

Approved: January 9, 2020

Posted: January 10, 2020



## **Town Council Meeting Minutes**

Thursday, December 19, 2019 at 7:00 PM, in the Matthew Thornton Room

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

### **Pledge of Allegiance**

Chairman Koenig led in the Pledge of Allegiance.

### **Announcements**

On behalf of the Merrimack Town Council, Chairman Koenig offered condolences to the family and friends of Edward Blaine who passed on Sunday, December 15<sup>th</sup> at the age of 86. Edward was the first Director of Public Works in Merrimack and continued to work as a civil engineer for the towns of Merrimack and Salem prior to retiring.

The Community Advisory Council met and discussed the 9 points included in the letter from the Town of Merrimack to Saint-Gobain: 1) immediately ceasing the use of PFOA, PFOS, PFHsX and PFNA including all forms and their precursors, collectively PFAS, from Merrimack operations until installation of a thermal oxidizer or other air emissions control technology with guaranteed 99% removal efficiency, 2) to agree to 99% removal of PFAS, which is part of the best available control technology and a shutdown mechanism for an exceedance of any condition or violations in NHDES issued air permit, 3) to replace the roof and gutter system at the Merrimack facility, 4) replacing the stormwater piping and control system and commence filtration of stormwater to comply with applicable standards, 5) clean PFAS from the sewer line from where Saint-Gobain's Merrimack facility connects to the interceptor to the nearest pumping station, 6) pump groundwater at Saint-Gobain's Merrimack facility to an onsite treatment system for treatment to comply with the applicable standards, 7) cover all costs associated with the removing of PFAS from MVD wells 4 and 5 including ongoing operation and maintenance, filter replacement, etc., 8) to install a scrubber to remove hydrogen fluoride from the stack emissions; and 9) Saint-Gobain's Merrimack facility shall comply with all current and future PFAS regulations.

The Community Advisory Council is planning to have these 9 points as a center point of their ongoing discussions.

Regular meetings of the Town Council will be conducted on Thursday, January 9<sup>th</sup> and January 23<sup>rd</sup> at 7:00 p.m. Budget meetings will be conducted on Wednesday, January 15<sup>th</sup> and Thursday, January 16<sup>th</sup> at 6:30 p.m. All meetings will be held in the Matthew Thornton Room.

Absentee ballots for the February 11<sup>th</sup> Presidential Primary are now available at the Town Clerk's Office.

The Merrimack Police Department is still accepting applications for the Merrimack Police Citizen's Academy. The course will be on Wednesdays from 6:00 - 9:00 p.m. beginning January 15<sup>th</sup>, and will

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run for 10 weeks. This program will educate the participants in police operations and help them have a better understanding of how police officers do their job. There are only a few slots left so sign up today by going on the Police Department's website or follow their Facebook Page and download the application.

Councilor Harrington spoke of being a member of the State commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford, and Litchfield. The commission has a statement that will be placed on the website of each of the towns, which reads as follows:

“Commission Established to Study PFAS Impacts to Local Area.

A law passed in 2019 establishes a commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals (PFAS) in the air, soil, and groundwater in Merrimack, Bedford and Litchfield.

The commission began meeting in October 2019 and information pertaining to their work, including meeting minutes, documents, and agendas is accessible through the following website:

<http://www.gencourt.state.nh.us/statstudcomm/committees/1495/>

A list of commission members can be found here:

<http://www.gencourt.state.nh.us/statstudcomm/details.aspx?id=1495&rbl=1&txtchapternumber=126-a:79-a>”

She sought approval of the Council to place the statement on the Town's website. The Council stated agreement.

Chairman Koenig noted Paul Adams, Recruiting Assistant and Hillsborough/Manchester contact for the US Census, will be at the Library on Wednesdays from 1:00 - 5:00 p.m. to answer questions about the Census, and to talk to people who might want to help.

At the December 5<sup>th</sup> meeting, Jim Spotts, U.S. Census Bureau Partnership Specialist, provided a presentation. The Census is coming up in 2020. He stated the process to be easy and spoke of the measures in place to protect confidential information. He noted the importance of ensuring all who reside in the United States are counted; determines the number of seats each state has in the U.S. House of Representatives and the annual allocation of federal dollars.

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

**Recognitions, Resignations and Retirements** - None

**Appointments** - None

**Public Hearing** - None

**Legislative Updates from State Representatives**

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Jeanine Notter, Deputy Republican Floor Leader, commented at the last meeting she noted New Hampshire is paying the highest energy costs in the country and all over highest transmission costs.

She displayed an app on her phone; ISO to go. With the app, users can view, in real time, the price being paid per megawatt and compare it to other states. The app also has the fuel mix, e.g., oil and coal.

She spoke of having attended the Heartland Institute's conference in New Orleans, which was a forum on multiple issues, e.g., food labeling, education choice, energy.

Representative Notter provided the Council a copy of an article related to fuel and the coal plant. One of the issues discussed at the forum was energy, and how we need to rethink the current trend to do away with all fossil fuels. The modern world actually runs on fossil fuels. They provided a video of everything in your home right down to yoga pants that are manufactured using fossil fuels.

She left information with the Council on a company that cleans up environmental disasters, including water.

Another issue discussed was drugs and asset forfeiture. She provided a copy of the Legislative Service Request for a Bill she will co-sponsor, which permits funds in the drug forfeiture fund to be used for the establishment of substance misuse, addiction, recovery, or rehabilitation centers, programs or services.

### **Town Manager's Report**

The pest and rodent problem that occurred at Station 3 (the North Fire Station) has been eradicated and cleaned up.

Congratulations to Dawn Tuomala, Town Engineer, and Greg Blecharczyk, Highway Foreman, who were awarded the Master Roads Scholar distinction through the UNH T Squared Program. To achieve Master Roads Scholar, a candidate must take 100 hours of training in Public Works specific courses in the categories of Environmental, Safety, Supervisory, and Technical training.

Bedford Road Bridge Update: The early onset of winter and frost in the ground, coupled with difficulties with relocating the utilities in the area, the contractor will not be able to shift traffic onto the new bridge this year. Traffic will continue to utilize the detour bridge through the winter before moving to the new bridge in a one-way alternating pattern in the spring, with the full traffic opened to the bridge in late spring/early summer. We thank the users of Bedford Road for your patience on this very important project.

Councilor Albert questioned if the projected completion date has been posted to the website. Assistant Town Manager/Finance Director Micali stated his belief the Facebook page of the PWD includes the information. He will look to ensure that is the case.

Councilor Albert spoke of residents informing him of lights not working properly; in the area when coming down Pearson Road to Bedford Road. Assistant Town Manager/Finance Director Micali stated he would have the Public Works Department (PWD) look into it the following day.

Assistant Town Manager/Finance Director Micali stated the Town has upgraded its phone server. The process went very well. The company hired worked through the night Monday to resolve an issue so that the system was up and operational by 6:30 a.m. on Tuesday morning. There remain a few pieces to be addressed, but all phones are operational. If residents call a number and do not reach an individual or receive a quick busy they should contact the Town Manager's Office at 424-2331 to report the issue.

Councilor Harrington commented the project at the North Fire Station also included improvements to the structure itself to prevent re-infestation. Assistant Town Manager/Finance Director Micali stated the company hired to do the work addressed the areas of entry, e.g., hot patch in one section of a wall, changed out a lower panel on one of the garage doors, had the garage doors adjusted to close properly. All materials that were located in the facility were moved and cleaned. Traps have been placed as an additional precaution. Should any sign appear, the company will address it. It is believed the structure is critter free.

**Consent Agenda** - None

**Old Business** - None

**New Business**

**1. Consideration for Eagle Scout Project at Wasserman Park**

Submitted by Parks and Recreation Director Matthew Casparius

The Town Council to consider Boy Scout Jay Haddad's proposed Eagle Scout project to utilize the existing lifeguard shack (currently used for storage) and turn it into public changing rooms for patrons using the beach at Wasserman Park.

Life Scout Jay Haddad, Troop 424, provided a presentation. Can be viewed [here](#) (beginning at tape counter 17:24).

The project is the conversion of an old lifeguard shack into a changing room for Naticook Lake at Wasserman Park. The original use of the cabin was to be a place for the lifeguards to go when not on duty, e.g., bathroom/shower. Over time, that use stopped and the structure became a storage facility. It has not been used for many years, and needs repair.

The project includes tearing down a wall to accommodate the addition of 7 changing stalls; two of which are large enough to accommodate families and handicap use. With the two large doors being 36", it is the first step towards making the facility ADA compliant. The bathroom would be renovated. The toilet, sink, and shower will be torn out and a new toilet and sink added, which will require some plumbing work. Vinyl tiles will be added to the floor. New lights would brighten the entire space and the walls on the inside would be painted. There is the possibility wiring will be required, which would involve a licensed electrician. The details of that remain unknown at this time. Railings would be added to the exterior stairs to ensure safety.

Diagrams were displayed showing existing and planned layouts/dimensions (smaller; 43" x 40" and larger approx. 69" x 83"). All changing areas are equipped with doors.

Fundraising efforts will include sale of food items and donations. Estimated project cost is \$1,676.28, and includes a 10% contingency. The estimate was based on pricing identified on the Lowe's website. It is believed the cost could be reduced significantly dependent on favorable pricing from Reeds Ferry Lumber, which has consistently supported scouting projects in the past.

Approval was received from the Parks and Recreation Commission on November 20<sup>th</sup>. Troop Committee approval was received the previous day. It is believed the Eagle Board review will be conducted in January. Fundraising will take place following Eagle Board approval. It is hoped all funds will be acquired by the end of March. Construction will commence once sufficient funds are raised to begin the project. The intent is for the changing rooms to be completed and able to be used by the camp in June.

Councilor Rothhaus thanked Life Scout Haddad for his presentation and willingness to take on such a large project. Councilor Woods spoke of the review conducted by the Parks and Recreation Commission, and commented on the quality of the presentation.

Asked if the changing rooms would be unisex, Life Scout Haddad indicated his belief they would noting the camp would dictate how the facility is used, e.g. boys and girls taking turns using the facility. The doors will be equipped with hook and eye locks. Councilor Harrington suggested a locking doorknob for the front entrance.

**MOTION made by Vice Chairman Boyd and seconded by Councilor Healey to approve Life Scout Jay Haddad's proposed Eagle Scout project to utilize the existing lifeguard shack (currently used for storage) and turn it into public changing rooms for patrons using the beach at Wasserman Park, and furthermore that the Town Manager or her proxy be authorized to sign any paperwork necessary to move Mr. Haddad's project forward. MOTION CARRIED 7-0-0**

## **2. Assistant Technology Coordinator Position Discussion**

Submitted by Town Manager Eileen Cabanel

The Town Council to discuss and consider creating an Assistant Technology Coordinator position.

Assistant Town Manager/Finance Director Micali stated when the Technology Assistant position was created, the goal was to aid the Technology Coordinator who had been operating as a one-person division for many years while technological needs continued to increase. With the position being vacant and the current Technology Coordinator notifying the Town he is looking to retire in a year or so, a closer look was taken of the division needs in regard to future staffing.

When the Assistant Technology Coordinator position was created the intent was for it to perform the less technical duties. The position does not currently require the incumbent to have all the skills and experience necessary in order to fill in or take over when the current Technology Coordinator leaves. It is currently placed at a Grade 11 (\$43,388.80 - \$61,817.60) in the Wage and Classification Plan, which is level with an Executive Secretary position.

The desire is to recruit an individual having the education, experience, and technical skills that would permit him/her to eventually be considered for the Technology Coordinator position. With that in mind, the position description has been amended. The amended description would place the position

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at a Grade 15 (\$53,248.00 - \$75,420.80). Grade 15 includes positions such as Assistant Planner and Assistant Assessor.

Sought would be an individual having an Associates Degree in computer science, business administration or related field (Bachelor's degree preferred); minimum of five 5 years' experience in IT systems management, preferably in a municipal setting or an equivalent combination of education and experience, including experience managing Microsoft and VMWare servers and associated hardware including but not limited to Active Directory, Group Policy, SQL server, and SAN technology, experience with cloud and hybrid environments. Required knowledge of windows server operations and configuration, IP, and routing protocols, DHCP, Active Director, Exchange, Web, and a host of other computer related technologies and certifications.

Wage information for IT assistant positions in several surrounding communities was provided and is comparable to what is being recommended. A copy of the proposed job description was provided for review/consideration.

Merrimack has 185 full-time employees, approximately 35 part-time employees, and the budget currently includes 2 full-time IT positions. Salem contracts out their IT services. Bedford has 150 full-time employees, 15 part-time employees, 1 full-time IT person and has requested another full-time IT person. Derry has 3 full-time IT positions. Hollis has 1 full-time position and about 57 full-time employees. Laconia has 2 full-time IT positions, Rochester has 4, and Concord has 6. Londonderry outsources their IT department for the Town, fire, and police. Their contractor provides 2 individuals who are onsite Monday through Friday and a 3<sup>rd</sup> for the police department for 32 hours/week. They pay roughly \$250,000/year for this service, which does not include server upgrades, software, etc.

Last year the Town of Merrimack spent around \$196,000 for staff and two outside consultants used when issues arise with servers, etc.

Councilor Albert stated his support for the requested change commenting one of the things we do as a municipality is collect information; vital, personal, private information. Cyber security and having the right competent individuals involved in addressing those issues is vital.

Councilor Rothhaus commented he does not object to the requested change; however, is interested in additional information relative to contracted services.

Assistant Town Manager/Finance Director Micali spoke of the favorable arrangement the Town of Londonderry achieved with an individual who resides in town. He is uncertain what the Town of Salem has in their contract other than the cost being roughly \$250,000.

Councilor Rothhaus stated his understanding the current employee is at a favorable cost to the Town, and questioned how the cost of that position may change. Assistant Town Manager/Finance Director Micali stated the assistant position has been vacant for several months. The Finance Director is helping in that department. The desire is to be able to fill the assistant position in a timeframe that allows for training to take place. When the retirement occurs, consideration could be given to outsourcing some of the functions.

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Councilor Rothhaus stated agreement with being ready to hire as soon as possible. He would like the opportunity for a deeper look into contracting.

Councilor Albert spoke of the damage and cost that could result from Ransomware, and the need to staff the department with individuals having the proper skillset.

Councilor Harrington agreed there is a need at this time, as well as a need to plan for the eventual retirement.

Councilor Woods agreed with the comments of his colleagues. He spoke of being impressed with the information he was provided relative to the position.

Councilor Healey commented on the possibility of the position being part-time. She questioned the number of trouble tickets generated per week, and was informed a log is not kept of trouble tickets. Assistant Town Manager/Finance Director Micali commented on the Technology Coordinator being continually interrupted by software and other issues during the phone server upgrade. Every time there is a problem with remote access not working, the network going down, etc., he receives a call. He spoke of the variety of programs/software utilized by the different departments and the individual protocols, etc. required. A part-time position was tried with the creation of the assistant position; however, based on the workload, the position was moved to full-time. Asked, he indicated there to be at least 3 virtual servers being run.

**MOTION made by Councilor Woods and seconded by Councilor Harrington to approve upgrading the position of Technology Assistant to that of Assistant Technology Coordinator as described in the submittal to the Town Council**

#### **ON THE QUESTION**

Vice Chairman Boyd remarked several years back when the Technology Assistant position was discussed, he was in opposition as he felt being the 8<sup>th</sup> largest community in the State we should have been contracting out the services to provide a higher level of service to the community. As the community is growing the needs are changing dramatically. In her budget presentation, the Town Manager included approx. \$20,000 to put towards cyber security, which he is supportive of.

He believes approving this position to be jumping ahead, and that the Town needs to look at what the technology needs will be moving forward. He understands the need for succession planning, but questioned if the Town would be in a better position, from a technology perspective, 12-18 months down the road. He suggested the Council engage the Town Manager and department heads to identify an appropriate strategy moving forward so that we can determine the true staffing and technology needs.

He would like to see some kind of engagement with the volunteer technology committee. He indicated he would vote in opposition believing the position to be putting the cart before the horse.

Councilor Harrington asked the Chair, as an IT person, to provide his opinion on in-house staff versus contracted services. Chairman Koenig stated he does not have a solid opinion he would stand on, but believes with the vacancy of the assistant position, the heavy workload on the current Technology

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Coordinator, and the fact that he is looking to retire, something needs to be done to obtain someone with a higher caliber as a backup to then provide the comfort margin to look at it on a more extensive basis. He is uncertain contracting makes sense to him. Every time the Town has tried contracting there have been issues. IT is a very sensitive position with a lot of personal information that needs to be carefully covered. It feels more comfortable to him if the individual handling that information is an employee. That is a personal opinion.

The challenge is that we need to be evaluating exactly how we want to proceed, in depth, between now and 6-8 months from now. He does not see approving the position as precluding the Town from going forward in any direction.

Councilor Albert spoke of the varying systems, operated by emergency personnel, that run through Town Hall. He commented on the uniqueness of each community's systems and the historical knowledge of the individual running/maintaining them.

Ben Niles, 11 Fernwood Drive

Stated there to be a firm, VC3, that has 230 government clients (99% of their clientele). If considering outsourcing, he would recommend reaching out to them. He asked, and was informed the Town currently has 2 consultants it works with.

**MOTION CARRIED 5-2-0**

*Vice Chairman Boyd and Councilor Healey voted in opposition*

**3. Town Council Budget Schedule Revision Discussion**

Submitted by Finance Director Paul T. Micali

The Town Council to consider revising the budget schedule.

Assistant Town Manager/Finance Director Micali spoke of the information provided with the agenda packet noting Option 1 did not include a description of the individual departments to be discussed during the budget meeting on January 16<sup>th</sup>.

Chairman Koenig noted mention made that Councilor Healey would not be available on the 15<sup>th</sup> and 16<sup>th</sup> of January. Chairman Koenig will not be available for the meeting on January 8<sup>th</sup>.

*The consensus of the Council was for Option 2.*

**Minutes**

November 21, 2019

*The following amendments were offered:*

Page 3, Line 3; correct the spelling of "Pediatric"

Page 14, Line 24; replace "to be" with "there is" following "Chairman Koenig noted that"

Page 14, Line 24; remove "Town Council" and insert "in Town" following "meeting"

Page 14, Line 26; replace "was" with "is"

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**MOTION made by Vice Chairman Boyd and seconded by Councilor Woods to approve the meeting minutes of the Town Council meeting of November 21, 2019, as amended. MOTION CARRIED 7-0-0**  
**December 5, 2019**

*The following amendments were offered:*

Page 7, Line 14; replace “with” with “to discuss”

Page 9, Line 13; replace “ransom ware” with “anti-ransomware”

**MOTION made by Vice Chairman Boyd and seconded by Councilor Albert to approve the meeting minutes of the Town Council meeting of December 5, 2019, as amended. MOTION CARRIED 6-0-1**  
*Councilor Albert Abstained*

**Comments from the Press** - None

**Comments from the Public** - None

**Comments from the Council**

Councilor Albert recognized the passing of a longtime resident, Maryanne Bonislowski. Maryanne and her husband Stanley were both involved in the community. He expressed his sympathies to her family.

Vice Chairman Boyd commented Mr. & Mrs. Bonislowski were both at his wedding as very good friends of his father and mother-in-law.

Chairman Koenig spoke of having worked with Stan on the Planning Board, and of the big loss to the community.

Councilor Healey spoke of an email she sent to the Chair, Town Manager and Assistant Town Manager/Finance Director earlier in the day. She was approached by residents regarding the situation at Central Fire; postings being done on social media regarding the number of times equipment is out for calls and having to look to mutual aid for backup. She stated her understanding of what the answer is knowing what the budget is, and understanding there was not additional staff counted in for the budget for the current year. She questioned if there is anything that can be done to increase staffing within the current budget, and into the next budget.

Assistant Town Manager/Finance Director Micali spoke of the Town Manager’s budget presentation and the proposal to increase overtime in the budget of the Fire Department to allow for staffing up to 9. The Town Manager has given the Fire Chief the go ahead to start staffing at that level. Normally they staff to 9 and would drop down to 8 in the instance of a call out, etc. Being evaluated is the potential for a grant opportunity.

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Councilor Rothhaus spoke of having received an email from a resident who was upset. He commented on the discussion around the fire department at the last meeting. The email sounded as if there was a raging disaster and he does not believe that to be the case. He believes the Town is very safe. The Town Manager has always brought it to the attention of the Council when she believes staffing should be upgraded. It can't happen without a budgeting process.

Councilor Rothhaus stated residents should be assured the Town has the protection that is necessary and works for the community at this point. Growth is recognized and will be addressed when the time is appropriate. Chairman Koenig remarked while there have been questions about mutual aid, he is certain there is ongoing evaluations, by staff and management, of the amount of mutual aid necessary. At the moment, to the best of his knowledge, things are working as expected.

Councilor Harrington commented on the Council receiving information on the types of calls, number of calls, time of day, day of week, number of mutual aid calls, etc. That information has been used in the past to evaluate staffing needs.

### **Adjourn**

**MOTION made by Vice Chairman Boyd and seconded by Councilor Healey to adjourn the meeting. MOTION CARRIED 7-0-0**

*The December 19, 2019 meeting of the Town Council was adjourned at 8:21 p.m.*

Submitted by Dawn MacMillan