

**TOWN OF DERRY**

**Town Council  
Derry Municipal Center**

**April 17 2018  
Tuesday - 6:30 PM**

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**6:00 PM      RSA 91A:3 II 9(e)  
6:30 PM      Call to order**

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

**Councilor Tripp moves to seal RSA 91A:3 II (e), seconded by Councilor Bourdon – all agreed**

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

**Roll Call:** Councilors Chirichiello, Foote, Tripp, Wetherbee, Katsakiores, Bourdon and Chairman Morgan  
Present: TA David Caron, Town Clerk Daniel Healey, CFO Susan Hickey

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

**Open Public Forum – all agreed**

Katie Mayes: Scenic Dr – The Salvation Army has purchased it's first building in Derry and a dedication will be held Sunday April 29<sup>th</sup> at 3pm. Renovations and more will be discussed.

Dan McKenna: South Main St – Legislation is being heard tomorrow regarding the non-binding question. He is not in favor of the process and states that other town's have done a charter commission first.

Kristyn Anderson: Stark Rd – Concerned about the amendment added to HB1472 and says that it feels rushed and there is a lack of transparency. The bill she believes has vague wording.

Gordon Graham: Drake Ln – Feels like Derry is trying to get a special exception and that is not fair.

**Councilor Foote moves to extend the time, seconded by Councilor Bourdon**

Carrie Dugan: Village Brook Ln – Would like movement forward on the non-binding question to be halted.

Mark Connors: Cabot Dr – The amendment to HB1472 is too quick and lacks transparency. Would like access to Derry Cable TV shows that have been filmed if the public can get them. There are a couple of openings on the Derry Rail Trail Alliance if anyone is interested they may email [derryrailtrial@comcast.net](mailto:derryrailtrial@comcast.net)

**Councilor Foote moves to extend the time, seconded by Councilor Bourdon**

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

## **Consent Agenda**

**18-40** Approve Workshop Minutes – March 29, 2018

**18-41** Approve Minutes – April 3, 2018

**18-42** Ordinance #2018-001 – Amending Article II, Work Usage & Definitions, Section 165-5, Definitions to AMEND the definition of “Warehouse” and to ADD a definition for “Self-Storage Facilities”

**Consent agenda approved (Councilor Foote abstained from 18-40)**

## **Chairman’s Report – James Morgan**

The Town Council presented Certificates of Recognition to Shane Mahon and Devin Thomas for their Eagle Scout Projects. Shane Mahon constructed a new puppet theater and an interactive divider for the children’s area the Derry Public Library. Devin Thomas researched, replicated, and constructed a bench, originally built by Robert Frost, between two trees as a memorial to his wife. Devin also built a park bench by “The Bower” so hikers can sit and enjoy the shade around Hyla Brook. Chairman Morgan discussed the amendment added to HB1472, the process, and how the Derry State Representatives were informed and how the council was informed.

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

The remaining phase of the Brady Avenue Sewer work began on April 11. The work will include new water and sewer mains, which will also entail some ledge blasting beginning around May 1. The Frost Cooperative CDBG Project is now in the engineering phase, with construction anticipated to begin later this Spring. The Fire Department hosted CPR training for town employees last week; concentrating on identifying signs of heart issues, chest compressions and use of the two AED models placed in all municipal buildings. The 3<sup>rd</sup> Quarter financials are now available. The town expects a deficit in Human Services due to sheltering needs of applicants, and some road work may be deferred as DPW covers a deficit due to snow removal costs. The Town is very near full staff and are not anticipating an excessive year-end balance of unexpended appropriations.

## **Public Hearings**

**18-36** Resolution #2018-015 – To Create an Expendable Trust Fund for Hood Park Revitalization

Town Administrator David Caron presented the Expendable Trust Fund for Hood Park. Several interested citizens, including Councilor Bourdon, are planning a basketball tournament to raise funds for the revitalization of Hood Park. Currently there is no mechanism for the Council to accept, hold, and expend funds for this purpose. Creation of a Trust Fund pursuant to RSA 31:19-a would address this matter. State law allows municipalities to create these funds to accept and expend funds for a specific purpose. Pursuant to Resolution #2018-15, this fund would also enable private donations or gifts to be deposited into the fund. The Town Council would act as Agent to Expend.

**Motion by Councilor Chirichiello to open public hearing, seconded by Councilor Bourdon – all agreed**

No one from the public spoke.

**Motion by Councilor Katsakiores to close public hearing, seconded by Councilor Bourdon – all agreed**

**Councilor Bourdon MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-015, which reads as follows [*Read the Resolution*], seconded by Councilor Tripp**

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

**Resolution attached**

**18-39** Resolution #2018-016 – CDBG Authorization for Abbott Court Feasibility Study  
Town Administrator David Caron presented the CDBG Authorization for Abbott Court. On Friday, March 30, 2018 the Town hosted a meeting of the statewide NH Economic Development Association. During that meeting, our Economic Development Coordinator Beverly Donovan interacted with staff from the Community Development Finance Authority, who alerted the Town to upcoming deadline (April 30) for Planning Grant applications through CDFA. The discussion, which included the Town Administrator, Economic Development Coordinator, Town Planner and EDAC member Teri Pastori, led to a consensus that staff should request Council authorization to seek a planning grant to further investigate the use of Abbott Court. In order to receive grant funding, the proposed use must benefit primarily low to moderate income persons.

**Motion by Councilor Wetherbee to open public hearing for Proposed Abbott Court CDBG Planning Study, seconded by Councilor Bourdon – all agreed**

No one from the public spoke.

**Motion by Councilor Katsakiores to close public hearing for Proposed Abbott Court CDBG Planning Study, seconded by Councilor Wetherbee – all agreed**

**Motion by Councilor Tripp to open public hearing for Residential Antidisplacement and Relocation Assistance Plan, seconded by Councilor Katsakiores – all agreed**

No one from the public spoke.

**Motion by Councilor Chirichiello to close public hearing for Residential Antidisplacement and Relocation Assistance Plan, seconded by Councilor Bourdon – all agreed**

**Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-016, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**

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

**Resolution attached**

#### **New Business**

**18-43** Cable Committee Liaison

**Councilor Tripp moves to appoint Chairman Morgan as liaison to the Cable Commission, seconded by Councilor Wetherbee**

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

**18-44 Appointment to Planning Board**

**Councilor Chirichiello moves to appoint Matt Leavitt as an alternate member of the Planning Board for a 2 year term to expire March 31, 2020, seconded by Councilor Bourdon**

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

**18-45 Resolution #2018-017 – To Extend the Term of the Intermunicipal Agreement with the Town of Windham to Supply Dispatch Services**

Fire Chief Michael Gagnon presented the Intermunicipal Agreement. The Derry Fire Department has provided fire and EMS dispatching services for the Town of Windham for several years. The Fire Department provides this service without additional manpower or equipment. The agreement provides for an annual subsidy to cover expenses associated with the contract. The current Fire and EMS dispatch contract is set to expire in three years. This contract would supersede the last three years of the existing contract and extend for an additional 7 years.

**Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-017, which reads as follows [*Read the Resolution*], seconded by Councilor Bourdon**

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

**Resolution attached**

**18-46 Resolution #2018-018 – To amend the By-Laws of the Economic Development Advisory Committee**

Town Administrator David Caron presented the amendments to the By-Laws of the Economic Development Advisory Committee. Several citizens have expressed interest in helping guide economic development efforts in the community. Currently, membership on the EDAC is full. At the Town Council meeting on April 3, the council appointed two additional alternate members to the Committee, contingent upon a change in the EDAC By-Laws regarding the number of authorized alternate members. The By-Laws currently provide for 7 regular members with three ex-officio members, the Town Council liaison, the Economic Development Coordinator and the Planning Director. In addition, two alternate member slots are authorized. This resolution would increase that number to four.

**Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-018, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**

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

**Resolution attached**

**BUDGET WORKSHOP**

**Emergency Management**

*Fire Chief Mike Gagnon*

*Assistant Fire Chief Scott Jackson*

Department Mission: Leads the community effort to prepare the Town of Derry to effectively mitigate, prepare for, respond to, and recover from any natural or human-made disaster.

Emergency management assists other town departments in developing contingency emergency plans and maintains a comprehensive all hazards Emergency Operations plan.

**Councilor Chirichiello moves the bottom line at \$39,267, seconded by Councilor Wetherbee**  
**Roll Call Vote: 7-0-0**

**Fire (Prevention & Emergency Services)**

*Fire Chief Mike Gagnon*

*Assistant Fire Chief Scott Jackson*

Department Mission: The mission of the Derry Fire Department is "Plan, Prevent, Provide." To plan for emergency incidents and events, to prevent those incidents from occurring, and when they are unable to prevent them; to provide the highest level of fiscally responsible, effective, and efficient services in order to enhance the health, welfare and safety of the citizens, visitors and businesses in the Town of Derry.

**Councilor Chirichiello moves the bottom line at \$10,534,366, seconded by Councilor Wetherbee (Subject to flagged items)**  
**Roll Call Vote: 7-0-0**

**Police**

*Chief of Police Ed Garone*

*Captain George Feole*

Department Mission: To protect life and property, enforce the laws of society, maintain order in the community and to assist the public at large in a manner consistent with the rights and dignity of all persons as provided for by law and under the Constitutions of the United States of America and the State of New Hampshire. Councilor Morgan made note that the budget went up \$600,000 from last year due to CBA agreements and the retirement system.

**Councilor Wetherbee moves the bottom line at \$8,847,365, seconded by Councilor Katsakiores (Subject to flagged items)**  
**Roll Call Vote: 7-0-0**

**Animal Control**

*Chief of Police Ed Garone*

*Captain George Feole*

Department Mission: A function of the Operations Division of the Police Department. It is charged with the responsibility of enforcing Town Ordinances and State statutes relative to domestic animals. Responsible for the enforcement of the licensing ordinance for dogs, responding to citizen complaints, apprehending stray animals, and maintaining a kennel and placement of strays or unwanted animals when appropriate.

**Councilor Chirichiello moves the bottom line at \$90,989, seconded by Councilor Bourdon**  
**Roll Call Vote: 7-0-0**

**Councilor Comments / Liaison Reports –**

*There was a moment of silence for the passing of Former First Lady of the United States, Barbara Bush.*

Councilor Bourdon – On May 6<sup>th</sup>, the Economic Development Advisory Committee will be having a food truck at Hood Park and a 3 on 3 basketball tournament. The cost is \$100 per team and half the money will go to the top 3 finishers and the other half will go towards the Hood Revitalization Fund. They are looking for business sponsorships. Economic Development Coordinator Beverly Donovan and EDAC member Christina Gossel have been a big help in organizing this event.

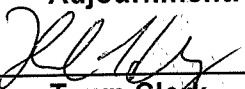
Councilor Chirichiello – The Planning Board will be meeting tomorrow and there is a lot of new business coming up. The Town Council meetings are the proper place for residents to voice any questions or concerns, and not social media.

Councilor Tripp –

Councilor Wetherbee – There were a lot of good points made tonight from both sides however snow does not diminish election results.

Chairman Morgan – It was disturbing to read some posts on social media regarding HB1472. There was a lot of misinformation being posted. Chairman Morgan apologized for the amendment going forward without the town council's knowledge. This question is critical to the community. The Town owes a debt to the residents who voted for it.

**Adjournment: 9:00 p.m.**

  
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Town Clerk

5-18-18  
Date

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