

TOWN OF DERRY

Town Council
Derry Municipal Center
14 Manning Street



Tuesday March 7, 2023
3rd Floor Meeting Room

MINUTES

6:30 PM Non-Public Session – RSA 91A:3 II (d)
7:00 PM Call to order – Chair Bourdon

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

Motion by Councilor Wetherbee to seal the minutes per RSA 91A:3 II (d) because it was determined divulgence of this information would benefit a party or parties whose interests are adverse to those of the general community, 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: Councilors Katsakiores, Chirichiello, Wetherbee, Flood, Foote, Spencer, and Chairman Bourdon
Present: TA Dave Caron, Town Clerk Tina Guilford

Public Forum - *30 Minutes*

Motion by Councilor Katsakiores to open public forum, seconded by Councilor Wetherbee
All Agreed

Tom Cardon, Cunningham Drive – Thank you to Councilor Wetherbee and Councilor Bourdon for their service and for Josh there is an opening on Net Zero if you are interested.

Richard Tripp, Windham Road – It's hard to believe this is Neil and Josh's last meeting. I have fond memories of Josh, Phyllis and I fighting the gang of 4 in 2015. Thank you for your service of 9 years. Sad to see you go, thanks for the good work.

Anthony Henry, Maurice Road – Thank you Councilors Wetherbee and Bourdon for your service to the Town.

Motion by Councilor Chirichiello to close public forum, seconded by Councilor Foote
All Agreed

Consent Agenda

23-19	Approve Non-Public Minutes – February 21, 2023 - Minutes Sealed
23-20	Approve Minutes – February 21, 2023

**Councilor Chirichiello moves to approve Items 23-19 and 23-20 on the Consent Agenda,
seconded by Councilor Spencer
Roll Call Vote: 6-0-1 (Foote)**

- | | |
|--------------|---|
| 23-21 | Resolution #2023-018 – Apply for, accept and expend a Homeland Security Grant for active threat response. |
| 23-22 | Resolution #2023-021 – Authorize the purchase of 6.5 Meadowbrook Road |

**Councilor Spencer moves to approve Items 23-21 and 23-22 on the Consent Agenda,
seconded by Councilor Foote
Roll Call Vote: 7-0-0**

Chairman Report – Joshua Bourdon

2023 Town Election – *Town Clerk Tina Guilford presenting*

There will rescheduled be Candidate Forums for School Board Candidates on March 8 and Town Candidates on March 9 at West Running Brook, 6:30PM. There will be Machine testing open to the public tomorrow at 10AM right here in this room. Absentee Ballot are available every day and will be available until 5PM the Monday before the election. We will vote Tuesday, March 14, 7AM to 8PM, all districts vote at Calvary.

Councilor Bourdon – I implore each and every one to vote in our local election. Local elections are what impacts your wallet. I also wanted to say thank you to everyone in my final meeting. I also want to thank Dave Caron, he is the google of Town Managers and thank you to the Department Heads and all the Town Employees. To the Net Zero Committee, you hold a special place in my heart, some of my proudest moments were stabilizing safety and the budget, investments in Rec and in our children's future and leading the state in energy and conservation. I am thankful and grateful. Thank you very much Neil, I appreciate your friendship.

Councilor Wetherbee – Please come out to vote, your vote matters. We have had very close races. Please get educated and it matters.

Councilor Chirichiello – Josh, 9 years, I remember when you started. You really care about the community. We are steering the ship of 35,000 people. Thank you for the sacrifice. Neil, I am going to miss you a lot. Neil was one of the guys that when I was first approached in 2015 I consulted with. 2015 was a defining vote.

Councilor Katsakiores – I want to thank both Josh and Neil and their wives. We will miss you. Come back and visit us.

Councilor Foote – We may not have always agreed on everything, but you always pushed the envelope to make Derry better. Good luck in your future endeavors.

Councilor Wetherbee – I want to thank everyone who supported me and let me do this job for 12 years. I want to thank my wife and daughter. I want to thank all the Councilors I served with,

especially Rick Metts and Brad Benson. I especially want to thank those that do the heavy lifting, The Town Administrator to the department heads to the one who cleans the building at night when we leave. It's a team effort. I think we have one of the best staffs in the state. I want to give special thank you to Sheila Bodenrader, thanks to Conservation and Paul Dionne where I got my start. Please get involved. When I look at 2008 in Derry and I look at 2023 in Derry I feel we are in a better place.

Councilor Spencer – I want to thank you both for all your support and all you have helped me with. I still have your numbers in my phone so don't think you are off the hook that easily.

Councilor Flood – Thank you Josh for dragging me out of my comfort zone, you are why I am here. Thank you, Neil, for your guidance when you have been here. I appreciate everything you guys have done.

Town Administrator's Report – Dave Caron

Thank you to Josh and Neil and if you are bored, we will be here every Tuesday in April and a couple of Thursdays'. Town Finances are trending in a positive direction. Senate Bill 270 will replicate the one-time highway and bridge aid for FY24. A recent state law requires communities to award any density bonuses granted to age restricted housing to workforce housing as well. Planning is aware and working with the planning board to address. For Congressional Directed Appropriations, we are submitting a request for body cameras for our police officers, this is a half million-dollar project and our neighbors to the south are leading the effort to submit a request to help pay for Phase II improvements associated with the Southern New Hampshire Regional Water Interconnection program, this will increase wheeling revenues to Derry. The Fire Station project has now progressed to the design development bid stage. We are elevating the building somewhat in order to avoid ledge. The Solar Landfill project partner, Encore, will be at the Planning Board on March 15th to receive comments under the Governmental Use of Property site plan review process.

New Business

23-23

Resolution #2023-015 – Apply for and accept a gift from the Injury Prevention Center at Children's Hospital at Dartmouth-Hitchcock – *Police Chief George Feole presenting*

Derry PD has previously provided these safety helmets to children as part of the Town of Derry Touch-a-Truck event that will be held this year on June 3rd at West Running Brook at no cost. The event will include an educational component for the children receiving the helmet. Over the last 4 years we have distributed 1000 helmets to community members.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-015 which reads as follows [Read the Resolution], seconded by Councilor Spencer

Roll Call Vote: 7-0-0

Resolution attached

- 23-24** Resolution #2023-016 – Re-Adopt the Property Tax Credit provided to Veterans – *Town Administrator Dave Caron presenting*

The State Legislature amended sections of RSA 72 which, in the opinion of DRA, requires either Town Meeting or the Governing Body to re-adopt the current credit. Failing to do so would result in DRA defaulting the amount per veteran to \$50 at the time the 2023 tax rate is set.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-015 which reads as follows [Read the Resolution], seconded by Councilor Spencer
Roll Call Vote: 7-0-0
Resolution attached

- 23-25** Resolution #2023-017 – Support participation in the Thriving Communities program – *Planning Director George Sioras presenting*

The National League of Cities is promoting a program through the United States Department of Transportation called the Thriving Communities Program which would provide technical assistance with transportation help to local communities. This is to support the Council's goal to study and possibly realign downtown traffic patterns once the Exit 4A Corridor is completed.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-017 which reads as follows [Read the Resolution], seconded by Councilor Spencer
Roll Call Vote: 7-0-0
Resolution attached

- 23-26** Resolution #2023-019 – Sunset the Cable Advisory Committee – *Town Administrator Dave Caron presenting*

The Council established this Committee in 2017 as a priority goal to review the operations in the Cable Division. Since that time, The Cable Director has worked with all stakeholders to expand media offerings in the Town to include web, social media, on-demand and radio. The Cable Division is now operating more efficiently, including a significant expansion of remote coverage throughout the community. A formal Committee is no longer required as it is preferred to invest available staff time into planning and implementing media events and coverage.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-019 which reads as follows [Read the Resolution], seconded by Councilor Foote
Roll Call Vote: 7-0-0
Resolution attached

- 23-27** Resolution #2023-020 – Authorize a Purchase and Sales Agreement on 6.5 Meadowbrook Lane – *Town Administrator Dave Caron presenting*

In 2021, the Council approved the sale of 23 Adams Pond Road. The lot does not have frontage on a Town approved road and had an easement for driveway access onto Meadowbrook Road which was extinguished upon abandonment for the lot as a water asset. There is a piece of land adjacent to this lot which would allow the access needed to market this property and make it

more attractive. 6.5 Meadowbrook Road is a vacant parcel with mostly lowlands and a pond, the negotiated price is \$20,000.00. This resolution will allow us to start the process and there are 2 public hearings scheduled to complete the process.

Councilor Spencer MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-020 which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0
Resolution attached

Councilor Comments / Liaison Reports –

Councilor Spencer – The Rabies clinic was successful, even in the snow.
Councilor Chirichiello – Rockingham County still has money available for rental assistance. Direct payment to landlords for 18 months total. You can apply right online.

Motion by Councilor Chirichiello to ADJOURN, seconded by Councilor Katsakiores
All Agreed

Adjourn: 7:58PM


Town Clerk


Date

Recording & Transcription by: Cristina Guilford, Town Clerk



RESOLUTION

Number 2023-020

To Authorize a Purchase and Sales Agreement on 6.5 Meadowbrook Lane

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town and, as such, it is empowered to purchase real property for the benefit of the Town and to appropriate funds for such purposes; and

WHEREAS, The Town Council previously authorized the sale of 23 Adams Pond Road under Resolution #2021-036, as being surplus to the Town's needs; and

WHEREAS, in order to maximize the return to the Town, there is a need to purchase 6.5 Meadowbrook Road; and


WHEREAS, sufficient funds are available in the Water Division's FY23 budget to fund this purchase;


NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to sign a Purchase and Sales Agreement to acquire 9.5 acres at 6.5 Meadowbrook Road from Deborah Rufner including a deposit in the amount of One Thousand Dollars (\$1,000) and take all necessary actions to complete the purchase.

This Resolution shall take effect immediately upon its passage.

Adopted: March 7, 2023.

Attest:

x 
Joshua Bourdon, Council Chair
Date: 3/7/23

x 
Cristina Guilford, Town Clerk
Date: March 7, 2023

Archival Ref: TC agenda item #23-27



RESOLUTION

Number 2023-019

To Sunset the Derry Cable Advisory Committee

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 adopted Resolution #2017-058 which established a Cable Advisory Committee; and

WHEREAS, the Committee was established to maintain stakeholder involvement through a transition period in the Cable Division; and

WHEREAS, the Cable Division has completed numerous improvements to expand its capabilities and outreach, and maintained stakeholder involvement throughout; and


WHEREAS, it is a common goal of all stakeholders to bring efficiencies to local government,

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council hereby dissolves the Cable Advisory Committee and extends it appreciation to the past and former town residents who have contributed to these efforts in Derry.

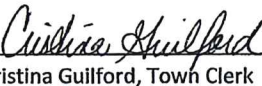
This Resolution shall take effect immediately upon its passage.

Adopted: March 7, 2023

Attest:

x 

Joshua Bourdon, Council Chair
Date: 3/7/23

x 

Cristina Guilford, Town Clerk
Date: March 7, 2023

Archival Ref: Agenda Item #23-26



RESOLUTION

Number 2023-017

To Support Participation in the US Department of Transportation's
Thriving Communities Program

WHEREAS, the Section 9.15 of the Town Charter authorizes the Town Council to apply for, accept and expend funds received from the State and Federal Governments; and

WHEREAS, a Town Council goal for FY23 is to maximize opportunities with the Exit 4A Project, including the potential to study and revise Downtown traffic patterns; and

WHEREAS, the United States Department of Transportation has developed the Thriving Communities Program to facilitate the planning and development of transportation and community revitalization activities in under-resourced communities; and

WHEREAS, the Broadway corridor bisects two census districts, of which one has been designated as economically disadvantaged and eligible for funding and preferential federal tax treatment under this and other federal programs; and

WHEREAS, the subject area is within the Derry Commerce Corridor Tax Increment Financing District, and its Development Program encourages infrastructure improvements and other activities to improve the quality of transportation.

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council supports the application to the USDOT Thriving Communities Program to study options to maximize economic opportunities through more efficient transportation routes in the Downtown, in preparation for the completion of the Exit 4A corridor.

This Resolution shall take effect immediately upon its passage.

Adopted: March 7, 2023

Attest:

x

Joshua Bourdon, Council Chair

Date: 3/7/23

x

Cristina Guilford, Town Clerk

Date: March 7, 2023

Archival Ref: TC agenda item #23-25



RESOLUTION

Number 2023-015

To Apply for and Accept A Gift from the Injury Prevention Center at the
Children's Hospital at Dartmouth-Hitchcock

WHEREAS, RSA 31:95-e authorizes the Town Council to accept gifts, other than money, to be used for any public purpose; and

WHEREAS, the Injury Prevention Center at the Children's Hospital at Dartmouth Hitchcock (CHAD) has announced the 2023 Safe and Active Community Grant Program; and

WHEREAS, the Police Department has partnered with CHAD to distribute bicycle helmets to community members as part of the Department's BMX trick bicycle show; and

WHEREAS, the Department has distributed a total of 1,000 helmets over the past four years;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to apply for and accept a gift of personal property at a value of less than \$5,000 from CHAD to promote bicycle safety.

This Resolution shall take effect immediately upon its passage.

Adopted: March 7, 2023

Attest:

x *A. RD*
Joshua Bourdon, Council Chair
Date: 3/7/23

x *Cristina Guilford*
Cristina Guilford, Town Clerk
Date: March 7, 2023

Archival Ref: TC agenda Item #23-23



RESOLUTION

Number 2023-016

To Re-Adopt the Property Tax Credit Provided to Veterans

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

WHEREAS, RSA 72:27-a empowers the Town Council to determine if a credit will be applied against the property taxes of veterans eligible under RSA 72:28-a; and

WHEREAS, the Town, by action of the Town Council, has adopted the provisions of RSA 72:28-II providing for an optional veterans' tax credit, the amount of which is currently \$500 against the tax on the residential property of eligible veterans who are residents of Derry, or their eligible surviving spouses; and

WHEREAS, the State Legislature enacted revisions to state statute which requires the Council to re-adopt the optional veterans credit or have the credit default to \$50; and

WHEREAS, the Council deems it worthwhile and beneficial as a demonstration of support and gratitude to said veterans for their service to the United States of America and the State of New Hampshire;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the amount of the veterans' property tax credit is hereby re-adopted to \$500 (Five Hundred Dollars) per eligible veteran.

This Resolution shall take effect immediately upon its passage.

Adopted: March 7, 2023.

Attest:

x

Joshua Bourdon, Council Chair

Date: 3/7/23

x

Cristina Guilford, Town Clerk

Date: March 7, 2023

Archival Ref: TC agenda item #23-24