



Town Council Meeting Minutes

Thursday, January 23, 2014, 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 Vice Chairman Yakuboff, Councilor Boyd, Councilor Dwyer, Councilor Harrington, Councilor Koenig, Councilor Mahon, Town Manager Eileen Cabanel, and Finance Director Paul Micali.

Pledge of Allegiance

Chairman Rothhaus lead in the Pledge of Allegiance.

Announcements

Regular meetings of the Town Council will be conducted on Thursday, February 13, 2014 and February 27, 2014 at 7:00 p.m. in the Matthew Thornton Room.

Comments from the Press and Public - None

Recognitions, Resignations and Retirements

1. Recognition of the Retirement of David A. Joki

Submitted by Human Resources Coordinator Sharon Marunicz

The Town Council will present a recognition plaque to Master Firefighter David A. Joki in recognition of his retirement from the Town of Merrimack Fire & Rescue Department effective December 27, 2013. He has been employed full-time by the Town of Merrimack Fire Department since December 25, 1983.

Chairman Rothhaus informed the Council and viewing audience Master Firefighter David A. Joki was unable to be in attendance. He expressed the Council's appreciation for Mr. Joki's 30 years of service to the Town of Merrimack.

2. Recognition of the Retirement of Mark A. Akerstrom

Submitted by Human Resources Coordinator Sharon Marunicz

The Town Council will present a recognition plaque to Master Firefighter Mark A. Akerstrom in recognition of his retirement from the Town of Merrimack Fire & Rescue Department effective January 4, 2014. He has been employed full-time by the Town of Merrimack Fire Department since November 30, 1987. Master Firefighter Mark A. Akerstrom was unable to be in attendance. Chairman Rothhaus expressed the Council's appreciation for his 26 years of service to the Town of Merrimack.

3. Town Committee Member Resignations

Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair David G. Yakuboff, Sr.

The Town Council to consider the acceptance of the resignations received from the following Town committees members: Lorraine Lessard - Parks and Recreation Committee (Senior Citizen Club Rep.) Andy Powell - Town Center Committee

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MOTION made by Councilor Mahon and seconded by Councilor Boyd to accept, with regret, the resignation of Lorraine Lessard as the Senior Citizen Club Representative to the Parks and Recreation Committee and the resignation of Andy Powell as a member of the Town Center Committee

ON THE QUESTION

Councilor Mahon stated his desire for a letter of appreciation and/or certificate to be forwarded thanking them for their service.

MOTION CARRIED 7-0-0

Appointments - None

Public Hearing - None

Legislative Updates from State Representatives - None

Town Manager's Report – None

Consent Agenda - None

Old Business

Request for Withdrawal from Infrastructure Capital Reserve Fund

Submitted by Public Works Deputy Director Kyle Fox

Public Works requests that the Town Council authorize expenditure from the Infrastructure Capital Reserve Fund in the amount of up to \$190,000 to hire a consultant to perform the Engineering Study for the US 3 over Baboosic Brook bridge replacement project.

It was noted the amount being requested was up to \$38,000, which represents the Town's share of cost (20%).

When asked, Director Micali stated the Town does have to expend the total dollars and would be reimbursed by the State for its share (80%). Total Town expenditure out of the Capital Reserve Fund would not exceed \$38,000. Town Manager Cabanel added should the motion be to approve the expenditure of up to \$190,000, it would be necessary to also address the \$152,000 in revenue in order to provide a true picture of the actual expenditure from the Capital Reserve Fund.

Kyle Fox, Deputy Director, Public Works Department, stated the request to be for the withdrawal of funds to conduct the engineering study for the US 3 bridge over Baboosic Brook.

The Bedford Road Bridge is programmed, through the State Aid Bridge (SAB) Program, to be constructed in 2014. As a result of associated costs, an agreement was reached to move the McGaw Bridge Road project up in the SAB Program (FY15), taking the place of the Bedford Road bridge, and moving into the federal aid bridge program the US 3 bridge (FY18) and the Bedford Road bridge (FY19).

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The US 3 bridge controls the water flow for the two upstream bridges; McGaw Bridge Road and Bedford Road. A design exception will be requested to build the lower profile bridges at the two upstream locations with the presumption the US 3 bridge, when completed, will bring the other two bridges into flood compliance. The design will be to a 50-year storm with 1" of freeboard, which accommodates the 100-year storm.

For Bedford Road, in the 100-year storm, if US 3 were not replaced, elevation would be 179.1 and by replacing US 3 the bridge could be designed 3' lower. At the same point, McGaw Bridge Road could be quite a bit lower, to the point where the road profile would not have to be changed, which would result in savings in right-of-way and engineering construction costs. The desire is to begin design for the US 3 bridge and be ready in case additional funds become available through any federal programs that could move up the date from FY18.

In addition, the complexity of the project is fairly high given the large traffic volume on D.W. Highway and the cultural resources that will have to be addressed, e.g., additional level of review for historic and cultural resource issues associated with federally funded projects.

Councilor Koenig noted the write-up identifies the State will reimburse 80% of the cost as the design is completed, and questioned whether that implied the rebuild of the bridge or the engineering study, and was told at the completion of the engineering study, all invoices will be submitted and reimbursed.

Councilor Dwyer questioned whether expenditures would be incurred and paid prior to reimbursement by the State. If the case, he would expect the motion to be for the expenditure of up to \$190,000. Director Micali stated a proper motion could be to move the expenditure of \$190,000 of which \$38,000 would be coming out of the Capital Reserve Fund for Road Infrastructure and reimbursement by the State of \$152,000.

MOTION made by Councilor Koenig and seconded by Councilor Boyd to authorize the expenditure of up to One Hundred Ninety Thousand Dollars (\$190,000) to hire a consultant to perform the Engineering Study for the US 3 over Baboosic Brook bridge replacement project of which up to Thirty Eight Thousand Dollars (\$38,000) would be withdrawn from the Infrastructure Capital Reserve Fund and up to One Hundred Fifty Two Thousand Dollars (\$152,000) would be reimbursed by the State of New Hampshire through the Federal Bridge Aid Program

ON THE QUESTION

Town Manager Cabanel remarked it is typical, when doing a capital reserve project, to utilize monies from the General Fund to cover the portion of costs that will be reimbursed at a later date.

MOTION CARRIED 7-0-0

New Business

1. Finalization of the 2014/2015 Operating Budget

Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair David G. Yakuboff, Sr.

The Town Council to consider the finalization of the 2014/2015 Operating Budget.

MOTION made by Councilor Mahon and seconded by Councilor Yakuboff that the Town Council recommend an operating budget of \$30,786,993

ON THE QUESTION

Councilor Mahon noted the practice of putting the figure on the floor, making any proposed amendments, reach a final number and identify revenue offsets and amount to be raised by taxes. He stated his opinion the proposed budget reflects discussions that have taken place over the course of the year, addresses needs, and makes a good faith effort to accomplish goals and objectives set by the Council in terms of maintaining Town infrastructure and a relatively stable tax rate.

Councilor Dwyer stated a desire to include in the budget monies to cover costs associated with electricity for the Pavilion at Watson Park. He spoke of future activities that would require electricity. He commented on the Merrimack Rocks Festival and how one of the band's amplifiers was destroyed due to use of a generator for power. He remarked the gift from the Rotary Club having a value of over \$40,000 demands that on occasion there will have to be some infrastructure at that park, and suggested the estimate provided of \$8,500 to run the wire and a meter to the Pavilion be included in the Parks and Recreation budget.

MOTION made by Councilor Dwyer and seconded by Councilor Yakuboff to re-allocate monies in Account 01-13-8321-0 Maintenance-Buildings & Grounds, all facilities, continuing scheduled maintenance: painting, roofs, woodrot, etc. (\$18,100) as follows: \$8,500 for electricity to Pavilion at Watson Park, \$9,600 for all facilities continuing scheduled maintenance: painting, roofs, woodrot, etc.

ON THE QUESTION

Councilor Mahon suggested the item is not truly maintenance. Director Micali suggested the allocation could be removed from the Parks and Recreation budget and placed in Line Item 01-13-8505-0 Infrastructure.

AMENDED MOTION made by Councilor Dwyer and seconded by Councilor Yakuboff to re-allocate the sum of \$8,500 from Line Item 01-13-8321-0 Maintenance-Buildings & Grounds, All facilities, continuing scheduled maintenance: painting, roofs, woodrot, etc. to Line Item 01-13-8505-0 Infrastructure, for the specific purpose of covering costs associated with electricity at the Pavilion at Watson Park

ON THE QUESTION

Chairman Rothhaus questioned the impact on Line Item 01-13-8321-0, e.g., what might not take place with regard to maintenance. Town Manager Cabanel responded nothing would be lost. There is normally \$8,100 allocated to the maintenance line item. An additional \$10,000 was added for some

other project given the amount of maintenance necessary in the parks. Councilor Dwyer's recommendation is that some of that increase goes towards the lighting at Watson Park.

Councilor Koenig stated he would not support the motion based on his understanding Watson Park was intended to be constructed, maintained, and improved through donations. Councilor Dwyer commented he received similar comments from a few residents; however, he views it as a gift provided the community by the Watson family, and, having accepted the gift, the Town has a responsibility for its upkeep.

Councilor Mahon stated the Council has agreed all along maintenance of the facility is a responsibility; however, what is being discussed is not maintenance it is the addition of infrastructure. He noted nearly the entire additional infrastructure in that park has been donated. Councilor Dwyer stated disagreement with requesting other charitable organizations in Town contribute to a public park. It was noted the Watson Park Committee has been disbanded and the park falls under the Parks & Recreation Department.

Vice Chairman Yakuboff stated he would support the motion as he believes the Pavilion is an asset to the community and the benefit of the Pavilion and the additional infrastructure outweighs following an old rule that states we should only maintain the park.

Councilor Boyd stated his support of the motion, and commented Watson Park is one of the crown jewels of the community. He spoke of the success of events/programs that have utilized the park and remarked having that particular infrastructure in place sets the tone for possible future events in the park.

MOTION CARRIED 4-3-0

Councilors Koenig, Mahon, and Rothhaus voted in Opposition.

Speaking with regard to the handout provided by the Town Manager outlining proposed budget adjustments based on discussions during prior budget meetings, Vice Chairman Yakuboff stated his support of the proposal to add \$35,000 for the vehicle (SUV Explorer) for the canine officer. He remarked the 4th of July event should be provided the \$10,000 allocation so that the midway can be run. The salary adjustment for the Town Clerk/Tax Collector (\$2,264) is something he is in support of as he believes it justified. When asked, Director Micali stated the position's pay scale follows the non-union scale.

Director Micali touched upon the additional revenue from Meals & Rooms, and spoke of a moratorium put in place last year on additional monies to the communities for increased Meals & Rooms tax. That moratorium was lifted during the current budget. Current projects indicate the fund is running about \$5 million above last year's amount. The Town of Merrimack is in line to receive an additional \$50,000 from the Meals & Rooms Tax based on the apportionment, which is allocated based on evaluation. That increased revenue figure would offset additional costs associated with the purchase of the SUV, the allocation for the 4th of July event, and the salary adjustment for the Town Clerk/Tax Collector.

Vice Chairman Yakuboff questioned anticipated revenue from the Local Government Center (LGC). Director Micali stated information available currently represents LGC's projections (\$35,000) and he does not feel comfortable adding projected revenue from that source given the current environment.

Councilor Mahon questioned the level of confidence that the Ways & Means and Finance Committees will not raid the Meals & Rooms Tax fund. Director Micali responded there is currently no proposal to utilize those funds although they have until June 30, 2014 to do so. He noted other revenues from the Department of Revenue Administration (DRA) are coming in higher than projected. He stated his confidence the fund will not be raided as that was one of the issues the Governor ran on. Councilor Mahon suggested relying on the disposition of State revenue when the Legislature is in session, has not proposed anything, and has six months to do it, is a little risky.

Town Manager Cabanel commented calling the revenue Rooms & Meals might be a little risky, but to call it additional revenue beyond what had been anticipated in various categories is not unreasonable given the millions of dollars in revenue being discussed. She provided examples of the potential for increased revenue from motor vehicle registrations, LGC, etc. She stated her belief, even in the absence of the additional monies from the Rooms & Meals Tax, there will be sufficient revenue to cover the proposed additional allocations.

Vice Chairman Yakuboff spoke of providing Yvette Couser, Library Director, with information regarding a cost estimate for roof repairs at the library. The estimated repair cost provided was \$53,000. After researching the issue, he is of the belief that amount could cover the cost of an entirely new roof. One of the items he provided pointed out using the cost means data for the new roof as well as stripping the roof and taking care of clean-up, etc., using a value of even 2 or 3 times the amount, the worst case scenario is a little over \$50,000 for a completely new roof. The possibility of removing the existing skylights was not included in the pricing provided; however, Vice Chairman Yakuboff suggested consideration be given to removal as he has learned through prior experience and opinions provided from people in the industry, 9 times out of 10 when they tell you the skylight is leaking it is usually the skylight not the roof.

He stated his confidence the Council is not interested in expending \$53,000 on a repair project knowing the entire roof could be replaced at that cost. Director Micali will be providing the Council with quotes in advance of the February 13, 2014 meeting.

Yvette Couser, Library Director, noted the skylights are vertical windows as opposed to typical skylights. She stated her uncertainty with it being a simple fix as they are built into a vertical structure. She is unsure what would occur if the windows were to be removed as the vertical structure runs the entire length of the building facing the D.W. Highway side and then over the stairwell towards the entrance on the parking lot side. It is in the area of the windows on the entrance side where the roof survey scan showed some ponding.

Garland Roofing has stated they would review sealant around the windows as well as the brick. They would want to address materials under the slate roof on the original building as that is another location that was identified as having moisture. She stated her uncertainty the estimates provided address those issues. Vice Chairman Yakuboff stated those issues could be included in the specifications. Director Micali suggested another issue to be water not reaching the existing drain.

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When asked, Ms. Couser stated the windows were replaced in 2010 (originally put in with the addition in 1979). Councilor Mahon questioned the amount spent on maintenance for the roof. Ms. Couser was unsure; however, offered to obtain and provide that information. The rolled asphalt roof was put in in 1996 and had a 15-year warranty.

Director Micali stated the head of maintenance at the school district provided him a great deal of insight. Their budget accounts for \$23.50/sq. ft. They are not simply installing a membrane roof, they include 3" of insulation, add fiberboard, lay a membrane down, seal the membrane, tar the membrane 3 times over, and put a rock base on top of it. They then receive a full warranty (regardless of reason for damage).

Director Micali stated quotes would be requested for both a like for like replacement as well as a membrane roofing system similar to that utilized by the school district. Councilor Dwyer remarked he has spoken with individuals who have been in the business for 40 years who swear they hate the rock system. Councilor Mahon commented the school district is addressing 40,000 sq. ft. of roofing a year. Councilor Dwyer suggested and Councilor Mahon agreed there should be a different model for a 5,000 sq. ft. roof.

Vice Chairman Yakuboff noted Garland Roofing is a third party vendor not a roofer. Ms. Couser stated Garland is a company that goes out to bid and gets contractors. Vice Chairman Yakuboff remarked the Town can go out to bid, and he does not agree with paying the costs of a middle man. Director Micali clarified Garland acts as Clerk of the Works.

MOTION made by Councilor Yakuboff and seconded by Councilor Mahon to AMEND the proposed FY15 budget by adding \$50,000 in revenue under General Government, adding both revenue and appropriations to Line Item 01-08-8910-0 Capital Reserve Fund Purchases as follows: Bridge Replacement – Bedford Road (Construction) (\$520,000)/(\$520,000), Bridge Replacement – Bedford Road (Design) \$270,000/\$270,000, and McGaw Bridge \$1,395,000/\$1,395,000, adding \$35,000 to Line Item 01-04-8503-0 Vehicles, K-9 SUV, \$10,000 to Line Item 01-13-8372 Fourth of July, and by increasing Line Item 01-24-8101-0 Wages – Elected Officials, Town Clerk/Tax Collector by \$2,264

ON THE QUESTION

Town Manager Cabanel spoke of changes made since the original handout was provided specifically with regard to the bridge projects under Highway. The change reflects the total project cost as opposed to simply identifying the Town's 20% share. Councilor Mahon noted as well as a change in the appropriation figure there is also a change in the total revenue of \$1.195 million increase (gross budgeting).

Councilor Koenig stated he was unsure if he could support the addition of the canine vehicle. He does not believe enough justification was provided for the purchase of a new vehicle. He would prefer to wait an additional year before purchase.

Mark E. Doyle, Chief of Police, stated the current vehicle has 110,000-112,000 miles on it, is an older vehicle, and maintenance costs are increasing. He commented although the vehicle is functional and

there is the possibility of getting another year's use out of it, doing so runs the risk of experiencing major problems particularly with the transmission and drivetrain. The extended warranties purchased with the vehicles are good for 100,000.

The belief was purchasing the vehicle at this time could result in cost savings (before increases with new model year). It is a multi-purpose vehicle, and although it would be mainly used as the canine vehicle, it would also be used to move and transport the trailers, which carry the OHRVs, barricades, generators, etc. It could potentially be used around the clock. It would be outfitted as a canine vehicle, e.g., special system of doors, etc. specific to having the police canine in it.

Councilor Koenig questioned, and was informed the current vehicle is a Ford Expedition. The vehicle proposed for purchase is a Ford Explorer. The new vehicle, although an SUV style, sits on the same frame that the Ford Interceptor does meaning it has the same drivetrain, same engine, etc. It is a 6 cylinder model, is fuel efficient, etc.

Councilor Koenig stated his understanding of the level of wear and tear endured by the cruisers; however, has a hard time believing 110,000 is the end of life of a car. Chief Doyle commented he would not have his family drive around in some of the vehicles they currently have that have 118,000+ miles. Some have to be parked for 2-3 days until repairs can be made. A vehicle in regular service as a family vehicle is treated differently than one that is run 24/7. He suggested the department could get a year or perhaps 18 months out of the vehicles and have put some restrictions on them to gain additional time, but when reaching the two year mark and 110,000 miles, fingers are crossed that they don't run into large expenses because of the wear and tear placed upon them.

Councilor Koenig acknowledged the vehicles incur extra wear and tear, but also that they are maintained in Town, and if a reasonable job is done of maintaining them, cars are supposed to be able to run 150,000 – 250,000 miles. If reducing that by 25-50% because of extra wear and tear from 24 hour usage, he still does not believe 125,000 miles is the absolute limit on the car. He would rather see the department wait another year.

Chief Doyle stated the intent would be for this vehicle to be a long-term investment, and that it would be in service 6-7 years. If factored out it equates to roughly \$4,000 - \$5,000 a year not withstanding maintenance costs. He reiterated the vehicle would have an associated warranty. He suggested it may be that 6-7 years out the vehicle may not have the 100,000 miles on it because of the nature and protected use. He stated his belief it is an opportunity cost that may be wasted. It may be that they could get another year's use out of the current vehicle. The current vehicle is a 2007. Chairman Rothhaus questioned whether it was anticipated vehicle use would be 16,000 – 20,000 miles a year, and was told that is roughly what it would be

Councilor Mahon remarked mileage the Chief is looking at is a pretty standard rule of thumb most departments in this area use in terms of useful life of that type of vehicle. Councilor Koenig remarked this Expedition has been in service for 7 years, not 14-16 months as the discussion around cruisers has highlighted. These are two different use models. He stated concern there has not been provided a full picture, e.g., maintenance costs, etc. Chief Doyle commented the vehicle has not been a canine vehicle for the past 7 years it was at first a patrol vehicle, meaning it was in service 24/7 like all of the other

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vehicles. It was earmarked as a supervisor's vehicle. Supervisors used it for roughly the first 2 years of its life, and then when a second vehicle was purchased it converted over to the canine vehicle.

MOTION CARRIED

6-1-0

Councilor Koenig voted in Opposition

MOTION made by Councilor Koenig and seconded by Councilor Boyd to AMEND by removing \$35,000 from Line Item 01-04-8503-0 Vehicles, K-9 SUV

ON THE QUESTION

Councilor Koenig stated his understanding of the need and the desire to purchase the vehicle at this time; however, he is of the belief useful life remains in the vehicle. Until provided with definitive figures identifying maintenance having reached the point where it is neither practice nor reliable to continue utilizing the vehicle, he finds it difficult to justify the purchase of a new vehicle to transport the canine and/or barricades, etc.

MOTION FAILED

3-4-0

Councilors Boyd, Harrington, Yakuboff, and Rothhaus voted in Opposition

General Government

MOTION made by Councilor Boyd and seconded by Councilor Yakuboff to AMEND by reducing Line Item 01-01-8107-0 Wages - Part-Time, Computer Tech- 20-25 hrs per wk, by \$26,000 and associated costs

ON THE QUESTION

Councilor Boyd stated his appreciation for the information shared by staff supporting the request for the addition of the position, and noted his appreciation for the individual currently in the position. However, he is of the belief should the individual leave the employ of the Town that should lead to a policy discussion of whether or not to continue funding I.T. in the Town or to consider looking to outside services to manage this as a means of gaining efficiencies.

Vice Chairman Yakuboff stated he would not be supporting the motion as he believes the issue to have been addressed by the Town Manager and Finance Director. As a firm believer in succession, he is of the opinion having this position in place is vital to understanding how the Town operates versus reaching a point of having to hire an individual that would come on board without the benefit of system knowledge.

Councilor Boyd stated there to be an Information Technology Committee within the community that meets very infrequently because they struggle, not through their own fault, but with tasks or goals to be working on. The Council has discussed trying to invigorate that committee to improve their viability. Putting a new person in this position could diminish the role the volunteers on that committee provide the community.

Councilor Dwyer remarked the committee in no way participates on a day-to-day or weekly basis in the job at hand. The Town is too large an entity to be running that function with one individual. He believes the establishment of the position to be long overdue. The position considered would provide assistance to the individual in charge at a cost of \$26,000 and no costs associated with benefits. Councilor Mahon remarked putting the position in place does not preclude the Council from reaching a decision to change the way the department operates.

Councilor Koenig stated he would not support the motion as he agrees with comments made by Council Dwyer; the position is vital to the business of the Town of Merrimack. The data and equipment is of vital importance, and he is not prepared to consider privatizing that function at this point. He would like the individual responsible for maintaining that system to have direct and close ties within and responsibility to the Town.

When asked how the School District handles their IT, Director Micali stated there used to be a single individual responsible for the entire district with teachers at each individual school to augment that position. He stated his belief the elementary school and definitely the middle school has a computer/IT teacher that assists with the process. They do get kids in over the summer to assist with routine maintenance of the computers.

MOTION FAILED

1-6-0

Councilors Rothhaus, Yakuboff, Dwyer, Harrington, Koenig, and Mahon voted in Opposition

Fire Department

Addressing Line Item 01-03-8105-0 Overtime – Supervisory, National Guard Backfill, Councilor Harrington noted the FY14 budget to be \$132,232. With a 5% increase built in (by Town Manager), the FY15 proposed budget is \$138,843. She stated her belief National Guard Backfill has never before been itemized on the budget sheet. If in fact it is \$138,843, \$17,000 of that is utilized to cover costs associated with military engagement responsibility, which in fact leaves \$121,794 for the normal functioning overtime of the department, which is 8% decrease from the previous overtime budget.

Councilor Koenig questioned whether the FY14 overtime budget included costs associated with National Guard backfill. Councilor Harrington stated the past few years' budgets did not itemize that expense, it may have been incorporated within the overall budget line item, but never itemized. Director Micali stated it was never itemized; however, it was always incorporated in the overtime budget. Town Manager Cabanel stated there was military leave and it was paid for out of this line item. Councilor Harrington asked for clarification what was being stated was the \$132,232 budgeted in FY14 had taken from it costs associated with National Guard Backfill expenses. Director Micali stated it was not specifically identified in that manner it was part of the shift coverage line in the budget. It was not separated out.

Councilor Harrington questioned what would occur if an employee were deployed for a year. Director Micali stated that instance occurred a few years back. In that instance, the Town hired temporary firefighters to fill the void.

Councilor Harrington questioned whether other departments with employees serving in the military would have a similar itemization/designation within the budget. Town Manager Cabanel stated that has never been the case. The Fire Chief provided a breakdown to explain the reasoning behind requesting a certain amount of overtime.

Councilor Koenig remarked the line delineated as National Guard Backfill is not for deployment overseas, it is to cover time away for National Guard weekends, etc. Councilor Harrington questioned whether military members are paid by the department while serving. Director Micali stated the employees have the choice of having the department pay and then reimburse the Town monies received while on active duty or they can take their active duty pay and not take a check from the Town.

MOTION made by Councilor Boyd and seconded by Councilor Yakuboff to AMEND by reducing Line Item 01-21-8270-0 Dues & Fees, Nashua Regional Planning Commission by \$20,737 and by increasing Line Item 01-21-8351-0 Consultants, GIS Project by \$20,737

ON THE QUESTION

Councilor Boyd spoke of the long standing involvement with the Nashua Regional Planning Commission (NRPC). He commented Merrimack is the 8th largest municipality in the State, and it is his belief part of the reason why is due to growth as well as the amenities and staff in place to address some of the needs. In a previous time involvement with the NRPC probably served its purpose because historically planning departments have been small/limited and the scope has been minor. Now that Merrimack has grown to the point it has, the staff has grown and includes a top notch Director and four extremely capable individuals working under him, representing the community daily, and promoting community and economic development.

He remarked Director Thompson spoke of the need for GIS as did Deputy Director Fox who commented he finds it invaluable. Councilor Boyd stated his opinion it is time, as a community, to wean off of being a part of a regional planning commission that provides, at most, an ancillary benefit, and invest in a tool that will benefit the department on a regular basis. Vice Chairman Yakuboff stated his concurrence with remarks made by Councilor Boyd.

Tim Thompson, Director, Community Development Division, cautioned the Council regarding taking the position of rescinding membership in the NRPC. He stated the NRPC, in particular when looking at the transportation side of things, is an invaluable resource for the community. They are the Metropolitan Planning Organization (MPO) for this portion of the State, they are the conduit through which all projects in the States ten-year Transportation Plan, and they coordinate the Federal transportation enhancements and some mitigation air quality programs. They are, for the lack of a better term, the experts the department utilizes and relies upon for anything traffic related as it relates to the community, particularly when talking about long-range planning.

Over the course of the past year, the dues of about \$20,000 have leveraged about \$100,000 worth of services that the community has received in not only transportation but environment, land use, and other services provided. Chairman Rothhaus questioned whether dues are based upon population, and was informed they are.

Councilor Mahon reminded the Council had the Town not had membership in the NRPC, it would not have been able to convince them, as the (MPO), to not approve the relocation of the toll booth into Merrimack, which puts a very big crimp in the DOT's plans to try and move that toll booth because they have to have the concurrence of the MPO and the MPO's Transportation Plan in order to make that move. He spoke of the information and support received from the NRPC, and commented there would not be a Town Center Plan had they not been here. That was something they provided at no cost. The Town did pay for the highway study, but the NRPC did a good deal of work on that, which our staff was not prepared to do at the time, e.g., public outreach, etc.

He added if having a problem with the GIS system there is the opportunity to utilize theirs. He suggested until we can get the wherewithal to do it, it is a resource we have available because of membership.

Director Thompson remarked another important item the NRPC is used for is hazard mitigation planning, which is currently in process. Michael Currier, Fire Chief, stated the department has spent the last three months working with the NRPC putting the hazardous mitigation program together. Without that program and the details in that program the Town would be excluded from a lot of FEMA grants for floods, bridges, etc. That plan has to be in place to qualify for those grants. He stated the program to be very extensive and require the involvement of Police, Fire, PWD, Community Development, etc., working with the NRPC putting the plan together and finalizing it. What is beneficial is their knowledge of all of the regulations and changes in the plan, which has to be done to meet the grant requirements. He stated it to be an important resource to the community.

Director Thompson stated his appreciation for the support of the GIS program as he believes it to be an important component to what is done locally; however, putting it in the operating budget as proposed under the current motion doesn't really get to the capital project that he proposed for the Capital Improvement Program (CIP), which is the overall upgrade and maintenance of that program, e.g., flyover and digital photos. That is a much more comprehensive program, which he believes makes sense to pay over time through the CIP.

Kyle Fox, Deputy Director, Public Works Department, stated his support for the GIS system; however, noted he would not be supportive of rescinding membership with the NRPC. He noted he is the Town's representative to the Transportation Technical Advisory Committee, which meets once a month and reviews the Federal transportation improvement programs (three-year front end of the ten-year plan). He remarked the regional planning commissions act as the conduit for the federal funding to municipalities. If not a member, the Town would lose out on participation in federal projects such as the Safe Routes to School, air quality, transportation enhancement, etc.

Deputy Director Fox spoke of the latest Federal transportation bill, which places more of an emphasis on channeling monies through the bigger MPOs, and the NRPC has moved into that next category because the area population is now over 200,000. There is a chance, in the very near future, monies will be given to the NRPC to distribute to its member communities. Additionally they do provide a number of services; help organize the Household Hazardous Waste days, conduct traffic counts, etc. As an example they performed the traffic counts for the D.W. Highway intersection projects underway saving the Town \$1,100.

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Posted: February 19, 2014

Councilor Koenig stated his support of continuing membership with the NRPC, and his opinion it is important when looking at the small amount of dues, to realize the NRPC is only raising a small portion of their overall budget from dues to the member communities. The Town is receiving upwards of \$100,000 worth of value out of them in services provided. He stated his belief it would be shortsighted to say for that short amount of funds that the Town would be better off trying to take those tasks on. The entire idea of the NRPC is to bring the communities together to work for cohesive solutions.

Vice Chairman Yakuboff stated, based upon input received, he is not of the belief he could support the motion.

MOTION FAILED

1-6-0

Councilors Rothhaus, Yakuboff, Dwyer, Harrington, Koenig, and Mahon voted in Opposition

Vote on the main motion to recommend an operating budget of \$31,979,257

MOTION CARRIED

7-0-0

MOTION by Councilor Boyd and seconded by Councilor Yakuboff to move the budget to Public Hearing scheduled for February 13, 2014

ON THE QUESTION

Councilor Boyd stated a desire to highlight Money Magazine rated the Town of Merrimack #23 in the nation and #1 in New Hampshire. There is a reason for that; we provide a quality of life to the people and businesses in this community that have chosen Merrimack as the place to work, live, and raise a family.

The Council had specific goals when identifying a budget, e.g., Milfoil treatment and saving for and spending funds on infrastructure. As part of the policy, the Council has made a choice to target specific areas where we need to expand, e.g., I.T. position, etc. He is happy to support the budget and move it forward based on those decisions. As a top notch community the need exists to live up to the expectation of some of the accolades earned over the last year.

MOTION CARRIED

7-0-0

MOTION made by Councilor Mahon and seconded by Council Harrington to move to Public Hearing the issuance of a 25-year bond in the amount of \$3.3 million to replace/repair/renovate the existing Highway Garage. MOTION CARRIED 7-0-0

MOTION made by Councilor Mahon and seconded by Councilor Harrington to move the Warrant Article for the establishment of a Capital Reserve Fund for the GIS System, which includes an appropriation of Ten Thousand Dollars (\$10,000), to Public Hearing on February 13, 2014. MOTION CARRIED 7-0-0

Minutes

Approved: February 18, 2014
Posted: February 19, 2014

Approve the minutes from the January 9, 2014 Town Council meeting:

MOTION made by Councilor Boyd and seconded by Councilor Dwyer to approve the minutes of the January 9, 2014 Town Council Meeting as presented. MOTION CARRIED 7-0-0

Comments from the Press - None

Comments from the Public - None

Comments from the Council

Councilor Boyd spoke of the opportunity the Council had to approve an Eagle Scout project for the kiosk at Naticook Lake, and encouraged his colleagues to review today's Patch and head out to Veterans' Park; the project is completed and absolutely beautiful. He congratulated Eagle Scout Gregory Gilbert on a job well done, and on becoming Merrimack's newest Eagle Scout.

Councilor Mahon commented this is the 2nd or 3rd year there has been no discussion of a tracking report. He stated a tracking report was the accumulation of actions or inactions that the former Councilor or Board of Selectmen compiled for recall. He stated his belief the lack of the need for such a report is a reflection on the staff and the way the Council has conducted itself for the past several years to stay on top of issues.

Vice Chairman Yakuboff expressed accolades to Town Manager Cabanel, Finance Director Micali and fellow Councilors for the all of the work put into budget preparation.

Town Manager Cabanel remarked she and Director Micali worked closely with the department heads in providing a budget for consideration. The effort has been a collaborative one.

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

The January 23, 2014 meeting of the Town Council was adjourned at 9:00 p.m.

Submitted by Dawn MacMillan