigation Team. There is specialized training necessary to fill those vacancies. Two officers will participate in a week-long school at a cost of \$950 each (cost was paid out of the department budget).

It was noted Chief Doyle spoke on Senate Bill 527, which restored the Police Standards and Training Council budget into the State budget; no longer relying on penalty assessment fees.

Councilor Boyd asked for clarification these funds would have previously come from the education & training budget. Lt. Levesque stated the course was already paid for when the department received notice from the Police Standards and Training Council of the opportunity to submit for a grant.

Councilor Boyd remarked the end result is the freeing up of additional funds to allow for other trainings, etc. Lt. Levesque responded with acceptance of the grant, those dollars would be returned to the training fund.

Councilor Vaillancourt commented on the importance of appropriate funding to train new officers coming on, and thanked the Chief for his efforts in bringing money back to the department.

MOTION made by Councilor Boyd and seconded by Councilor Mahon to accept and expend two training grants from the New Hampshire Police Standards and Training Council in the amount of Five Hundred and Ninety Five Dollars (\$595) for Field Training Officer training and One Thousand Nine Hundred Dollars (\$1,900) for At Scene Accident Investigation training (\$950 x 2 officers), pursuant to RSA 31:95-b and Charter Article 8-15, and furthermore that the Town Manager and/or her proxy be authorized to sign any and all documents necessary to perfect the expenditure of the funds. MOTION CARRIED 7-0-0

2. Donation Acceptance for the Merrimack Police Department

Submitted by Captain Peter Albert

Town Council to consider the acceptance and expenditure of a donation of \$250.00 to the Merrimack Police Department to be used towards the Police canine unit from Mrs. Susan Flaherty in honor of her late husband, James Henry Flaherty III, pursuant to RSA 31:95-b and Charter Article 8-15.

Captain Peter Albert, Merrimack Police Department, informed the Council Mrs. Flaherty came to the station back in March after one of the officers had been to her home to assist her with an issue she was having. She came in, expressed that she was very happy with the service she received, and dropped

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the donation off stating a desire to donate it to the canine fund in honor of her Husband. The officer involved was Officer William Vandersyde. She said she had had some other interactions with our officers over the years, and is appreciative of the department.

MOTION made by Councilor Boyd and seconded by Councilor Rothhaus to approve the acceptance and expenditure of a donation of Two Hundred and Fifty Dollars (\$250.00) to the Merrimack Police Department to be used towards the Police canine unit from Mrs. Susan Flaherty in honor of her late husband, James Henry Flaherty III, pursuant to RSA 31:95-b and Charter Article 8-15. MOTION CARRIED 7-0-0

The Council returned to the regular order of business.

Legislative Updates from State Representatives

Representative Chris Christensen stated the Delegation wishes to commend Tom Mahon for his service. As a delegation they stand ready to work with the Town Council. Representative Christensen commented the building the Council conducts its meetings in has been hugely renovated because Tom Mahon was instrumental in helping the delegation get funding and planning for the new courthouse; thus making this room available for its current use.

Town Manager's Report

The Crimeline Annual Magic Show Fundraiser for the Police Department's canine, Gunny, will take place on Saturday from 10:00 a.m. - 2:00 p.m. at the American Legion. Magicians will be on hand to entertain throughout the day. Gunny will be putting on a demonstration as well.

Consent Agenda - None

Old Business - None

New Business

3. Human Resources Coordinator Grade Change

Submitted by Town Manager Eileen Cabanel

Town Council to consider the acceptance of a recommended grade change for the Human Resources Coordinator from Grade 15 to Grade 20 and to adjust the salary accordingly related to enhanced responsibilities in the job description.

Town Manager Cabanel informed the Council of her proposal for a grade change for the position of Human Resources Coordinator. The position is currently situated in grade 15 with the Accounting Supervisor, Assistant Assessor and Assistant Planner. This job, over the years, has grown and developed. She spoke of the six very complex union contracts as well as new Federal regulations such as the new Family Medical Leave Act, Affordable Care, etc. that this individual has responsibility for being knowledgeable of and ensuring adherence to.

Town Manager Cabanel remarked this position does not equate to the others that fall into this grade category, e.g., requires a great deal of additional knowledge, etc. She stated her proposal that this position be moved from a Grade 15 to a Grade 20. Other positions within Grade 20 include the

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Assistant Public Works Director, Deputy Finance Director, Highway Operations Manager, and the Technology Coordinator. With a change in grade, there would be a 3% salary increase followed by the increase that all non-union employees will receive on July 1st.

The individual has been with the Town for many years, and has reached the top of the scale. This will provide the opportunity, when there are increases, to receive them.

Chairman Harrington noted included in the change of grade is a revised job description incorporating the enhanced responsibilities.

Councilor Dwyer commented since taking a position as Councilor in 2010 he has stated he took the position as part of a team that runs the Town of Merrimack as a business. When you look at this position, the responsibilities have become like those of department heads. There are over 240 employees. Any person in the private sector running that type of business with that many employees understands it is quite a professional task.

Councilor Boyd remarked the Human Resources role has evolved to the point it is no longer a benefits administrator type position. Having been on the Council for the past 5 years, he has come to learn the individual currently in this position has increased her responsibilities as it relates to labor relations, and the value she has provided to the Council in terms of negotiating contracts, and working with the healthcare options available to ensure the Town is able to provide quality healthcare to its employees while getting the best bang for the buck so to speak with regard to costs. In addition, the individual has taken on a lot of responsibility in assisting the Town Manager in matters related to grievances and arbitration. He is in agreement the current responsibilities of that position rise to the level of a director. He commented at some point the Council could look at changing the job title. He stated his opinion the enhanced job description and the pay grade change would be commensurate to the level of work the individual provides the community. He stated his enthusiastic support of the request.

Councilor Vaillancourt stated her support of the request noting her opinion the upgrade in grade as well as the revised job description more accurately reflects work that is and has been done for months if not a year or two.

Councilor Koenig commented having been involved with Town government for quite a while and having watched Ms. Marunicz grow in that position he can concur with all of the statements made. He spoke of the increased responsibilities that were placed on the Human Resources Coordinator position when the position of Assistant Town Manager was eliminated as well as the increase in responsibilities that came with the increase in the size of the Town, unions, etc. over the years. The responsibilities of the position have increased greatly since her hire. He stated his opinion it is time that the Council recognize and notice the job she is doing is a much more extensive and responsible task for the Town, which should be appreciated.

MOTION made by Councilor Boyd and seconded by Councilor Mahon to accept the Town Manager's recommendation for a grade change for the Human Resources Coordinator from Grade 15 to Grade 20, and to adjust the salary accordingly related to enhanced responsibilities in the job description. MOTION CARRIED 7-0-0

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There being no objection, the Council went out of the regular order of business to take up approval of meeting minutes.

Minutes

Approve the minutes from the Town Council meetings of February 11, 2016, February 25, 2016, March 10, 2016, and March 24, 2016.

February 11, 2016

The following amendment was offered:

Page 3, Lines 31-34; move the sentence that reads: “The Council returned to the regular order of business” to follow “The Council reconvened at 7:24 p.m.”

MOTION made by Councilor Boyd and seconded by Councilor Mahon to accept the meeting minutes of the February 11, 2016 Town Council meeting as amended. MOTION CARRIED 5-0-2

Councilors Koenig and Rothhaus Abstained

February 25, 2016

The following amendment was offered:

Page 1, Line 34; Lon Woods should be identified as the “Chair of the MVD” as opposed to “Heritage Commission Member”

MOTION made by Councilor Boyd and seconded by Councilor Dwyer to accept the meeting minutes of the February 25, 2016 Town Council meeting as amended. MOTION CARRIED 7-0-0

March 10, 2016

The following amendment was offered:

The footer on the second page should indicate “2 of 2” rather than “1 of 2”

MOTION made by Councilor Boyd and seconded by Councilor Mahon to accept the meeting minutes of the March 10, 2016 Town Council meeting as amended. MOTION CARRIED 6-0-1

Councilor Koenig Abstained

March 24, 2016

The following amendment was offered:

Page 10, Line 31; add “a year” between “once” and “because”

MOTION made by Councilor Mahon and seconded by Councilor Boyd to accept the meeting minutes of the March 24, 2016 Town Council meeting as amended. MOTION CARRIED 6-0-1

Councilor Rothhaus Abstained

The Council returned to the regular order of business.

4. Special Recognition of Town Council Vice Chairman Thomas J. Mahon

Submitted by Town Council Chairman Nancy Harrington

The Town Council will present a plaque to Thomas J. Mahon for his service to the Town of Merrimack as a member of the Merrimack Town Council.

Chairman Harrington read the following into the record:

“Tonight is Tom Mahon’s last meeting, for now, as a Town Councilor. In order to fully envelop all that Tom has contributed to the Town of Merrimack would take a very very long time, and would most likely miss something.

Tom has lived in Merrimack for 40 years, and in that 40 years has been an extremely active member of our community. Some examples include Chairman of the Charter Commission in 2005 and 2006, which established this Town Council form of government, School Board Chairman and member for many years, Budget Committee for a total of 13 years, Chair of the 4th of July Committee for 8 years, New Hampshire Rail Transit Authority for the last 10 years, Library Building Committee, Town Council member since 2006, and in those years 3 years as Chair and 2 as Vice Chair, which translates into 10 years of very time consuming and valuable service.

This obviously does not include any of the extra parental involvement in activities with his Daughter, Hillary as she was growing up in this Town or additional community activities with his Wife, Donna Hastings.

I believe I can speak for the Council when I express happiness for him, but sadness for us. The public cannot appreciate the amount of historical knowledge and experience that he has brought to the Council over these 10 years. He is a walking Wikipedia of Merrimack places, persons, and events, and always knows the State RSAs, and has always added that additional historical perspective that is valuable to decisions we make daily.

On a personal level I want to thank Tom for taking me under his wing as I learn the ropes of being the Chair of this Council over the past two years. He has taught me the nuances of leadership and has been an invaluable resource for guidance for so many issues that have occurred during this time. Believe me I will continue to seek his guidance, and I have already told him that he is on speed dial when I need his counsel. We all know that he will continue his involvement with Town activities in some capacity, and we will see him around Town in many of the events he will continue to attend.

Enjoy your free time, which I am sure will be used in other pursuits that are just as valuable, and God speed.”

Individual members of the Town Council spoke of their personal experiences working alongside Councilor Mahon, touched upon the amount of institutional knowledge he has brought to the Council, and thanked him for his guidance and his dedicated service to the Town of Merrimack.

Chairman Harrington opened the floor to comments from the public.

Approved: April 28, 2016

Posted: April 29, 2016

Lon Woods, 2 Arbor Street

Spoke of working alongside Councilor Mahon on the Budget Committee, School Board, Charter Commission, and Town Council. He remarked the public should understand that everything the Councilors spoke of in terms of Councilor Mahon's knowledge and expertise and guidance should be valued in terms of the trouble he has probably kept the Town and the school out of from time to time.

Vice Chairman Mahon was presented with a plaque, which read in part: "In recognition of the dedicated service you have given for the past 10 years beginning with serving as a member of the first Town Council for the Town of Merrimack, it is a pleasure to present you with this plaque. Your dedication and donation of countless hours has made Merrimack a better place to live and work. We wish to extend to your our sincere appreciation for your outstanding performance. July 2006 - April 2016."

Vice Chairman Mahon remarked his first volunteer effort was a referee for the MYA basketball league. He showed up at the High School gym for a Senior game, and it was a style he was used to having played in Philadelphia and South Jersey; it was basketball as a contact sport. He was refereeing with Dick Dumont, who at the time was a Police Officer. In that game Mr. Dumont called 6 technical fouls, and threw a Coach and a few parents out of the gym. That was his introduction to some of his activities, and it did not deter him.

Vice Chairman Mahon spoke of the support he has received throughout the years from his wife and daughter; something he will always be grateful for. He thanked the citizenry of Merrimack for their support over the years commenting he does not believe he has ever lost an election.

Vice Chairman Mahon thanked his colleagues for their support, and remarked although they may not have always shared the same viewpoints, they have always been respectful of each other and each other's right to his/her own opinion. Members have always been given the opportunity to passionately present their viewpoints, and although that, by its very definition, could, at times, lead to heated debates, that generally resulted in better decisions being reached.

Comments from the Press - None

Comments from the Public - None

Comments from the Council - None

Adjourn

MOTION made by Councilor Boyd and seconded by Councilor Mahon to adjourn the meeting.
MOTION CARRIED 7-0-0

The April 14, 2016 meeting of the Town Council was adjourned at 8:42 p.m.

Submitted by Dawn MacMillan