

**TOWN OF DERRY**

**Town Council  
Derry Municipal Center**

**October 2, 2018  
Tuesday - 7:00 PM**

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**6:00 PM      Non-Public Session 91A:3 II (c,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 (c,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, 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**

Cristina Guilford: Westgate Rd – The Chili Chowder cookoff hosted by the Salvation Army will take place Saturday October 13<sup>th</sup> at MacGregor Park. They are looking for silent auction donations.

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

**Consent Agenda**

**18-113** Approve Non-Public Minutes – September 18, 2018 – **minutes sealed**

**18-114** Approve Minutes – September 18, 2018

**18-115** Resolution #2018-056 – Relative to Downtown Revitalization Tax Relief Application (79-E)

**18-116** Resolution #2018-057 – Relative to Fox Hollow Road – Acceptance of Class VI Public Way

**18-117** Resolution #2018-058 – North Shore Road – Acceptance of Public Way

**18-118** Resolution #2018-059 – Release of Public Servitude – Eastman Drive to Sheldon Road

**18-119** Frost Resident's Cooperative Community Development Block Grant Project Update

**Consent agenda approved**

**Chairman's Report – James Morgan**

The Town Council set the meeting schedule for the next few months. They will be meeting the following days: 11/20/2018, 12/4/2018, 12/18/2018, 1/8/2019, and 1/22/2019.

Heritage Commission Update – *Karen Blandford-Anderson – Commission Chair*

The Commission is responsible for preserving Derry's history for future generations. The Derry Heritage Commission oversees the activities of the Derry History Museum, Derry Town Historian, and the Friends of the Forest Hills Cemetery. They act as a review council for new buildings/structures that may impact Historical sites. The Commission meets the 1st Monday of every month at the Derry Municipal Center at 7:00 p.m. The next meeting is November 5, 2018. Their goals include focusing on the 300th Anniversary in 2019, more consistent hours, more displays around town, updating the website and Facebook Page activities, creating new displays at the Museum to attract new visitors, more outreach to the schools, and to participate in the Farmer's Market, Derryfest, Derry After Dark, Octoberfest, Pinkerton Volunteer Fair and Day of Giving Back. The committee is looking for the next holder of the Boston Post Cane and expect the search to begin in December.

Economic Development Advisory Committee Update – *Elizabeth Circharo – Committee Chair*  
The Committee's Vision Statement is to assist in creating an environment that attracts robust businesses to Derry that meet the demand of our residents and the local workforce and inspires current and future businesses to succeed in our community of historic Main Street storefronts complimented by the convenience of larger retailers, industry, and medical professionals. Current projects include establishing and maintaining solid lines of communication with local businesses, working with the Economic Development Coordinator on status of Facade Improvement program, a downtown business owner's forum, Derry food truck festival, investors and partners for Abbott Court, and updating their website. Long-time member Terri Pastori has resigned due to work commitments.

#### **Town Administrator's Report – David Caron**

Derry Firefighter Greg Putnam has been recognized as trainer of the year. The quarter 1 financials will be presented at the November 20<sup>th</sup> meeting and an auditor will present their results too. The Knights of Columbus had requested a monument to be placed at the cemetery. A town policy would need to be created and adopted to allow this. Staff will return with a policy at the next meeting. The parties involved in the Southern New Hampshire water project will be meeting the week of October 15<sup>th</sup>. The downtown will be decorated with holiday lights, garland, snowflakes, and bells at the end of October and they will be up until January 1<sup>st</sup>. The cost of the installation will be \$25,600 with an expected annual maintenance of \$6,000. There is a picture of the Don Ball Memorial in the councilor's packets and a dedication ceremony is being planned. There is a Master Plan update in the works.

#### **Public Hearings**

**18-111 Resolution #2018-054 – Relative to a Supplemental Appropriation to fund additional police resources including a School Resource Officer – *Police Chief Edward Garone***

Since 1999 the Town has provided a School Resource Officer to Pinkerton Academy. The Town and Pinkerton Academy wish to augment the SRO program by adding an additional officer. Given the fiscal constraints involved and after much discussion, the Town and Pinkerton have developed a new SRO agreement that allows for the assignment of two School Resource Officers to the Academy. The agreement stipulates that Pinkerton Academy will provide

payments to the Town that create a revenue stream to the Town. The revenue stream will compensate the town for the full costs of both officers assigned to the Academy. Execution of the new agreement will accomplish the mutual goal of increasing the staff assigned to the Academy and allow the town to hire two additional officers without affecting the tax rate. One of the additional officers would be assigned as an additional SRO at the Academy and the other would be assigned to investigate cybercrime issues. Both parties have agreed that, due to the calendar and current staffing levels within the Police Department, the 2018-2019 school year will be a transition year for the program. Specifically, the Town will assign one f-t SRO to Pinkerton and anticipate assigning a second SRO for approximately 60 days of the school year. The anticipated reimbursement for Pinkerton for 2018-2019 is \$149,720 for FY19, which is sufficient for the Town to hire two officers during FY19. Beginning in FY20, it is anticipated that the Town will assign two personnel to Pinkerton throughout the 2019-2020 school year, which will generate \$224,800 in reimbursement from Pinkerton, sufficient to cover all related wages and expenses for two police officers.

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

Tom Cardon: Cunningham Dr – Endorses what they council wants to do but would like the sending towns to partially provide some of the cost.

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

**Councilor Bourdon MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-054, which reads as follows [Read the Resolution], seconded by Councilor Katsakiores**  
**Roll Call Vote: 7-0-0**  
**Resolution attached**

**New Business**

**18-120** Resolution #2018-060 – Relative to an agreement to sell tax deeded property –  
*Tax Collector, Dawn Enwright*

**Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-060, which reads as follows [Read the Resolution], seconded by Councilor Bourdon**  
**Roll Call Vote: 7-0-0**  
**Resolution attached**

**18-121** Resolution #2018-061 – Relative to the acquisition of property at 27 West  
Broadway – *Town Administrator David Caron*

The Town Council has been focused on enhancing commerce in the Downtown, which will generate additional tax revenues and employment opportunities, and create interest and excitement for the entire community. One of the challenges of Downtown which was identified in a 2010 report from the Planning Department is the lack of parking. The Council believes that additional parking at this location would also benefit the Adams Memorial Building, which is a community gathering place whose maximum potential for utilization is hampered by parking and access challenges. Communities are authorized under state statute to acquire property under

the Eminent Domain statute if said property will serve a necessary public purpose. Although the Council has yet to consider this process for the subject property, as a matter of policy, the purchase process is structured similar to the Eminent Domain process as set forth in RSA 498-A. This practice allows the Town Council the flexibility to consider using this law without having to replicate previous steps. Earlier this year, the Town commissioned an appraisal of the four-lot block on West Broadway, including the subject property. The appraisal determined the value of the lot at \$350,000.00, which serves as the basis for the offer. The Town may either include the acquisition in the bond currently under consideration by the Council, or fund from the Unallocated Fund Balance account. The funding process can be initiated under Section 9.6 of the Town Charter once a purchase prices has been finalized.

**Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-061, which reads as follows *[Read the Resolution]*, seconded by Councilor Bourdon**

**Roll Call Vote: 7-0-0**

**Resolution attached**

**Councilor Comments / Liaison Reports –**

Councilor Bourdon – Invited everyone to the ribbon cutting event at Tupelo Music Hall on Tuesday October 16<sup>th</sup> at 12:30pm. The venue hall has gone 100% Solar. Thanked the Net Zero Task Force Chairman Jeffrey Moulton for assisting on this project.

Councilor Katsakiores – The Derry Senior Advisory Committee along with EMS Director Chuck Hemeon will be hosting a stroke awareness/fall prevention event. It will take place October 9<sup>th</sup> from 10am to 11:30am at Marion Gerrish Community Center.


Councilor Foote – Congratulated Derry Village Rotary for a successful Octoberfest.

Chairman Morgan – Wanted to publicly thank the Arts Council for the wonderful work during Derryfest. Andy Day and Alana Wentworth, owners of Cask and Vine, will be having Walls Dogs paint a mural on the side of their building

Councilor Wetherbee – Thanked everyone who made the Farmer's market a great success. There will be a pop-up art's show at the Hood Plaza in the former ½ Off Cards store. It will be October 19<sup>th</sup> from 4pm to 9pm and October 20<sup>th</sup> and 21<sup>st</sup> from 10am to 4pm.

**Adjournment: 8:30 p.m.**

  
\_\_\_\_\_  
Town Clerk

  
\_\_\_\_\_  
Date

**Recording & Transcription by: Daniel Healey, Town Clerk**



## RESOLUTION

Number 2018-054

To Approve a Supplemental Appropriation to Fund Additional Police  
Resources Including a School Resource Officer

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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, Pinkerton Academy has expressed a desire to increase the compliment of School Resource Officers at the Academy to two full-time officers, and to financially participate in the cost of the service as set forth in the attached Agreement; and

WHEREAS, both parties agree that the 2018-2019 school year will be in transition as the Police Department staffs up to meet its obligations under this Agreement; and

WHEREAS, additional demands upon police services support additional resources for other service areas;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the sum of One Hundred Forty-Nine Thousand Seven Hundred Twenty Dollars (\$149,720) is hereby raised to hire two police officers, to be funded from offsetting revenues paid by Pinkerton Academy, and the Town Administrator is hereby authorized to execute all documents necessary to implement this Agreement.

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: October 2, 2018.

Attest:

A handwritten signature in black ink, appearing to be "James Morgan", written over a horizontal line.

James Morgan, Council Chair

Date: 10-2-18

A handwritten signature in black ink, appearing to be "Daniel Healey", written over a horizontal line.

Daniel Healey, Town Clerk

Date: 10-2-18

Archival Ref: TC agenda Item #18-111

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## RESOLUTION

Number 2018-060

To Authorize an Agreement to Sell Tax-Deeded Property

WHEREAS, Article 5 of the Town's Administrative Code sets forth the procedure to dispose of tax-deeded properties; and

WHEREAS, the Tax Collector has complied with said procedures in addition to complying with RSA 80:80, the controlling state statute; and

WHEREAS, the previous owner has expressed a desire to reclaim ownership of their home which was deeded to the Town due to non-payment; and

WHEREAS, the Council believes that conveyance of this property to the former owner is in the best interest of both the homeowner and the Town of Derry;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL, that the property at 39 Redfield Circle shall be conveyed to the previous homeowner, subject to the terms and conditions of the attached agreement, which the Town Administrator is hereby authorized to execute

This Resolution shall take effect immediately upon its passage.


Adopted: October 2, 2018

Attest:

X 

James Morgan, Council Chair

Date: 10-2-18

X 

Daniel Healey, Town Clerk

Date: 10-2-18

Archival Ref: TC agenda item Non-Public & 18-120



## RESOLUTION

Number 2018-061

To Authorize an Offer to Purchase 27 West Broadway

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town; and,

WHEREAS, a priority goal of the Council is to enhance commerce in the Downtown, which will generate additional tax revenues and employment opportunities; and,

WHEREAS, a study conducted by the Planning Department identified a significant deficiency in the number of parking spaces Downtown; and,

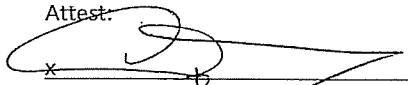
WHEREAS, additional parking is also needed to fully maximize the use of the town-owned Adams Memorial Building;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town hereby extends an offer in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) to Fire Drive Circle, LLC as owner of 27 W. Broadway, to purchase said parcel.

This Resolution shall take effect immediately upon its passage.

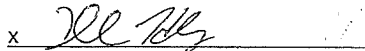
Adopted: October 2, 2018

Attest:

x 

James Morgan, Council Chair

Date: 10-2-18

x 

Daniel Healey, Town Clerk

Date: 10-2-18

Archival Ref: Agenda Item #18-121