

TOWN OF DERRY

Town Council
Derry Municipal Center

January 8, 2019
Tuesday - 7:00 PM

6:30 PM Non-Public Session RSA 91A:3 II (d)
7:00 PM Call to order

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

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

Present: TA David Caron, Town Clerk Daniel Healey

Public Forum - *30 Minutes*

Open Public Forum – all agreed

Nancy Francis: Gulf Rd – The pantry plunge fundraiser for the First Baptist Church had 64 participants and approximately 125 people in the crowd. The event for next year is already being planned.

Motion by Councilor Katsakiores to close public forum, seconded by Councilor Wetherbee – all agreed

Consent Agenda

19-01 Approve Non-Public Minutes – December 18, 2018

19-02 Approve Minutes – December 18, 2018

Consent agenda approved with one correction to 19-02

Chairman's Report – James Morgan

Wished everyone a Happy New Year. Would like to discuss an RFP for the next Solar project at the next Town Council meeting.

Town Administrator's Report – David Caron

The Town has received words of appreciation from the Attorney General's Office regarding the proactive measures taken by the Town Council, Town Moderator and other election officials for planning efforts prior to the November elections, the post-election review process and develop of the action item list for future elections, with the common goal to make voting in Derry as convenient as possible. The budget schedule has been sent out to the town council and staff. MacGregor Water Fountain Staff, Derry Village Rotary and Councilor Foote met on site and selected a location approximately 30' easterly of the Library Building in a prominent location. An Exit 4-A-letter has been sent to NHDOT expressing concern regarding the access issues at the Police Department and the acquisition process of private property and future opportunities for redevelopment. We anticipate meeting with NHDOT soon to further explore these concerns. Regarding the Southern New Hampshire Regional Water Interconnection Project, the Town staff has been reviewing a proposed Joint Public Works Agreement which sets forth each participant's duties, obligations and requirements. The Downtown Workshop is scheduled for Tuesday, January 29 at 6:30 PM. Staff has completed compiling all past historical information

and is developing an outline which will include a process and action list for the workshop. The Town Administrator presented a report on elderly exemptions that showed how other neighboring towns allocate money and the projections over the next few years.

Public Hearings

18-137 Resolution #2018-067 - Relative to a supplemental appropriation for Exit 4-A, Hood Pond Dam improvements and Recreation Facilities - *Town Administrator Dave Caron & Public Works Director Mike Fowler*

The Town Council has expressed a preference for bonding Derry's remaining portion of its \$5.0M obligation for Exit 4A and is considering other initiatives to include in the bond. There are three categories of projects proposed. Exit 4-A: The Town of Derry previously committed to a \$5.0M obligation for the construction of Exit 4-A; this amount has been matched by the Town of Londonderry. To date, the Town has either appropriated from taxation or from the Unassigned Fund Balance approximately \$3.03M to pay for expenses incurred during the development of an Environmental Impact Statement, which is necessary to secure federal approval for the project. The Council has expressed a preference to share the burden of paying for the balance of this commitment (\$1.973M) with future taxpayers, who would also benefit from this infrastructure improvement; the financial vehicle to accomplish this would require the issuance of long-term bonds. Hood Park Dam: During the adoption of the FY18 budget, the Council appropriated \$400K for Hood Dam repairs to be funded with a long-term bond. Due to value engineering and negotiations between the NH Department of Environmental Services and the Derry Department of Public Works, the budget is now anticipated at \$250K. Recreation Facilities: Two workshops were conducted with Town Council in spring 2018 to review future park and facility needs for the Parks & Recreation divisions. The focus of the discussion surrounded the changing demographic profile of the community and seeking vision into the future needs of the community. To replace the Alexander-Carr Lodge Replacement it would cost about \$1,500,000. Miscellaneous park structures will cost about \$100,000 and new field lights for Don Ball will cost about \$200,000. In total, the bond insurance would be \$4.02M.

Motion by Councilor Chirichiello to open public hearing, seconded by Councilor Katsakories – all agreed

Mark Connors: Cabot Dr – Excited about the dam project. Would like a footprint of the Carr Park structure and the flooring dimensions.

Steve Trefethen: Windham, NH – Does not like the size of the building. Would like to see it widened a little and use of the existing structure. Wanted the council to explore adding another floor.

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

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-067, which reads as follows [Read the Resolution], seconded by Councilor Foote

Roll Call Vote: 7-0-0
Resolution attached

18-138 Resolution #2018-068 - Relative to the authorization of \$4.02M in General Obligation Bonds -*Town Administrator Dave Caron & Public Works Director Mike Fowler*

Motion by Councilor Chirichiello to open public hearing, seconded by Councilor Tripp – all agreed

No one from the public spoke.

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

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-068, which reads as follows [Read the Resolution], seconded by Councilor Wetherbee

Roll Call Vote: 7-0-0
Resolution attached

New Business

19-003 Resolution 2019-001 Relative to acceptance of grant funding for Household Hazardous Waste - *Public Works Director Mike Fowler*

The Town has access to various grant funds from the New Hampshire Department of Environmental Services for environmental programs within the Town. In the past, grants have been received for Landfill Closure, Household Hazardous Waste Collection Day, Watershed Assessment, improvements to the Town's Recycling Center and Do-It-Yourself Used Oil Collection Center, and Municipal Sewer Improvement Projects. Section 9.15 of the Town Charter authorizes the Town Council to apply for and accept State Federal and other governmental grants. NHDES requires such grant applications and contract agreements be signed by an authorized official of the Town and that the Town execute a Certificate of Authorization stating that the official by vote of the Town Council, is authorized to sign such grant agreements on behalf of the Town. In order to proceed with this process NHDES requires that 1) an HHW Collection Grant application signed by an authorized official of the Town be submitted, 2) upon approval of the application, a Contract Agreement be executed by the authorized official of the Town, 3) the authorized official be granted such authorizations by vote of the Council, 4) the Town authorize by vote of the Council to apply for and enter into an agreement with NHDES to hold a HHW collection event in FY20, and 5) the above authorizations be certified. The DPW is eligible and is in the process of applying for up to \$5,646.00 in matching grant funds from NHDES for the Household Hazardous Waste Collection program in FY20. It is recommended that the Town Council authorize the Town Administrator to sign Grant Applications and Agreements with NHDES and that the Town Council authorize the Town to enter into a grant agreement with the NH Department of Environmental Services to receive funds and hold a Household Hazardous Waste collection event in Spring of 2019.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2019-001, which reads as follows [*Read the Resolution*], seconded by Councilor Bourdon
Roll Call Vote: 7-0-0
Resolution attached

Councilor Comments / Liaison Reports –

Councilor Katsakiores – Derry Police Department hosts its winter blood drive on Friday, Jan. 18, 11 a.m. to 6 p.m. at Calvary Bible Church. All presenting donors will receive an American Red Cross/Derry police shirt. Blue House, Domino's and Papa Gino's will provide pizza. Dunkin' Donuts will provide coffee and doughnuts. The Transfer Station employees were very courteous and helpful.

Councilor Tripp – Has been watching the Solar monitoring website.

Councilor Bourdon – More solar options will be presented at the next Town Council meeting.

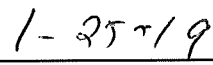
Councilor Foote – The Derry Village Rotary Club will be hosting a free spaghetti dinner on February 18th at Pinkerton Academy from 5pm to 6:30pm. The school board budget public hearing will be Tuesday January 15th at 6:30 at West Running Brook Middle School.

Chairman Morgan – Believes exit 4A is really good for the community but the deal was terrible for the town. Would like a checklist to be made for future councils to look at when deciding similar projects.

Adjournment: 9:05 p.m.



Town Clerk



Date

Recording & Transcription by: Daniel Healey, Town Clerk



RESOLUTION

Number 2018-067

To Approve a Supplemental Appropriation for Exit 4A, Hood Pond Dam
and Recreation Facilities

WHEREAS, the Town Charter establishes the Town Council as the appropriating authority of the Town and as such it is empowered by Section 9.6 of the Charter to make supplemental appropriations after the annual budget is adopted; and

WHEREAS, advancement to construction of the Interstate 93 Exit 4A project is a priority of the Council toward which the Council is required by Agreement with the New Hampshire Department of Transportation to invest a maximum amount of Five Million Dollars (\$5,000,000) into the project; and

WHEREAS, the Town previously appropriated a total of Three Million Seven Hundred Three Thousand Two Hundred Sixty-Four Dollars (\$3,703,264) towards its \$5,000,000 commitment to the Exit 4A project and now must appropriate the balance of its commitment, or One Million, Two Hundred Ninety-Six Thousand Seven Hundred Thirty-Six Dollars (\$1,296,736); and

WHEREAS, the Town is under a directive from the New Hampshire Department of Environmental Services to perform certain improvements on the Hood Pond Dam, which cost of Two Hundred Fifty Thousand Dollars (\$250,000) shall be appropriated; and

WHEREAS, the Town Council recognizes the quality of life and economic development benefits of improving recreation facilities and therefore will appropriate One Million Eight Hundred Thousand Dollars (\$1,800,000) for improvements to various recreation facilities; and

WHEREAS, the Town Council has determined that the issuance of General Obligation Bonds to fund these appropriations is in the best interest of the Town;

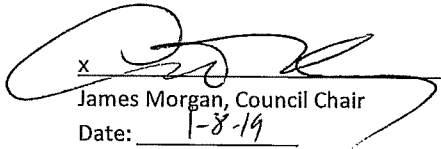
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the sum of Three Million Three Hundred Forty-Six Thousand Seven Hundred Thirty-Six Dollars (\$3,346,736) shall be raised through the issuance of General Obligation Bonds.

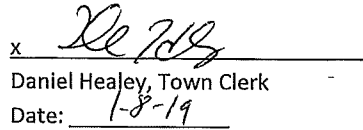
Archival Ref: TC agenda item #18-137

This Resolution has been adopted by two-thirds majority of the entire Council as required by Charter and shall take effect immediately upon its passage.

Adopted: January 8, 2019.

Attest:

x 
James Morgan, Council Chair
Date: 1-8-19

x 
Daniel Healey, Town Clerk
Date: 1-8-19

Archival Ref: TC agenda item #18-137



RESOLUTION

Number 2018-068

To Authorize the Sale of \$4.02M in General Obligation Bonds

WHEREAS, the Town Council has adopted Resolution #2018-067 which provides for a Supplemental Appropriation for the following projects:

Exit 4A:	\$ 1,296,736
Hood Pond Dam	\$ 250,000
Recreation Facilities	\$ 1,800,000

WHEREAS, the Town Council has adopted Resolution #2018-044 which provides for a Supplemental Appropriation in the amount of \$432,868 for the Environmental Impact Statement Consulting Contract Related to the I-93 Exit 4A Project; and,

WHEREAS, the Town Council has adopted Resolution #2018-045 which provides for a Supplemental Appropriation in the amount of \$240,000 for NHDOT Professional Services Related to the I-93 Exit 4A Project; and,

WHEREAS, the Town Council has determined that the issuance of General Obligation Bonds to fund all three of the aforementioned Resolutions is in the best interest of the Town;


NOW, THEREFORE, BE IT RESOLVED that the Town, acting by and through its Town Council, hereby approves Resolution #2018-068 and authorizes the issuance of General Obligation Bonds pursuant to the Municipal Finance Act, NH R.S.A. Chapter 33, in the amount of Four Million, Nineteen Thousand Six Hundred Four Dollars (\$4,019,604), the proceeds of which shall be utilized to fund the Supplemental Appropriations as approved pursuant to Resolutions #2018-44, #2018-45 and #2018-67 and

IT IS FURTHER RESOLVED that all actions heretofore taken by the Town consistent with the foregoing are hereby confirmed, ratified and approved.

This Resolution has been adopted by a two-thirds majority of the entire Council as required by Charter and shall take effect immediately upon its passage.

Adopted: January 8, 2019

Attest:



James Morgan, Council Chair

Date: 1-8-19



Daniel Healey, Town Clerk

Date: 1-8-19

Archival Ref: TC agenda item #18-138



RESOLUTION

Number 2019-001

To Apply for and Accept Grant Funding Related to Household
Hazardous Waste Collection

WHEREAS, the Section 9.15 of the Town Charter authorizes the Town Council to apply for, accept and expend funds received from the State; and

WHEREAS, the Town annually has hosted a Household Hazardous Waste Collection Day to provide residents with a convenient and safe method by which to dispose of household hazardous waste; and

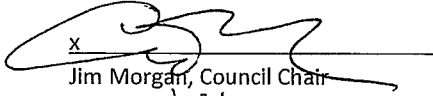
WHEREAS, matching grant funding from the NH Department of Environment Services is available to the Town to help defray expenses associated with this program;

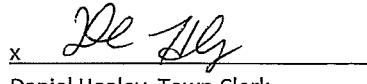
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to sign Grant Applications and Agreements with NHDES for up to \$5,646 in matching funds and further authorize the Town to hold a Household Hazardous Waste Collection event in Spring, 2019.

This Resolution shall take effect immediately upon its passage.

Adopted: January 8, 2019

Attest:

X 
Jim Morgan, Council Chair
Date: 1-8-19

X 
Daniel Healey, Town Clerk
Date: 1-8-19

Archival Ref: TC agenda item #19-03