

TOWN OF DERRY

Town Council
Derry Municipal Center

September 4 2018
Tuesday - 7:00 PM

6:00 PM Non-Public Session 91A:3 II (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 (d)(e), 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, and Council Chair Pro Tem Wetherbee

Absent: Chairman Morgan

Present: TA David Caron, Town Clerk Daniel Healey

Public Forum - *30 Minutes*

Open Public Forum – all agreed

David Rizkallah: Gervaise Dr – Would like to petition the Trustees of the Forest Hills Cemetery for permission to establish a lasting memorial in the cemetery dedicated to the deceased members of the Knights of Columbus #3023.

Roberta Robie: Chester Rd – Had some concerns and would like to seek the council help. Does not know where to go to anymore. Feels she is being bullied.

Randall Kelley: Hardy Ct – Promoted Derryfest. Asked for vendors for the Salvation Army Chili Chowder event held on October 13th from 10am to 4pm. The Salvation Army also needs donations for the silent auction.

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

Consent Agenda

18-105 Approve Non-Public Minutes – August 24, 2018 – minutes sealed

Consent agenda approved

Chairman's Report – Neil Wetherbee

There was a moment of silence for the passing of long-time town attorney Edmund Boutin.

Town Administrator's Report – David Caron

The State and Federal primaries are scheduled for Tuesday, September 11, with Districts 1&4 voting at Hood, and 2&3 at West Running Brook. District 2 voters will be voting at WRB, a change from Calvary. To better inform District 2 voters, the following have or will occur: Direct mailing to all District 2 registered voters; Message Boards at Central Fire and the Adams

Building; Portable message board at Calvary on September 11; Website posting; News releases; and 2 Code Red alerts scheduled for this week and on September 10. Tri-K Industries formerly in Salem just purchased the vacant industrial building on the corner of A and B Streets. Tri-K is a manufacturing company based out of New Jersey that makes beauty and cosmetic products. The Town recently approved four more applications for the Downtown Facade Improvement Program; two are located on West Broadway and two on Crystal Avenue. The Town Council soon will need to review and act upon an application for temporary tax relief pursuant to RSA 79-E. This law, enacted locally by the Town Council, allows for a five-year moratorium on assessing improvements to existing buildings within a certain catchment area. It is expected that the application will be finalized in the next few weeks.

New Business

18-106 Resolution #2018-052- Relative to Town Council refusal to accept a tax deed – *Tax Collector Dawn Enwright*

On April 27, 2016 the unpaid balances of the 2015 tax bills were lienied at the Rockingham County Registry of Deeds. According to RSA 80:76, "the collector, after 2 years from the execution of the real estate tax lien, shall execute to the lienholder a deed of the land subject to the real estate tax lien and not redeemed." RSA 80:76 also provides the Town Council specific (Paragraph II) and subjective (Paragraph II-a) reasons to waive tax deeding. On June 5, 2018 the town Council issued deed waivers for all properties with potential liability risk or undesirable obligations as allowed per RSA 80:76. At which time 235 Rockingham Rd had not been identified with any risks or potential obligations. There is potential for soil and/or ground water contaminants on this lot. The waiver of tax deeding will increase the uncollectable taxes by about \$300 per year.

**Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-052, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0
Resolution attached**

18-107 Resolution #2018-053 – Relative to participation in the Age-Friendly Program coordinated by the Southern NH Planning Commission

The Southern New Hampshire Planning Commission (SNHPC) as part of the Becoming Age-Friendly Community Program which began in 2016 is looking to work with additional communities in the SNHPC region on a Phase III Pilot Program. Part I of the program was a community assessment process engaging town staff, board members, citizens, and other stakeholders having conversations on issues that affect seniors and millennials on topics such as transportation & connections, recreation & engagement, housing, and business and economic development. The SNHPC in 2016 received funding from the Tufts Health Plan Foundation, AARP, and the NHDOT to initiate the Becoming Age-Friendly Community Program and conduct a community assessment as part of the Phase I program. As part of the Phase III Pilot Program the goal of this phase is for the SNHPC staff to work with Community leaders, moving forward from assessment into strategic planning, and developing recommendations for communities to become age-friendly. The SNHPC is encouraging communities to submit a letter

of interest to participate as a Pilot Community by September 7, 2018. Staff believes if we are chosen as a Pilot Community it could help us with an assessment and recommendation on our age-friendly needs as we prepare to update our Master Plan this year and this information would be a good resource to include in the update.

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-053, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0
Resolution attached

Councilor Comments / Liaison Reports –

Councilor Foote – Asked candidates to please follow the RSA on campaign sign placement.

Councilor Katsakiores – Thanked Councilor Bourdon for taking part in the vigil for Drug Overdose awareness. There was great information provided and Narcan kits were given out for free.

Councilor Bourdon – The vigil was held on International Overdose Awareness day. Over 400 people in NH lost their lives to drug overdoses last year.

Councilor Tripp – The solar arrays at the transfer station went operational in May. Would like a presentation at the next meeting on the monitoring program.

Councilor Chirichiello – There will be a moment of silence on September 11th at the Central Fire Station.

Adjournment: 7:40 p.m.



Town Clerk

10-1-18
Date

Recording & Transcription by: Daniel Healey, Town Clerk



RESOLUTION

Number 2018-052

To Direct the Tax Collector not to Execute a Tax Deed on 235
Rockingham Road

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

WHEREAS, RSA 80:76 sets forth the procedure for conveying tax deeded properties to the Town; and

WHEREAS, pursuant to RSA 80:76 II and II-a, the Governing Body may refuse to accept a deed on certain properties, whenever in its judgment acceptance and ownership of those properties would subject the municipality to undesirable obligations or liability risks; and

WHEREAS, the Town has identified a property eligible for tax deed however acceptance of ownership would not be in the Town's best interest;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby directed not to execute a tax deed on 235 Rockingham Road; pursuant to RSA 80:76 III, the Council may revisit this decision at any time and may later direct the Tax Collector to issue a deed for the property subject to this directive.

This Resolution shall take effect immediately upon its passage.

Adopted: September 4, 2018

Attest:

x 

Neil Wetherbee, Council Vice-Chair

Date: 9/4/18

x 

Daniel Healey, Town Clerk

Date: 9/4/18

Archival Ref: Agenda Item #18-106



RESOLUTION

Number 2018-053

To Authorize Participation in the Age-Friendly Program Coordinated by the
Southern NH Planning Commission

WHEREAS, the Town Council pursuant to Section 5.1 of the Town Charter is the governing and legislative body of the town; and

WHEREAS, state statutes require the Planning Board to develop and periodically update a Master Plan to guide the orderly development of the community; and

WHEREAS, Derry's population is aging, and older residents would benefit from planning and consideration of their unique needs; and

WHEREAS, by participating in the Age-Friendly Program as coordinated by SNHPC, the Town is presented with an opportunity to dedicate resources to identify the needs of this population group, with this information incorporated into the updated Master Plan; and


WHEREAS, SNHPC has encouraged the Town to resubmit a Letter of Interest during this phase of the program;


NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to submit a Letter of Interest to SNHPC to serve as a pilot community under the Age-Friendly Program, to direct staff to collaborate on this project, and to take other actions as necessary to participate in this program.

This Resolution shall take effect immediately upon its passage.

Adopted: September 4, 2018

Attest:

x 
Neil Wetherbee, Council Vice-Chair
Date: 9/4/18

x 
Daniel Healey, Town Clerk
Date: 9/4/18

Archival Ref: Agenda Item #18-107