

## TOWN OF DERRY

Town Council  
Derry Municipal Center  
14 Manning Street



Tuesday December 5, 2023  
3rd Floor Meeting Room

### MINUTES

#### **7:00 PM Call to order – Chair Foote**

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

**Roll Call:** Councilors Katsakiores, Chirichiello, MacEachern, Granese, Flood, Spencer (Remote) and Chair Foote

Present: TA Dave Caron, Town Clerk Tina Guilford

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

**Motion by Councilor MacEachern to open public forum, seconded by Councilor Katsakiores**

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

Nancy Francis, Gulf Road – Pantry Plunge Update – 7 years ago, I first came in front of you and I was so nervous. This is a community fundraiser with a community solution to a community problem. Together we can. Thank you to all Departments that make this all possible. The FBC food pantry has been battling hunger for 35 years and the numbers are up this year. Donations can be made at [pantryplunge.org](http://pantryplunge.org). It is this Saturday, Gallien's Beach.

Jim Foley, Hampstead Rd – The terrorist attacks in Israel have exposed antisemitism both nationwide and here in New Hampshire. I have attended shabbat services and our neighbors are angry, upset, concerned and saddened. I have sent an email and am now here publicly to ask the Town Council to pass a resolution to support Israel and condemning the terrorists and antisemitic behaviors here in this town. And at the same time ask that the flag for Israel be flown here in Town Hall. I remind the Council that predecessor Councils have shown similar support for other marginalized communities. I think these actions would be highly appropriate now. Councilor MacEachern has informed me that the process for you has started, if there is anything you need of me, please respond to my email. In addition, I would remind the Councilors that this Friday night there will be a dinner and Menorah lighting at Etz Hayim Synagogue and I encourage everyone to attend.

Steve Trefethen, West Broadway – Exit 4A, the gift that keeps on giving. The Town Council that approved that \$5 Million did it, not this council. There are 11 properties that were taken. Including 80 North High and 8 Madden Road. The assessed value today would be about \$3.5 Million so there goes that tax assessment. Those are now non-usable, and they are basically done. Then my properties, which are the deepest lots, I currently pay about \$12,000 a year but the building I am proposing will bring in about \$150,000 a year. My property they have put a 10-year easement on. So there goes all that money. My appraiser says he has never seen a 10-year easement outside of the big dig. Its like they want to kill us for fun. Because of this, there goes \$300,000 of tax payments for 10 years, and its gone. I don't think the exit is going to help

Derry at all. The 10-year easement is new, they only put it in in 2022. Now that they have the land, they don't care about Derry anymore.

**Motion by Councilor MacEachern to close public forum, seconded by Councilor Katsakiores**

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

#### **Consent Agenda**

- |               |   |
|---------------|---|
| <b>23-127</b> | Approve Minutes – November 21, 2023   |
| <b>23-128</b> | Resolution #2023-081 – Approve a Supplemental Appropriation for improvements to the Derry Public Library and designate an agent to expend for the Capital Reserve Fund. |

**Councilor MacEachern moves to approve the Consent Agenda, seconded by Councilor Katsakiores**

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

#### **Chairman Report – Charles Foote**

December 19, there will be a resolution to Mr. Foley's point if you so desire.

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

Revenues are tracking as anticipated, with nominal fluctuations anticipated during the upcoming holiday season.

For the Snodeo event, staff continues to work on the permit application for the event to be held on Big Island Pond, balancing the requests of the permittee and the impact to the neighborhood.

Congrats to Mike Fowler, Tom Carrier, Chief Wastewater Plant Operator Will Peterson and Assistant Plant Operator Kevin Wotton for receiving an excellent review of the Treatment Plant Operations during the State's annual on-site inspection.

In Regards to Exit 4A, the staff has scheduled a meeting next week to continue work on safe access to the Garone Police Facility and neighboring properties as final design of Contract B approaches. The Town's Assessor has met with NHDOT's representatives on strip acquisitions of town property.

#### **Public Hearing**

- |               |   |
|---------------|---|
| <b>23-124</b> | Resolution #2023-078 – Authorize the Town to apply, receive and expend a grant from the Stanton Foundation in support of a Police Canine Program – <i>Captain David Michaud presenting.</i> |
|---------------|---|

The Stanton Foundation provides grants to support the creation of new police K-9 units in cities and towns in New Hampshire and surrounding states. Grants are awarded in the amount of



\$32,000, which will cover costs including purchasing the dog, training costs, kennel facilities at the officer's home, retrofitting a K-9 cruiser, and food and veterinary care for the first three years. Funds are also available to cover backfilling overtime for the officer who is sent to the K-9 academy for training. This will provide the department with \$1,100 per week, for the duration of the 14-week k-9 academy (\$15,400). Additional funds will also be provided to cover enhanced training for the K-9 team in narcotic or explosive detection, which is typically \$4,500. In total, the police department could receive up to a total of \$51,900 from the Stanton Foundation to utilize towards the establishment of our K-9 program.

**Motion by Councilor MacEachern to open public hearing, seconded by Councilor Granese**

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

No one from the public spoke.

**Motion by Councilor MacEachern to close public hearing, seconded by Councilor Granese**

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

**Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-078 which reads as follows [Read the Resolution], seconded by Councilor Granese**

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

**Resolution Attached**

**23-107** Resolution #2023-079 – Authorize acceptance of a US Department of Energy Grant for the Solar Project at the closed landfill – *Public Works Director Mike Fowler presenting.*

The Town of Derry was made aware of a Congressional Directed Project (CDP) grant opportunity which could support project costs up to \$500,000. DPW staff has been working through the United States Department of Energy (USDOE) in applying for and meeting the criteria for the grant. Acquiring USDOE grant funds would serve to further reduce electricity costs by 0.8 cents per kWh for a period of at least 25 years. The projected savings attributable to the USDOE grant and the lower 6.0 cent rate is \$3,600,000 over 25 years. If the grant is not achieved and the Town pays 6.8 cents, the savings will still be \$2,900,000 over 25 years. Acceptance of the grant and use of USDOE funds will result in \$700,000 in additional savings as compared to the base agreement with Encore, the company building the solar field.

**Motion by Councilor MacEachern to open public hearing, seconded by Councilor Katsakiores**

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

Tom Cardon, Cunningham Drive – I would like to thank NetZero and Mike, Jeff and everyone that has worked hard on this project.

**Motion by Councilor MacEachern to close public hearing, seconded by Councilor Katsakiores**

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

**Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-079 which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**

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

**Resolution Attached**

**No New Business**

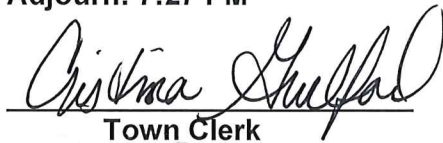
**Councilor Comments / Liaison Reports –**

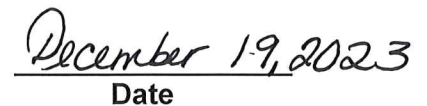
Councilor Flood – January 7<sup>th</sup>, Battle of the Bands at Tupelo Music Hall. It will be an amazing event in support of some great talent.

**Motion by Councilor MacEachern to ADJOURN, seconded by Councilor Katsakiores**

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

**Adjourn: 7:27 PM**

  
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Town Clerk

  
\_\_\_\_\_  
Date

**Recording & Transcription by: Cristina Guilford, Town Clerk**



## RESOLUTION

Number 2023-079

To Accept a US Department of Energy Grant for the Solar Project  
at the Closed Landfill

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

WHEREAS, the Town Council pursuant to Resolutions #2022-009, 010 & 011; authorized an agreement with Derry Solar, LLC to lease land and develop a solar array at the closed landfill; and

WHEREAS, Senator Shaheen submitted a Department of Energy Grant in the Federal FY23 Budget to assist with project interconnection and site preparation costs; and

WHEREAS, acceptance of this grant will reduce the Town's electric cost over the 25 year term of the Agreement;

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 up to \$500,000 from the United States Department of Energy for the Solar Project at the closed landfill.


This Resolution shall take effect immediately upon its passage.

Adopted: December 5, 2023

Attest:

x   
Charles Foote, Council Chair

Date: December 5, 2023

x   
Cristina Guilford, Town Clerk

Date: December 5, 2023

Archival Ref: Agenda #23-125



## RESOLUTION

Number 2023-078

To Authorize the Town to Apply, Receive and Expend a Grant from the  
Stanton Foundation in Support of a Police Canine Program

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

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

WHEREAS, the Town Council under Resolution #2023-051 approved a Supplemental Appropriation to begin a Police Canine Program; and

WHEREAS, the Stanton Foundation provides grants to New Hampshire municipalities in support of the creation of new police K-9 units; and

WHEREAS, it is in the best interest of the Town to seek outside funding to assist with the costs associated with the Canine Program;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to apply for, accept and expend up to Fifty-Three Thousand Nine Hundred Dollars (\$53,900) in grant funds from the Stanton Foundation to assist with the creation of the Derry Police Canine Program.

This Resolution shall take effect immediately upon its passage.


Adopted: December 5, 2023

Attest:

x 

Charles Foote, Council Chair

Date: December 5, 2023

x 

Cristina Guilford, Town Clerk

Date: December 5, 2023

Archival Ref: Agenda Item #23-124