

## TOWN OF DERRY

Town Council  
Derry Municipal Center

November 7 2017  
Tuesday - 7:30 PM

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

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

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

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

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

Present: TA David Caron, Town Clerk Daniel Healey

There was a moment of silence for the victims in New York and Texas.

### **Consent Agenda**

**17-146** Approve Minutes – October 17, 2017

**17-147** Resolution #2017-074 To Accept a NH Highway Safety Agency Grant for Sustained Traffic Enforcement Patrols – Public Hearing November 21, 2017

**17-148** Ordinance #2017-006 – Amend Article V, Zoning Map & District Boundaries, Section 165-30, Zoning Map, to remove 444 parcels from MHDR zone and add 444 parcels to MDHR II zone – Public Hearing November 21, 2017

**17-149** Resolution #2017-075 – Authorize sale of Town Tax Deeded Properties – Public Hearings – November 21 & December 5, 2017

### **Consent agenda approved**

### **Chairman's Report – Joshua Bourdon**

Councilor Katsakiores brought to the attention of Chairman Bourdon that prisoners from the Rockingham Department of Corrections have been assisting the Department of Public Works with a number of tasks at the Derry Transfer Station. Superintendent Stephen Church and Assistant Superintendent David Consentino from the Rockingham County Department of Corrections were present and Councilor Katsakiores read a proclamation to them from the Derry Town Council.

Lottery Director Charles McIntyre gave a presentation on Keno. The State Legislature recently passed SB 191, which allows eligible establishments such as restaurants, pubs, social clubs, hotels, etc. to apply for Keno licenses. Keno is a form of gambling which is managed and controlled by the State Lottery Commission. The Legislature included a provision in the statute which requires voters of towns and cities to authorize the Commission to issue licenses within their boundaries. The Legislature's stated intention is to fund kindergarten from proceeds generated by Keno.

The Chairman of the Net Zero Task Force Jeff Moulton and member Tom Cardon met to discuss two proposals relating to Solar Panel installation at Marion Gerrish and the Transfer Station. The proposal for the Transfer Station will be going forward and Director of Public Works Mike Fowler will make a presentation at the next council meeting. The Chairman of the Derry School Board Dan McKenna has informed the council that school board meetings will now be airing on channel 6.

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

The Department of Revenue established the town's tax rate at \$28.86 and tax bills will be due December 13<sup>th</sup>. Town Trick or Treating was moved to November 3<sup>rd</sup>. 148 Goodhue Road was demolished and staff is working with legal to have liens placed on the property. The Town Council requested a workshop for boards and committees on the right-to-know law and that will be held in the 3<sup>rd</sup> Floor Meeting Room on Tuesday January 23<sup>rd</sup>. The boards and committees members will be sent a notice. South East Land Trust is working on completing all the different conveyances on the Sawyer Property with legal and the proposed sub-division is in design. Phase 1 of the Brady Ave sewer and water extension project has been completed with paving taking place yesterday and today. Crews are returning in the spring of 2018 to start Phase 2. Household Hazardous Waste day will be Saturday November 18<sup>th</sup> at Nelson Field in Londonderry. The Transfer station will be closed Saturday November 11 in observance of Veteran's day. Emergency Management Director Mike Gagnon gave a presentation on the storm event from the past week.

#### **Public Forum - \*30 Minutes\***

##### **Open Public Forum – all agreed**

Ernie St Pierre: Sunset Ave – Questioned the tax rate and why more residents were not present. Believes the school side is high and would like the council to try and do something about it.

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

#### **New Business**

**17-150** Resolution #2017-076 – To Accept a NH Highway Safety Agency Grant for DWI Patrols

**17-151** Resolution #2017-077 – To Accept a NH Highway Safety Agency Grant for Pedestrian/Bicycle Patrols

**17-152** Resolution #2017-078 – To Accept a NH Highway Safety Agency Grant for Distracted Driving Patrols

Police Chief Edward Garone presented the NH Highway Safety Agency Grants. Periodically, the NH Highway Safety Agency distributes funds to support selective traffic enforcement. The Police Department has received contracts for these programs. The DWI Patrols grant provides \$9,766.68 in funding. The Pedestrian/Bicycle Patrols grant provides \$6,511.13 and the Distracted Driving Patrols grant provides funding of \$6,987.55. The NH Highway Safety Agency will reimburse the Town for 100% of the salary-related expenses plus associated roll up costs for all hours worked under the grants. The Town is responsible for in kind cost matches for each grant. Enforcement patrols will be scheduled throughout the grant period which runs from

October 1, 2017 through September 30, 2018 as one-man patrols. Officers assigned will be reimbursed at their respective overtime rate.

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-076, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**  
**Roll Call Vote: 7-0-0**  
**Resolution attached**

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-077, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**  
**Roll Call Vote: 7-0-0**  
**Resolution attached**

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-078, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**  
**Roll Call Vote: 7-0-0**  
**Resolution attached**

**17-153 Resolution #2017-079 – Amend Resolution #2016-025 To Authorize Entrance into a Master Lease/Purchase Agreement to Finance the Acquisition of Certain Capital Equipment**

Town Administrator David Caron presented the amendment to Resolution #2016-025. During the budget review on May 19, 2016, it was determined that entering into a competitively bid master lease agreement for capital improvement purchases over the next five years would be cost effective for the town. A bid was produced and sent to local and national banks for quotes of interest rates and terms for a master lease agreement for capital purchases over the next five years totaling \$4,168,000. Bids were received from several banks. Bank of America was chosen for their guaranteed fixed interest rates of 1.35% for leases up to three years in length, and 1.50% for leases of four to seven years in length. Since that time, copiers and other equipment will be incorporated into this lease agreement in order to save money in acquisition and interest costs. Equipment incorporated in this master lease agreement included Town-wide copiers, police and fire communication equipment and public works vehicles. Due to the savings in the cost of equipment purchased previously, the master lease agreement does not need to be increased beyond the original appropriation of \$4,168,000 at this time. Although the Council's approval of Resolution #2016-025 contemplated adjustments to the list of acquisitions, Bank of America has requested a formal Council amendment to the Resolution.

**Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-079, which reads as follows [*Read the Resolution*], seconded by Councilor Morgan**  
**Roll Call Vote: 7-0-0**  
**Resolution attached**

**Councilor Comments / Liaison Reports -**

Councilor Katsakiores – Congratulated Saint Thomas Church on their 100 year anniversary. There was a gala last Saturday night and former pastors attended.

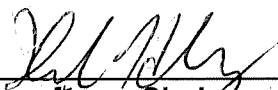
Councilor Morgan – Wished everyone a safe and happy Veteran's day and thanked the Veterans for their service. He will be away on travel during the events in town.

Councilor Foote – Wished everyone a Happy Veteran's Day and thanked them for their sacrifices.

Councilor Tripp – There will be a breakfast for the Veterans at West Running Brook Middle School on Thursday at 8 am and at Pinkerton on Saturday at 7:30 am. There will be a ceremony at MacGregor Park on Saturday at 11 am and a meal at the Veteran's Hall.

Chairman Bourdon – Will be collecting items from 10 am to 1pm Sunday November 12 at his home at 11 Village Brook Lane for the 3<sup>rd</sup> annual Keep the Veteran's warm project. All items will be donated to the Liberty House in Manchester. The Net Zero Task Force Committee has been looking into electric car charging stations and believes one could be installed in the Municipal Center parking lot for little to no cost. They hope to have a presentation soon. The committee would also like to look into the energy star rating of the Municipal Center. Chairman Bourdon would like to look into the lack of funding for lifeguards and other staff in the recreation department and would like to work with Parks and Recreation Director Eric Bodenrader to find out the costs of full capacity of programs and see what the gap is. An active recreation workshop is suggested.

**Adjournment: 8:55 p.m.**

  
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Town Clerk  
841156

11/27/17  
Date

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



## RESOLUTION

Number 2017-076

To Accept a NH Highway Safety Agency Grant for DWI Patrols

WHEREAS, Section 9.15 of the Town Charter authorizes the Town Council to accept grant funding; and

WHEREAS, funding is available through the NH Highway Safety Agency; and

WHEREAS, the Town may receive funds for enhanced DWI Patrols; and


WHEREAS, this enforcement enhances the safety of the traveling public in Derry;


NOW, THEREFORE, BE IT RESOLVED IN COUNCIL, pursuant to RSA 31:95-b, that the Town Administrator is hereby authorized to apply for, accept and expend \$9,766.68 derived from the NH Highway Safety Agency grant for DWI Patrols, and to enter into agreements with the State of New Hampshire as may be necessary to finalize receipt of this grant funding.

This Resolution shall take effect immediately upon its passage.

Adopted: November 7, 2017

Attest:

x   
Josh Bourdon, Council Chair  
Date: 11/8/17

x   
Daniel Healey, Town Clerk  
Date: 11/7/17

Archival Ref: Agenda #17-150



## RESOLUTION

Number 2017-077

To Accept a NH Highway Safety Agency Grant for Pedestrian/Bicycle Patrols

WHEREAS, Section 9.15 of the Town Charter authorizes the Town Council to accept grant funding; and

WHEREAS, funding is available through the NH Highway Safety Agency; and

WHEREAS, the Town may receive funds for enhanced Pedestrian/Bicycle Patrols; and

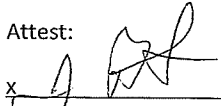
WHEREAS, this enforcement enhances the safety of the public in Derry;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL, pursuant to RSA 31:95-b, that the Town Administrator is hereby authorized to apply for, accept and expend \$6,511.13 derived from the NH Highway Safety Agency grant for Pedestrian/Bicycle Patrols, and to enter into agreements with the State of New Hampshire as may be necessary to finalize receipt of this grant funding.

This Resolution shall take effect immediately upon its passage.

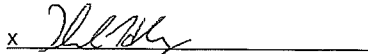
Adopted: November 7, 2017

Attest:

x 

Josh Bourdon, Council Chair

Date: 11/8/17

x 

Daniel Healey, Town Clerk

Date: 11/7/17

Archival Ref: Agenda #17-151



## RESOLUTION

Number 2017-078

To Accept a NH Highway Safety Agency Grant for Distracted Driving Patrols

WHEREAS, Section 9.15 of the Town Charter authorizes the Town Council to accept grant funding; and

WHEREAS, funding is available through the NH Highway Safety Agency to help combat distracted driving, a growing threat to the motoring public; and

WHEREAS, the Town may receive funds for Distracted Driving Patrols; and

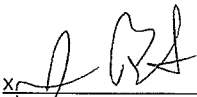
WHEREAS, this enforcement enhances the safety of the public in Derry;


NOW, THEREFORE, BE IT RESOLVED IN COUNCIL, pursuant to RSA 31:95-b, that the Town Administrator is hereby authorized to apply for, accept and expend \$6,987.55 derived from the NH Highway Safety Agency grant for Distracted Driving Patrols, and to enter into agreements with the State of New Hampshire as may be necessary to finalize receipt of this grant funding.

This Resolution shall take effect immediately upon its passage.

Adopted: November 7, 2017

Attest:

x   
Josh Bourdon, Council Chair  
Date: 11/8/17

x   
Daniel Healey, Town Clerk  
Date: 11/7/17

Archival Ref: Agenda #17-152



## RESOLUTION

Number 2017-079

To Amend Resolution #2016-025 of a Master Lease/Purchase Agreement  
to Finance the Acquisition of Certain Capital Equipment

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WHEREAS, Section 7.1 of the Town Charter designates the Town Council as the Legislative Body of the Town, which is then empowered by New Hampshire law to incur debt on behalf of the Town; and

WHEREAS, the Council incorporated a lease-to-purchase method of financing the acquisition of certain capital equipment into the Fiscal Year 2017 Town Budget; and

WHEREAS, the Town Council authorized the Town Administrator to enter into an agreement with Banc of America to finance certain capital equipment; and

WHEREAS, Resolution #2016-025 specifically contemplated and authorized supplementing the items to be financed under this Agreement;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town is hereby authorized to amend the Master Equipment Lease/Purchase Agreement by adding the following capital items:

Ricoh Imaging Equipment

Dispatch and Communication Equipment

Public Safety Vehicles and Equipment

Public Works Vehicles and Equipment

Further, that this authorization shall not increase appropriations beyond what has been previously authorized under separate Council action, and the Town Administrator is hereby authorized to execute and deliver the Lease/Purchase Agreement and any exhibits thereto or documents contemplated thereby; and to take such other actions as may be necessary to consummate such financing.

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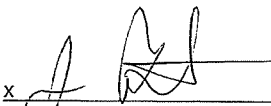
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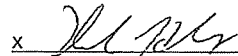


This Resolution shall take effect immediately upon its passage.

Adopted: November 7, 2017

Attest:

x   
\_\_\_\_\_  
Joshua Bourdon, Council Chair  
Date: 11/8/17

x   
\_\_\_\_\_  
Daniel Healey, Town Clerk  
Date: 11/9/17

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Archival Ref: TC agenda item #17-153