

Approved: January 10, 2019

Posted: January 15, 2019



## **Town Council Meeting Minutes**

Thursday December 20, 2018 at 7:00 PM, in the Matthew Thornton Room

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

### **Pledge of Allegiance**

Chairman Rothhaus led in the Pledge of Allegiance.

### **Announcements**

Town Offices will close at noon on Monday, December 24<sup>th</sup>, and will be closed Tuesday, December 25<sup>th</sup> in observance of Christmas and Tuesday, January 1<sup>st</sup> in observance of New Year's Day.

A regular meeting of the Town Council will be conducted on Thursday, January 10<sup>th</sup> at 7:00 p.m. Budget meetings will be held on Monday, January 7<sup>th</sup> and January 14<sup>th</sup> at 6:00 p.m. All meetings will be in the Matthew Thornton Room.

Rape Aggression Defense (R.A.D.) is a self-defense program specifically designed for women. The R.A.D. system involves education and awareness, risk reduction, avoidance strategies, and physical training. Participants are taught by certified instructors and are provided take-home reference manuals. The program consists of four (4) 3-hour training sessions for a total of 12 hours. Our first program will be held on January 8<sup>th</sup>, 10<sup>th</sup>, 15<sup>th</sup>, and 17<sup>th</sup> from 5:30-8:30 p.m. at the John O'Leary Adult Community Center. Applications can be obtained and dropped off at the Police Station. Any questions, please contact Animal Control Officer Gulino ([hgulino@merrimacknh.gov](mailto:hgulino@merrimacknh.gov)) or Officer Groves ([agroves@merrimacknh.gov](mailto:agroves@merrimacknh.gov)).

The Citizen Police Academy will begin on January 23<sup>rd</sup>. It is held from 6:00-9:00 p.m. each Wednesday until March 23<sup>rd</sup>. Applications can be found on the Police Department's website.

Town Manager Cabanel spoke of having received an email from Clark Freise, Assistant Commissioner, NH Department of Environmental Services (NHDES), indicating they are conducting a series of public hearings around the State relative to setting up Maximum Contaminate Levels for PFAs in the State. She is working with him and has offered Merrimack as a location for a Public Hearing in the March 4-8th timeframe. She was informed by Sarita Croce, Assistant Director, Public Works Department (PWD)/Wastewater, that they expect to have a number they will present as the recommendation, will conduct the public hearings, and then make a final recommendation to the Legislature.

### **Highway Garage Project Update**

Paul Micali, Assistant Town Manager/Finance Director, spoke of a meeting conducted to review punch list items. A few significant items are waited on, e.g., air handlers. The items are expected to arrive

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December 26<sup>th</sup> and be installed immediately. It is likely staff will move into the new facility during the month of January. The project remains under budget.

**Comments from the Press and Public** – None

**Recognitions, Resignations and Retirements**

**1. Recognition of Full-time Years of Service of Town Employee**

Submitted by Human Resources Coordinator Sharon Marunicz

The Town Council will present a recognition award to the following Town employees:

Police – SRO/Detective 1st Michael D. Murray - 30 year clock (Date of Hire: 9/18/1988)

Denise Roy, Chief of Police, remarked Detective Murray is a son, fiancé, dad, and one of the best police officers the Town has ever had. He is a mentor to all of the officers and supervisors that have had the opportunity to work with him. He has been a role model to the students he has encountered in his nearly 20 years at the high school.

He has been Police Officer of the Year. In 2014, EMS and Fire Foundation awarded him the Lifetime Achievement Award. In 1997, he received the Outstanding Effort award for looking beyond the ticket. He started as a Dispatcher, became a Special Officer, went to full-time, became the SRO, and in 2013 became a Detective.

One of the biggest things he has done is be an ambassador for the department for Special Olympics. He has traveled the world representing not only the United States, but the Merrimack Police Department.

He and Detective Michael Lambert recently returned from Wreaths Across America; a journey that begins in Maine traveling with tractor trailers full of wreaths stopping along the way to honor not only the soldiers who have been killed, but the families they left behind. They are the only two officers from the State of New Hampshire to do that.

***Chairman Rothhaus presented Detective Michael Murray with a clock in recognition of his 30 years of dedicated service to the Town of Merrimack.***

Detective Murray commented back 30 years ago there were three payphones in Town the department used to communicate with dispatch. The job has become very technical. He has loved his career with the department, and is happy to see the new guards stepping up in a very challenging, thankless, and dangerous profession. At the end, you have a feeling of pride for what you have done.

**Appointments** - None

**Public Hearing** - None

**Legislative Updates from State Representative**

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Representative Kathy Stack thanked Councilors Healey and Boyd for their attendance and participation at the Merrimack Village District (MVD) meeting.

This session will begin on January 2<sup>nd</sup>. However, she noted she and Representatives Rung, Murphy, Thomas, and Notter have all submitted Legislative Service Requests (LSRs) on behalf of the Town. The majority deal with water issues.

**Town Manager's Report** - None

**Consent Agenda** - None

**Old Business** - None

**New Business**

**1. Donation Acceptance for Town Center Committee**

Submitted by Town Center Committee Chairman Nelson Disco

The Town Council to consider the acceptance and expenditure of an anonymous donation in the amount of \$750 to the Merrimack Town Center Committee to be used towards improving the Town Center sidewalks and general appearance, pursuant to RSA 31:95-b and Charter Article 8-15.

Nelson Disco, Chairman, Town Center Committee, stated he was contacted by an anonymous donor wishing to contribute towards the projects of the Town Center.

With acceptance of this donation, the established fund will have an approximate \$1,000 balance. When expenditures are identified, a request will be put before the Council.

**MOTION made by Councilor Boyd and seconded by Councilor Healey to approve the acceptance and expenditure of the anonymous donation in the amount of Seven Hundred Fifty Dollars (\$750) to the Merrimack Town Center Committee to be used towards improving the Town Center sidewalks and general appearance, pursuant to RSA 31:95-b and Charter Article 8-15, and furthermore that the Town Council direct the Town Manager to write a Dear Anonymous letter to the individual expressing deepest thanks and gratitude for the generous contribution. MOTION CARRIED 5-0-0**

**2. Donation Acceptance for Merrimack Police Department**

Submitted by Deputy Chief Brian Levesque

The Town Council to consider the acceptance and expenditure of a donation from the Merrimack Crimeline in the amount of \$5,000 to be used towards the purchase of a new canine, pursuant to RSA 31:95-b and Charter Article 8-15.

Brian Levesque, Deputy Chief, Police Department, informed the Council of a donation received from the Merrimack Crimeline in the amount of \$5,000. He spoke of the great partnership the department has enjoyed with the Merrimack Crimeline and their support of the department. Dallas had to be retired due to liability issues, and the intent is to utilize the donation towards the purchase of a new canine.

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Asked where Dallas is, Deputy Chief Levesque stated he was found a new home at the Merrimack County Department of Corrections. He will be able to do single purpose; searching cells, etc. Chairman Rothhaus commented he was just too nice.

Councilor Boyd questioned what protocols would be used in the future for the new canine, e.g., what were some of the things discovered with Dallas at the onset that caused the regression. Deputy Chief Levesque responded you can never predict how a canine will react. When Dallas was originally purchased he was younger, and they thought he would work to maturity. He did some great work for a while, then when he was deployed in the field they saw him fail. There was live scenario training in New York the canine handler went to and regression was seen there. He related it to an officer who is on the force for a few years and then determines police work is not for them. He cannot offer protocols, but can say there is a dog training at the Boston Police Academy that is performing very well with no hesitation.

Patrolman Wallin will continue as the Canine Officer. Part of the reason this all happened so quickly is because the staff at the Boston Academy respects him as a handler. The dog they currently have was earmarked for another department; however, they knew it was a good fit for Officer Wallin. They waived the academy fee this time around.

**MOTION made by Councilor Boyd and seconded by Councilor Thornton to approve the acceptance and expenditure of a donation from the Merrimack Crimeline in the amount of Five Thousand Dollars (\$5,000) to be used towards the purchase of a new canine, pursuant to RSA 31:95-b and Charter Article 8-15, and furthermore to express the Council's continued gratitude to the Crimeline for their efforts with community endeavors. MOTION CARRIED 5-0-0**

The canine officer's name is Pluto.

### **3. Discussion and Consideration of Charter Change**

Submitted by Town Council Chairman Finlay Rothhaus

The Town Council will discuss the recommended change to the Charter in reference to Capital Reserve Fund (CRF) deposits.

The Town was notified by the Department of Revenue Administration (DRA) that beginning with the FY20 budget, Capital Reserve Deposits have to be placed on a separate warrant article due to a change to RSA 35-5. Capital Reserve Fund (CRF) deposits can no longer be included in the bottom line of budgets. The Council requested a Charter amendment to address this.

He questioned the will of the Council relative to continuing with a Charter change, and, if the desire, to vote to move it to a Public Hearing. There are some actions legal counsel needs to take in advance of a Public Hearing in addition to providing the proper language. They are working with the DRA to ensure there are no holdups given the short timeline to get this on the ballot.

**MOTION made by Councilor Harrington and seconded by Councilor Thornton that the Town Manager and/or her proxy proceed with the development of a Charter amendment related to the special Warrant Article needed for the revision of the Capital Reserve Funds and to post to Public Hearing. MOTION CARRIED 5-0-0**

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#### **4. 2019-2020 Budget Meeting Schedule Discussion**

Submitted by Finance Director Paul T. Micali

The Town Council to discuss the January budget meeting schedule.

Assistant Town Manager/Finance Director Micali commented at the end of the last meeting the Council discussed the possibility of changing the budget meetings from a Monday/Thursday schedule to a Wednesday/Thursday schedule. He questioned the will of the Council.

*The Council agreed to the change in meeting dates.*

#### **5. Presentation of Proposed 2019/2020 Town Manager Budget**

Submitted by Town Manager Eileen Cabanel and Finance Director Paul T. Micali

Town Manager will present her recommended 2019/2020 budget to the Town Council.

Town Manager Cabanel stated being proposed is a tax rate increase of zero.

A presentation was provided (can be viewed [here](#); tape counter 31:00) (copy attached). The tax rate involves both revenues and expenditures. In the General Fund, there is approx. \$10 million in revenue gained from sources other than property tax revenue. Revenue generated from other sources is subtracted from the overall budget to determine the amount to be generated through property taxes.

The proposed budget anticipates both increases and decreases in revenue from the various sources: increases include; building permits - \$15,000 (proposed for FY20 is a total of \$150,000), ambulance revenue - \$25,000 (proposed \$775,000), interest - \$55,500 (proposed \$455,500), administrative charges - \$75,000 (proposed \$520,721) and dump fees - \$12,000 (proposed \$229,480), and decreases include; SRO Grant \$85,000 (grant ends at end of September), media franchise fees - \$50,000 (proposed \$200,000), sale of property - \$15,500 (proposed \$66,460), and miscellaneous \$6,555. Total net revenue increase is \$25,445.

With regard to appropriations, health insurance has increased by 10.1%, which was anticipated to have a resulting increase of \$300,000. However, given the changing dynamic; have a lot of young people and perhaps more single plans than family plans. The anticipated increase is now identified as \$94,000. Workers' Compensation has an increase of \$33,000. A large increase is seen in the Fire Department whose rate is in the area of 5.8%. That has to do with our own experience, which has been very difficult over the past several years. Overtime in the Fire Department shows an increase of \$15,000, which is related to increases associated with advancement. When wages increase it impacts overtime.

Asphalt pile - increase of \$35,000. Each few years asphalt that is stored at the highway garage is used for a base for road infrastructure. Cost associated with paving the MYA lot is \$25,000 as is the cost to pave the fire department lots (south, central, and Reeds Ferry aprons). Police cruisers have an associated cost of \$50,000. Proposed for this cycle/budget is the purchase of four cruisers. The increased cost is associated with the fourth cruiser as well as an increase in the overall cost of all four. The allocation for outside services (ambulance collection fees) is proposed to increase by \$22,000.

The allocation for the Naticook Lake dredging & docks is identified as \$95,000. Vehicle maintenance shows an increase of \$19,000. Union wages (including steps) (Police Department) have an associated

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increase of \$93,000. The Library has proposed moving the part time custodian position to that of full time, which would result in an increase of \$22,000. Total increase is \$528,000.

Town Manager Cabanel spoke of the changes that allowed the Administration to get to a zero increase to the tax rate. Savings/decreases include: compensated absences - \$160,000 (based on who is eligible to retire), voting booths - \$19,000, Property & Liability insurance - \$9,000, HVAC Town Hall - \$200,000 (paid in cash last year), debt service - \$24,000, consultants - \$20,000, vehicle (Community Development) - \$20,000 (purchased last year), Police overtime - \$46,000, and Miscellaneous - \$2,399 for a total decrease of \$500,399. The end result is a General Fund increase of \$27,601.

The remaining charts provided allow for a review of the respective groups/items that make up the budget.

The increase in the General Fund operating budget is \$143,291 or 0.59% (expenditures). In capital, being proposed is an additional \$10,000 in CRF deposits and other capital (one-time expenses, etc.) shows a decrease of \$101,690. Road infrastructure shows no increase over FY19 (left at \$800,000).

CRF expenditures are an in/out category (amount of revenue received is an exact match for proposed expenditures). Increase in General Fund total is 0.19%.

Regarding CRF purchases, under computer equipment: licenses and server upgrades for Town Hall (\$50,000), fire apparatus computer replacement (\$15,000), fire suppression hose (\$17,000) and large apparatus for the fire trucks (\$47,000), under road infrastructure: drainage improvements (\$200,000) D.W. & Woodbury Street Sidewalk (\$128,000 placeholder for Town's share of TAP Grant), Turkey Hill Road Intersection (\$300,000 placeholder), Depot Street Boat Ramp (\$15,000 - in spring drone photos will be taken of terrain), ¾ ton pickup (\$35,000), two six-wheel dump trucks (\$180,000 ea.), traffic light preemption (\$5,000), and landscape trailer (\$15,000).

For the Solid Waste Department: Loader (\$250,000). For the Library: Children room windows (\$75,000). Total General Fund CRF purchases \$1,480,000.

From the Sewer Fund: Manhole/sewer line rehab. (\$25,000), screener (\$305,000), sewer rate study (\$25,000) and replacement instruments & controller (\$14,564). Total from the Wastewater Fund is \$369,564. Total CRF purchases \$1,849,564. Grand total of all CRF appropriations is \$47,838,446. It was noted included in that figure is the Waste Water Phase II, which is listed as a bond for \$13,100,000.

The Town Value listed represents no change. The result would be a proposed tax rate of \$5.10 (no increase over FY19).

Pending budget items include the State budget; it is unclear what will impact the Town, State revenue (rooms & meals taxes and highway block grant), non-union raises, and five union contracts.

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## **Minutes**

December 6, 2018

**MOTION made by Councilor Boyd and seconded by Councilor Thornton to approve the minutes of the December 6, 2018 meeting, as presented. MOTION CARRIED 4-0-1**  
*Councilor Healey Abstained*

**Comments from the Press** - None

**Comments from the Public** - None

**Comments from the Council**

Councilor Boyd wished everyone a Merry Christmas and Happy New Year!

## **Adjourn**

**MOTION made by Councilor Thornton and seconded by Councilor Boyd to adjourn the meeting. MOTION CARRIED 5-0-0**

*The December 20, 2018 meeting of the Town Council was adjourned at 8:06 p.m.*

Submitted by Dawn MacMillan