

TOWN OF DERRY

**Town Council
Derry Municipal Center**

**January 7, 2020
Tuesday - 7:00 PM**

**6:00 PM Non-Public Session – RSA 91A:3 II (d)
7:00 PM Call to order**

Councilor Tripp moves to leave non-public session, seconded by Councilor Katsakiores – all agreed

Councilor Tripp moves to seal RSA 91A:3 II (d), seconded by Councilor Katsakiores – all agreed

Pledge of Allegiance, warning of fire exits, handicap access, & turn off all cell phones

Roll Call: Councilors Chirichiello, Katsakiores, Morgan, Foote, Bourdon, Tripp and Chairman Wetherbee

Present: TA David Caron, Town Clerk Daniel Healey

Public Forum - *30 Minutes*

Open Public Forum – all agreed

Steve Trefethen: Windham, NH – Has a few complaints about the Halcyon Club regarding potential illegal gambling and blocking access to his rental properties. Distributed maps of the proposed Exit 4A plans.

Mark Connors: Cabot Dr – Requested that the town put some of the Parks and Recreation money towards the completion of the rail trail to the Londonderry Town line.

Councilor Foote moves to extend Mr. Connors time, seconded by Councilor Tripp – all agreed

Motion by Councilor Morgan to close public forum, seconded by Councilor Tripp – all agreed

Consent Agenda

20-01 Approve Minutes – December 17, 2019

20-02 Ordinance #2020-001 – Sports Retail Betting

Consent agenda approved

Chairman's Report – Neil Wetherbee

The next Town Council meeting has been moved from January 21st to January 28th.

Chairman Wetherbee moves to appoint Candice Westgard as an alternate member of the Taylor Library Board of Trustees for a term to expire March 31, 2022, seconded by Councilor Tripp

Roll Call Vote: 7-0-0

Town Administrator's Report – David Caron

The Town has signed the contract for the Southern NH Water project. The vast majority of pipe has been installed on 28 south and should be completed by July of 2020. The budget calendar is included in the Town Councilor's packets. Solar at the Transfer Station produced 102% of projected 154 megawatts. The 2020 Census is still looking for census takers and information is available on the town website. The Town has posted for the Parks and Recreation director today, Completion of the Master Plan should take place within the next 30 days and also the UNH study. The FY21-26 Capital Improvement Plan is beginning.

Public Hearings –

19-140 Ordinance #2019-015 – Amend Chapter V, Article II of the Municipal Code, Organization of Departments – *Town Administrator Dave Caron*

The Town has maintained a General Code which includes all town regulations, processes and administrative structures. Executive Assistant Sheila Bodenrader has been working to revise Section II in Article v which sets forth the administrative structure of the Town. The current code is not reflective of the organization changes which have occurred over the past decade. No new departments or positions shall result from the adoption of Ordinance #2019-015. Rather, this process involves a restructuring of Section II to align with current administrative practices.

The significant changes are as follows:

1. Elimination of the position of Assistant Town Administrator;
Inclusion of the Tax Collector and Assessing functions as Divisions under the
2. Finance Department,
3. Expanded narrative for the Economic Development, Planning, IT and Cable
Departments,
4. Inclusion of Health, Code Enforcement, Parks & Recreation and Zoning as Divisions
under the Department of Public Works.

Motion by Councilor Morgan to open public hearing, seconded by Councilor Katsakiores – all agreed

No one from the public spoke.

Motion by Councilor Morgan to close public hearing, seconded by Councilor Chirichiello – all agreed

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Ordinance #2019-015, which reads as follows [*Read the Ordinance*], seconded by Councilor Katsakiores

Roll Call Vote: 7-0-0

Ordinance attached

New Business –

20-03 Resolution #2020-001 – Apply for and accept a gift from the Injury Prevention Center at Dartmouth-Hitchcock – *Police Chief Ed Garone*

The Injury Prevention Center, (CHaD) Children's Hospital at Dartmouth-Hitchcock, has

announced the 2020 Safe and Active Community Grant Program; the program offers safety gear including bike helmets to communities in order to promote safe outdoor activity for children and their families. As part of the Town of Derry Touch-a-Truck event held each spring, the Police Department facilitates a BMX trick bicycle show. In conjunction with the show, the Department provides safety helmets to attendees at no cost. Over the last 2 events, we have distributed 500 helmets to community members, 200 the first year and 300 last year. Each year we have had to turn folks away as demand far exceeded available inventory. For the Spring 2020 event we would like to apply for a grant of 500 helmets from the injury Prevention Center. The Town Charter designates that the Town Council may apply for and accept grants or gifts. Specifically, "SECTION 9.15 Grants, Gifts; provides in part, that the Town Council may apply for, accept and expend monies received from the State, Federal, or other governmental units, or from private sources which become available during the fiscal year." Further, RSA 31:95-e authorizes the Town Council to accept gifts other than money.

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2020-001, which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0
Resolution attached

Councilor Comments

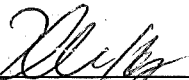
Councilor Morgan – Happy New Year.

Councilor Tripp – Attended the EDAC meeting where they discussed the 1st Impressions ideas. Anyone interested in volunteering should contact the EDAC.

Councilor Katsakiores – The NH Legislature is meeting tomorrow and Thursday to start for the next season.

Councilor Foote – Congratulated the newly sworn in police officers.

Adjournment: 7:45 p.m.



Town Clerk

Recording & Transcription by: Daniel Healey, Town Clerk



Date



ORDINANCE

Number 2019-015

Amending Chapter 5, Article II of the Municipal Code,
Organization of Departments

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town, and pursuant to Section 6.1, the Council shall legislate by ordinance; and

WHEREAS, Section 8.9 of the Town Charter authorizes the creation of departments, divisions, boards and committees as may be established; and

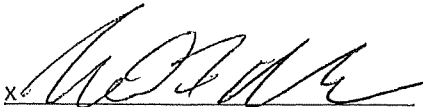
WHEREAS, the Municipal Code requires an update to reflect the current organizational structure;

NOW, THEREFORE, THE TOWN OF DERRY ORDAINS that the Municipal Code, Chapter V, Article II, Departments/Divisions is hereby amended per the attached revisions.

This Ordinance shall take effect thirty days after its adoption.

Adopted: January 7, 2020

Attest:

x 

Neil Wetherbee, Council Chair

Date: 1/7/20

x 

Daniel Healey, Town Clerk

Date: 1/7/20

Archival Ref: Agenda Item #19-140



RESOLUTION

Number 2020-001

To Apply for and Accept A Gift from the Injury Prevention Center at the
Children's Hospital at Dartmouth-Hitchcock

WHEREAS, RSA 31:95-e authorizes the Town Council to accept gifts, other than money, to be used for any public purpose; and

WHEREAS, the Injury Prevention Center at the Children's Hospital at Dartmouth Hitchcock (CHAD) has announced the 2020 Safe and Active Community Grant Program; and

WHEREAS, the Police Department has partnered with CHAD to distribute bicycle helmets to community members as part of the Department's BMX trick bicycle show; and


WHEREAS, the Department has distributed a total of 500 helmets over the past two years;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to apply for and accept a gift of personal property at a value of less than \$5,000 from CHAD to promote bicycle safety.

This Resolution shall take effect immediately upon its passage.


Adopted: January 7, 2020

Attest:

x 

Neil Wetherbee, Council Chair

Date: 1/7/20

x 

Daniel Healey, Town Clerk

Date: 1/7/20

Archival Ref: TC agenda item #20-03