

TOWN OF DERRY

Town Council
Derry Municipal Center

February 5, 2019
Tuesday - 7:00 PM

6:00 PM Non-Public Session RSA 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 (b), 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

Steve Trefethen: Windham, NH – The downtown redevelopment meeting was incredible. Would like 2 Central Court looked at, believes it is a junkyard.

Motion by Councilor Wetherbee to extend Mr. Trefethen's time, seconded by Councilor Foote – all agreed

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

Consent Agenda

19-05 Approve Minutes – January 22, 2019

Consent agenda approved

Chairman's Report – James Morgan

Town Wide trash collection was discussed. Derry's population is 33,000 and Londonderry's population is 25,000. Assuming similar demographic characteristics (i.e. population density, waste production per capita, etc.), the extrapolated expense for curbside service to Derry would be \$2,300,000. This figure correlates with preliminary estimates of 2.0 to 2.5 million dollars annually provided to the department during informal discussions about curbside collection. There is a study being done for what to do at Abbott Court. The Economic Development Coordinator Beverly Donovan will be presenting the results at the end of this month. The SAU and Parks and Recreation should consider a combined building to save money and to make the current SAU available for sale.

Town Administrator's Report – David Caron

Staff received good information at the downtown workshop. Planning Assistant Elizabeth Robidoux has been tabulating the comments and straw votes. The council will decide how we should focus our efforts and a comprehensive report will be available at the next meeting with a public hearing scheduled for March 19th. The town is finalizing an RFP for a 5 year assessor contract with results expected back March 1st. Staff has been meeting with property owners along the proposed Exit 4A route to discuss acquisitions.

New Business

19-006 Resolution 2019-002 Sale of cemetery plot to a Non-Derry resident - *Public Works Operations Superintendent Alan Cote*

The Forest Hill Cemetery Policies and procedures document, as adopted by Town Council states, "Burial lots shall be sold exclusively to current residents of the Town of Derry, however, exceptions may be granted and/or reviewed by the Cemetery Trustees". Ms. Houston is not a current resident of Derry, making her ineligible to purchase a cremation plot unless an exemption is granted. The general rationale behind restricting lot sales to residents stems from a period prior to 2007 when the cemetery was running out of available plots. At one point, there were under 100 plots available for sale. A major expansion in 2007/2008 added capacity for approximately 1500 additional burial plots. This provision has remained in effect without any change to the policy. Requests for non-resident plot purchases are very infrequent. The most recent request was approved in 2017. Since 2007, there have been three approved exemption requests for plot purchases. In those cases, past residency and/or property ownership within Derry were cited as supporting reasons to approve the exemption. Ms. Houston states she is a Derry native and attended Pinkerton Academy. She also states that she is a 20-year U.S. Navy veteran and she shares ownership in a property in Derry located at 39 Island Pond Road.

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2019-002, which reads as follows [*Read the Resolution*], seconded by Councilor Bourdon

Roll Call Vote: 7-0-0

Resolution attached

19-007 Resolution 2019-003 Agreement with Beaver Lake Improvement Association and to authorize the receipt of grant funding from NHDES – *Town Administrator David Caron*

The Beaver Lake Improvement Association has been monitoring milfoil activity on the Lake for more than 25 years; milfoil is an invasive aquatic weed which first appeared on Beaver Lake in 2014. Since that time, milfoil has been removed manually with the assistance of divers from the NH Department of Environmental Services and applying chemical treatment in the meadow section of the Lake. More recently, residents of Beaver Lake completed state training to be certified in milfoil removal. The presence of milfoil has grown whereby it is anticipated that chemical treatment is necessary to eradicate the species. The herbicide treatment used during this process is applied by a licensed applicator who is contracted; research has verified that municipalities which use herbicides on their lakes to battle milfoil have contracted with Solitude Lake Management, which is the entity NHDES has awarded a state bid and BLIA has been in

discussions for this project. Although the goal is to eradicate the species through a series of annual treatments, complete eradication is dependent upon the reintroduction of the species through boats being launched on the lake. Abutters are notified prior to treatment, and some liability for accidental environmental damage is transferred to the Town, which is a standard clause in contracts with municipalities. The major treatment would occur in June, with further testing and reporting in June-October. BLIA anticipates that the contract will cost \$12,780 of which 25% will be reimbursed by NHDES through a grant program. The association will commit \$3,000, which leaves a balance of \$6,585 which the Town is being requested to fund. FY19 Professional Services funds will be used to fund the Town's share.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2019-003, which reads as follows [Read the Resolution], seconded by Councilor Bourdon
Roll Call Vote: 7-0-0
Resolution attached

Councilor Comments / Liaison Reports –

Councilor Chirichiello – Would like an ordinance to allow electric bikes on the rail trail that go 20 mph.

Councilor Tripp – Nashua has bikes that you can rent. Went to the school board meeting last week. The deliberative session will be at West Running Brook Middle School starting at 10am. Books are available at the superintendent's office.

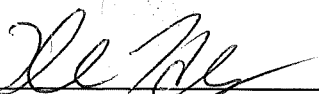
Councilor Bourdon – In Canada, bikes can be picked up at one location and dropped off at another. If you don't return the bike, then your card would be charged.

Councilor Foote – The Derry Village Rotary Club will be hosting a free spaghetti dinner on February 8th at Pinkerton Academy from 5pm to 7:30pm. Events will be listed on the Parks and Recreation website. Will not be able to attend the deliberative session.

Councilor Wetherbee – There is a timber harvest occurring at the Doolittle Conservation area. The public is urged to avoid during active logging.

Chairman Morgan – Recognized retiring Fire Chief Scott Jackson. Will not be able to attend the deliberative session.

Adjournment: 8:10 p.m.



Town Clerk

2-20-19
Date

Recording & Transcription by: Daniel Healey, Town Clerk



RESOLUTION

Number 2019-002

To Authorize the Sale of a Cemetery Plot to a Non-Derry Resident

WHEREAS, RSA 289 requires towns and cities to provide suitable cemeteries; and,

WHEREAS, Article 4(D) of the Town Charter delegates the responsibilities of Cemetery Trustees to the Town Council;

WHEREAS, the Town has received a request from a former resident with long-time military service to purchase a cremation lot at the Forest Hill Cemetery; and,

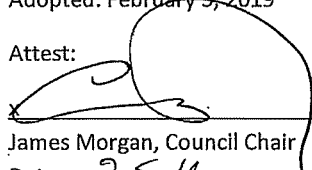
WHEREAS, the Forest Hill Cemetery Policies and Procedures allow the Council to grant exceptions to the requirement that lot sales shall be restricted to Derry residents only;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to sell a cremation lot at Forest Hill Cemetery to former Derry resident, current Derry property owner and U.S. Navy Veteran Glenna Houston.


This Resolution shall take effect immediately upon its passage.

Adopted: February 5, 2019

Attest:


James Morgan, Council Chair

Date: 2-5-19

x 
Daniel Healey, Town Clerk

Date: 2-5-19

Archival Ref: Agenda Item #19-06



RESOLUTION

Number 2019-003

To Enter into an Agreement with Beaver Lake Improvement Association
and to authorize the Town to apply, receive and expend a grant from the
New Hampshire Department of Environmental Services for Milfoil
Treatment

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, milfoil is an invasive aquatic weed which has been introduced in Beaver Lake; and

WHEREAS, left untreated, milfoil will continue to grow, damaging the Lake and potentially negatively impacting property values; and


WHEREAS, it is in the best interest of the Beaver Lake Improvement Association and the Town of Derry to eradicate milfoil from Beaver Lake;

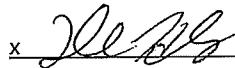
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to apply for, accept and expend grant funds derived from the Department of Environmental Services; to execute all necessary documents to provide for milfoil treatment on Beaver Lake; and to execute an agreement with the Beaver Lake Improvement Association to receive their financial contribution of 25% of the cost of eradication.

This Resolution shall take effect immediately upon its passage.

Adopted: February 5, 2019

Attest:

X 
James P. Morgan, Council Chair
Date: 2-5-19

X 
Daniel Healey, Town Clerk
Date: 2-5-19

Archival Ref: Agenda Item #19-07