

TOWN OF DERRY

**Town Council
Derry Municipal Center**

**October 20, 2020
Tuesday - 7:00 PM**

6:15 PM Non-Public Session – RSA 91A:3 II (c, d)

7:00 PM Call to order

Although the Stay at Home Order has expired, Emergency Order #12 as issued by Governor Sununu remains in effect, which waives the requirement that a quorum be physically present in the meeting room; a meeting of a public body may be conducted with most or all members participating electronically. There is a contact number at the bottom of the Derry TV Cam screen with a phone number where members of the public can listen in and participate in the Public Forum and Public Hearing portions of the meeting. This access number was also posted along with the agenda and posted on the exterior doors of the Municipal Center. Please note that due to the physical absence of some Councilors, all votes taken shall be done by Roll Call.

**Motion by Councilor Tripp leave non-public session, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0**

**Motion by Councilor Tripp to seal RSA 91A:3 II (c, d), seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0**

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

Roll Call: Councilor's Katsakiores, Morgan, Tripp and Chairman Foote in-person and Councilor's Bourdon, Chirichiello and Wetherbee by Video.
Present: TA David Caron, Town Clerk Daniel Healey

Public Forum - *30 Minutes*

**Motion by Councilor Katsakiores to open public forum, seconded by Councilor Wetherbee
Roll Call Vote: 7-0-0**

Anne Copp: Tsienneto Road – Wanted the residents to know that the ballot is doubled side. Requested that Councilor Morgan resign for cause over questioning her views on Facebook. Did not agree with the Town Council's decision to not approve Lorraine Lindenberg to the Cable Advisory Committee.

**Motion by Councilor Morgan to extend, seconded by Councilor Tripp
Roll Call Vote: 5-2-0 (Councilors Wetherbee and Katsakiores)**

Tom Cardon: Cunningham Dr – With the latest delay in Exit 4A, the town should back down from the project.

Rebecca Nevin: Paul Ave – Shocked at the local politics and would like to see some things changed.

Steve Trefethen: Windham, NH – Discussed the recent developments for 4A and the town's options moving forward.

Motion by Councilor Morgan to extend, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Motion by Councilor Katsakiores to close public forum, seconded by Councilor Tripp
Roll Call Vote: 6-0-0

Consent Agenda

20-102 Approve Non-Public Minutes – October 6, 2020

20-104 Accept EDAC Member Resignation

20-105 Accept Heritage Commission Member Resignation

20-106 Accept Robert Frost State Coach/Scenic ByWay Council Member resignation

Motion by Councilor Tripp to approve the consent agenda, seconded by Councilor Morgan

Roll Call Vote: 7-0-0

Consent agenda approved

Chairman's Report – Charlie Foote

Councilor Morgan moves to reconsider the appointment of Lorraine Lindenberg to the Cable Advisory Committee, seconded by Councilor Wetherbee

Roll Call Vote: 7-0-0

Chairman Foote moves to appoint Catherine Baumann as a member of the Robert Frost State Coach / Scenic Byway Council, seconded by Councilor Morgan

Roll Call Vote: 7-0-0

Chairman Foote moves to appoint Lorraine Lindenberg as a member of the Cable Advisory Committee for a term to expire March 31, 2023, seconded by Councilor Tripp

Roll Call Vote: 7-0-0

Councilor Morgan would like to see the town participate in a decorate Derry event where residents decorate their yards and others can drive by to see those decorations. Town Moderator Tina Guilford gave an update on the upcoming General Election. It will take place Tuesday November 3rd at Pinkerton Academy from 7AM to 8PM. The traffic plan and the layout were presented to the Town Council.

Town Administrator's Report – David Caron

Town Assessor Stephan Hamilton gave an update on the revaluation process and the trends in Derry. The CFO and Town Clerk were successful in obtaining a grant from the Center for Tech and Civic Life to assist with extraordinary election expenses. Derry's grant is \$9,553.13. These funds will be deposited into the COVID-19 Expendable Trust and be used for expenses such as worker hazard pay and building cleaning. The CFO reports no areas of concern currently regarding the Town's revenue streams. Looking ahead to the FY22 budget, the Town has received notification from one of its health insurance providers that the Town's maximum rate increase is 2.9% which is excellent news. Construction continues on the Rail Trail/Hood Pond Dam with an anticipated completion date of late November. Trunk or Treat will take place on Sunday October 25th at Don Ball Park from 10am to 3pm. Neighborhood Halloween will take

place on Saturday October 31st but it is not Town sponsored although advisory information has been disseminated. The Downtown Holiday decorations are scheduled for mounting to streetlight poles in early/mid-November by a contractor. A new downtown tree has been ordered and is tentatively scheduled for placement in mid-November. A Very Derry Holiday will take place Saturday November 28th with modified activities still under review with the Chamber and Derry Parks and Recreation. Small business Saturday is on November 28th.

New Business

20-107 Resolution #2020-053 – Authorize the COVID-19 Hazard Recognition Program – *Town Administrator Dave Caron presenting*

Governor Sununu, as part of the \$1.25B CARES Act allocated to New Hampshire, established a First Responder Stipend Program which compensated front-line public safety employees who faced additional risks operating during the Pandemic. The Governor's stipend program awarded \$350/weekly to eligible employees for a period of 8+ weeks. That program resulted in \$358K in direct state aid to the benefit of 128 first responders. The Governor's program did not include other municipal employees who faced similar risks executing their responsibilities during the Pandemic, nor did it account for the secondary risks of other town employees who did not have continuous contact with the public but had prolonged exposure to co-workers who do have that continuous contact. Employees who maintained continuous contact with the public during the Pandemic include some employees within the Highway Dept., Transfer Station, Tax Collector and Town Clerk's Offices, DPW Inspectors and Code Enforcement Officers, Sewer and Water Dept., Animal Control Officer, Parks and Rec. Dept. It is proposed that the Council transfer approximately \$45K from the COVID-19 Expendable Trust and issue gift cards to eligible employees; these gift cards would be obtained from participating, New Hampshire based local businesses with a Derry location.

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2020-053, which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0
Resolution attached**

20-108 Resolution #2020-054 – Establish a Gateway TIF Advisory Board – *Town Administrator Dave Caron presenting*

The Town authorized the creation of two Tax Increment Finance Districts in the Town in the last 15 years. The Districts were established to provide a mechanism to fund infrastructure and other improvements with the end goal to stimulate business activity and enhance the Town's tax base. State statute (RSA 162-K:14) requires the creation of an Advisory Board to ensure that property owners or occupants within the Districts have an opportunity to contribute to the TIF Development Plan and Financing Program. The number of Advisory Board members is at the discretion of the Town Council however, a majority must reside or own real property in or adjacent to the TIF District. The Gateway TIF District as recently created by the Town Council extends the TIF District from its original location at Ash Street to now include portions of Folsom Road, Madden Road, North High Street and Ash Street. It is recommended that the Town Council appoint three eligible owners or occupants from this area, as well as including two members of the Economic Development Advisory Committee. Per statute, the Board would

ensure TIF District compliance with reporting requirements, provide feedback on District activities and can appeal decisions or actions to the Council. It is envisioned that the Board would meet infrequently, after the District development plan is finalized.

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2020-054, which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0
Resolution attached

20-109 Resolution #2020-055 – Revise the charge of the Economic Development Advisory Committee – Town Administrator Dave Caron presenting

The Committee originally was created without the benefit of professional staff which required hands on involvement with marketing and economic development activities by the Committee. While those efforts continue to be appreciated, now that the Town retains an Economic Development professional on staff, and the Town Council continuously develops initiatives to advance the Town's commerce, the By-Laws are recommended to be restructured to enhance both the Committee's efficiency and effectiveness. With day-to-day operations assigned to staff, and with no statutory duties, EDAC has evolved into a Committee which offers feedback and support yet maintains a very limited role. We believe that the time and energy of EDAC members would be better utilized operating under the following recommendations:

1. Include a statement of expectations whereby members will be expected to attend and participate on ad-hoc Committees when called upon.
2. Meet bi-annually to receive updates and provide feedback on Economic Development activities and to hear reports from Ad-Hoc Committees.
3. The Chair will make recommendations for appointment by the Town Council to the Derry Commerce Corridor TIF Advisory Board, to the Gateway TIF Advisory Board, and to ad-hoc Committees as created for a specific purpose and include an economic development component.

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2020-055, which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0
Resolution attached

Councilor Comments / Liaison Reports –

Councilor Morgan – Businesses should apply for the Main Street Relief program and take advantage of the grant money. Questioned if the Town Council needs to hear from the Derry Revolving Loan fund.

Councilor Tripp – Thanked the Town Moderator for the presentation tonight and reminded residents to get out and vote.

Councilor Katsakiores – Reminded residents to wash their hands, wear a mask, and to stay safe.

Councilor Chirichiello – The second wave is hitting Europe hard now. Reminded residents to wear a mask when you cannot social distance.


Councilor Bourdon – Believes the candidates were more of the problem at the last election not wearing masks.

Chairman Foote – There is a committee that has been meeting to improve Hood Park and they will soon be bringing their ideas to the Town Council. Information is still being gathered from the public and there are several Reimage Hood Park bulletin boards around town for residents to add their input. It is also on the Town website.

Councilor Morgan moves to adjourn, seconded by Councilor Tripp

Roll Call Vote: 7-0-0

Adjournment: 8:55 p.m.



Town Clerk

Recording & Transcription by: Daniel Healey, Town Clerk

12-2-2020
Date



RESOLUTION

Number 2020-053

To Authorize a Hazard Recognition Program for Non-First Responders
to Support the Local Business Community, and Authorize a Budget
Transfer

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

WHEREAS, many businesses and corporations, and state and local governments have recognized the enhanced risks to employees during the Pandemic by granting additional compensation; and

WHEREAS, in New Hampshire, the State has funded additional compensation for many groups, including First Responders, park employees and liquor store employees; and

WHEREAS, Derry's small, locally-owned businesses still need support to survive during the Pandemic; and


WHEREAS, funding is now available to both recognize the efforts of town employees during the Pandemic and support our local businesses;

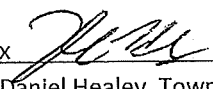
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to implement the Derry COVID-19 Hazard Recognition Program to compensate eligible employees in gift cards from local businesses, and further to authorize the Transfer of \$45,000 from the COVID-19 Expendable Trust for Response, Mitigation and Recovery to fund the program.

This Resolution shall take effect immediately upon its passage.

Adopted: October 20, 2020.

Attest:

x 
Charles Foote, Council Chair
Date: 10/20/20

x 
Daniel Hegley, Town Clerk
Date: 10/24/2020

Archival Ref: Agenda Item #20-53



RESOLUTION

Number 2020-054

To Establish the Gateway TIF Advisory Board

WHEREAS, Section 5.1 of the Town Charter vests in the Town Council the powers of the legislative and governing bodies; and

WHEREAS, the Town Council established the Gateway TIF District; and

WHEREAS, State Statutes requires that an Advisory Board be created to provide input and guidance on TIF District activities;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council hereby establishes the Gateway TIF District Advisory Board, to operate in accordance with the attached By-Laws.

This Resolution shall take effect immediately upon its passage.

Adopted: October 20, 2020

Attest:

x

Charles Foote, Council Chair

Date: 10/20/20

x

Daniel Healey, Town Clerk

Date: 10/20/2020

Archival Ref: Agenda Item #20-108



RESOLUTION

Number 2020-055

To Amend the Economic Development Advisory Committee By-Laws

WHEREAS, Section 5.1 of the Town Charter vests in the Town Council the powers of the legislative and governing bodies; and

WHEREAS, the Town Council previously established the Economic Development Advisory Committee whose mission is to advise the Council on economic development issues facing the community; and

WHEREAS, in response to evolving economic development priorities and capabilities in the Town, including a professional economic development staff, EDAC by-laws should be amended to enhance the effectiveness of the Committee;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council hereby approves the revised By-Laws of the Economic Development Advisory Committee as attached.

This Resolution shall take effect immediately upon its passage.

Adopted: October 20, 2020

Attest:

A handwritten signature in black ink, appearing to read "Charles Foote", written over a horizontal line.

Charles Foote, Council Chair

Date: 10/20/20

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

Daniel Healey, Town Clerk

Date: 10/20/2020

Archival Ref: Agenda Item #20-109