

**TOWN OF DERRY**

**Town Council  
Derry Municipal Center**

**April 18 2017  
Tuesday - 6:30 PM**

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<b>6:00 PM</b>	<b>Consultation with legal counsel – not open to the public</b>
<b>6:30 PM</b>	<b>Call to order</b>

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

**Roll Call:** Councilors Chirichiello, Foote, Tripp, Wetherbee, Katsakiores, Morgan and Chairman Bourdon

Present: TA David Caron, CFO Susan Hickey, Town Clerk Daniel Healey

**Consent Agenda**

**17-39** Approve minutes – March 28, 2017

**17-40** Approve minutes – April 4, 2017

**17-41** Schedule Public Hearing – May 2, 2017 – Amend Article II, Section 165-5, Definitions, to add a definition for Display Sign and to amend Article XII, Section 165-100 through Section 165-103, Signs, to change the requirement for church signs in residential districts, signs in commercial and business districts, campground signs, political signs, and electronic message center signs

**Consent agenda approved**

**Chairman's Report – Joshua Bourdon**

There will be a swearing in ceremony Friday April 28<sup>th</sup> at 3:30pm at the Municipal Center for the 3 new police officers. The public is welcome.

**Town Administrator's Report – David Caron**

FY2017 3<sup>rd</sup> Quarter Financial Report

CFO Susan Hickey and Accounting Manager Mark Fleischer presented the 3<sup>rd</sup> Quarter Financial Report. March 31<sup>st</sup> is 75% through the fiscal year. General Fund revenue and expenditures are at 77% and 71%, respectively. Many departments have not completed capital purchases, nor has the capital reserve transfer been made into the department. March 2016 revenues were at 73%. March 2016 expenditures were at 68%.

FY2018 Public Safety Budget Review Workshop

**BUDGET WORKSHOP**

**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.

Revenues: \$95,648  
Expenditures: \$9,145,628  
Net Expenses: \$9,049,980

**Councilor Wetherbee moves the bottom line at \$9,145,628, seconded by Councilor Katsakiores**  
**Roll Call Vote: 7-0-0**

Bottom Line: \$9,145,628

### **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.

Revenues: \$5,107  
Expenditures: \$90,803  
Net Expenses: \$90,803

**Councilor Wetherbee moves the bottom line at \$90,803, seconded by Councilor Morgan**  
**Roll Call Vote: 7-0-0**

Bottom Line: \$90,803

### **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 Morgan moves the bottom line at \$63,444, seconded by Councilor Katsakiores**  
**Roll Call Vote: 7-0-0**

Bottom Line: \$63,444

### **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 Wetherbee moves the bottom line at \$10,889,197, seconded by Councilor Chirichiello (Subject to flagged items)**  
**Roll Call Vote: 7-0-0**

Flagged items:

Capital and Debt: Reduce Forestry and related capital reserve, adjust debt service and capital reserve on vehicles not being purchased in FY18.

Bottom Line: \$10,889,197

**Dispatch**

*Captain George Feole*

*Assistant Fire Chief Scott Jackson*

Department Mission: Responsible for all emergency communications, coordinating information technology with the Town's IT Department and maintaining the municipal fire alarm system. The dispatch center is the point of access for citizens in need of emergency and non-emergency services.

**Councilor Wetherbee moves the bottom line at \$934,230, seconded by Councilor Tripp**  
**Roll Call Vote: 7-0-0**

Bottom Line: \$934,230

**Communications System Upgrade**

*Captain George Feole*

*Assistant Fire Chief Scott Jackson*

In September of 2015, it was determined that both public safety agencies had substantial infrastructure upgrades needed for their existing systems. Both agencies looked at what was currently planned and decided to work jointly to explore cost savings for the community by combining the projects and sharing resources. The proposed combined system will be \$1.6 million. It will be funded thru capital reserve accounts and the project appears in OMO listed in the FY2018 proposed annual budget.

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

**Open Public Forum – all agreed**

Eleanor Sarcione: Chester Rd – Does not like the electronic sign proposal at the Adams Memorial Building and says it is a National Historic building. Would like to see a fundraiser for a new sign. Requests code enforcement to look into a property on her road. Wished everyone a good evening and a good Easter.

Janet Conroy: High St – 2008 was the last time the elderly exemptions were reviewed and she would like them to be reviewed again.

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

## **Public Hearings**

### **17-35** Accept Willow Street and Lilac Court as a Class V roadway

Director of Public Works Mike Fowler presented the Road Acceptance of Willow St. and Lilac Court. The 24 lot subdivision named Ettlingen Homes, Inc. or also known as Willow Bend Subdivision was approved by the Derry Planning Board in 1997. The development consists of two separate roads named Willow St. and Lilac Ct. The roads were substantially completed in 1999 but due to a slow housing market, several punch list and clean-up items were not completed until 2006. Subsequently, a final escrow release was executed in 2006 and due to an oversight these roads were not included in a street acceptance submission that year. The Town of Derry DPW has been maintaining both Willow St. and Lilac Ct. since 2006. The Planning Board voted on April 5, 2017 to recommend the acceptance of this street to the Town Council.

**Motion by Councilor Wetherbee to open public hearing, seconded by Councilor Foote – all agreed**

No one from the public spoke.

**Motion by Councilor Katsakories to close public hearing, seconded by Councilor Morgan – all agreed**

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-029, which reads as follows [*Read the Resolution*], seconded by Councilor Wetherbee**

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

**Resolution attached**

### **17-38** Transfer funds from various accounts and create an expandable Trust for Collective Bargaining Agreements Implementation

Town Administrator David Caron presented the expandable Trust for Collective Bargaining Agreements Implementation. In 2016, the Town Council negotiated and ratified collective bargaining agreements with seven units, some of which have been out of contract for several years. In exchange for wage adjustments, employees agreed to a lesser health plan, which saved the Town funds in FY17 over what the FY17 wage adjustment cost. In order to transfer these savings into FY18 to assist with paying FY18 CBA implementation costs, it is recommended that the Council create a trust fund and deposit FY17 savings into that fund.

**Motion by Councilor Morgan to open public hearing, seconded by Councilor Foote – all agreed**

Ron Goldthwaite: Scenic Dr – Questioned the agenda items and resolution numbers not matching and was told that they are not supposed to be sequential.

**Motion by Councilor Chirichiello to close public hearing, seconded by Councilor Wetherbee – all agreed**

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-018, which reads as follows [*Read the Resolution*], seconded by Councilor Tripp**

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

**Resolution attached**

**New Business**

**17-42** Appointments to Derry REDC Loan Review Committee

**Chairman Bourdon moves to appoint Joel Olbricht, Lauren Neves, and Laura Fraser as members of the Derry REDC Loan Review Committee for 3 year terms to expire March 31, 2020, seconded by Councilor Katsakories**

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

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-031, which reads as follows [*Read the Resolution*], seconded by Councilor Wetherbee**

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

**Resolution attached**

**Council Requests / Open Discussion**

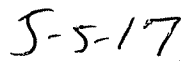
Councilor Tripp – Would like the DPW to post the schedule for redoing the roads in town.

Councilor Morgan – They poured the foundation at the veteran's house and back filling will be done this weekend. The website is [helpderryvets.org](http://helpderryvets.org). The new sign at the Opera house could potentially have lights out hours and residents should let the process happen. Assistant Fire Chief Scott Jackson gave details on a Touch-A-Truck & Kid's Muster Event that will take place Saturday, May 20th from 10am-2pm at West Running Brook Middle School. This event offers hands-on opportunities for children to explore, climb, and touch trucks, emergency response vehicles, heavy machinery, and other equipment. There will be a horn/siren free hour from 10am-11am.

Councilor Wetherbee – Go Green does a town cleanup two times a year. Blue bags were received from the transfer station and DPW will go around picking them up. Hazardous waste day is May 6<sup>th</sup> from 9am-12pm at West Running Brook Middle School. Go Green and Conservation will be doing a site walk at Cole Marsh on May 13<sup>th</sup> at 9am.

**Adjournment: 9:25 p.m.**

  
\_\_\_\_\_  
Town Clerk

  
\_\_\_\_\_  
Date

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



## RESOLUTION

Number 2017-029

To Accept Willow Street and Lilac Court as Class V Town Roads

WHEREAS, RSA 674:40 and 674:40-a authorizes the Town Council to accept streets as shown on a subdivision plan approved by the planning board; and

WHEREAS, the Derry Planning Board approved a subdivision in 1997 which resulted in the construction of Willow Street and Lilac Court; and

WHEREAS, the roads were considered complete in 2006, have been maintained by the Town since that date, but were never formally accepted by the Council due to an administrative oversight; and

WHEREAS, the Derry Planning Board voted on April 5, 2017 to recommend the acceptance of these streets;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that Willow Street and Lilac Court are accepted as Class V roadways.

This Resolution shall take effect immediately upon its passage.

Adopted: April 18<sup>th</sup>, 2016.

Attest:

x

Joshua Bourdon, Council Chair

Date: 4/18/17

x

Daniel Healey, Town Clerk

Date: 4/18/17

Archival Ref: TC Agenda Item #17-35



## RESOLUTION

Number 2017-018

To Transfer Funds from Various Accounts and Create an Expendable  
Trust for CBA Implementation

WHEREAS, Section 9.6 of the Town Charter empowers the Town Council as the Legislative Body of the Town to make appropriations for any purpose not included in the annual budget as adopted; and

WHEREAS, pursuant to RSA 273-A, the Town reached agreement with its Collective Bargaining Units and funded the FY17 costs from existing FY17 appropriations; and

WHEREAS, as a result of entering into these Collective Bargaining Agreements (CBA), excess funds are available in the FY17 budget which are proposed to be earmarked to defray a portion of the FY18 Agreement costs;

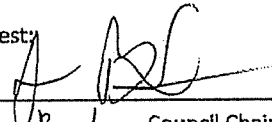
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that an Expendable Trust Fund, to be known as the CBA Implementation Expendable Trust Fund is hereby created pursuant to RSA 31:19-a, with the Town Council designated as Agents to Expend;


FURTHER, that the Town Administrator is authorized to transfer the sum of Two Hundred Thirty Seven Thousand Dollars (\$237,000), into the fund from the FY17 appropriations of various Departments as determined by the Town Administrator and Chief Financial Officer.

This Resolution has been adopted by a two-thirds majority of the Council as required by Charter and shall take effect immediately upon its passage.

Adopted: April 18, 2017.

Attest:

x   
Joshua Burdon, Council Chair  
Date: 4/18/17

x   
Daniel Healey, Town Clerk  
Date: 4/18/17

Archival Ref: Agenda Item #17-38



## RESOLUTION

Number 2017-031

To Adopt a Revised Charge for the Derry Loan Review Committee

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

WHEREAS, the Town Council has directed that a review of standing Boards and Committees take place; and

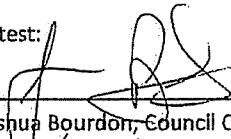
WHEREAS, the Town Council has identified enhancing economic development opportunities in the community as a priority goal and further envisions increased activity for the Derry Loan Review Committee;


NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the attached Charge for the Derry Loan Review Committee is hereby adopted.

This Resolution shall take effect immediately upon its passage.

Adopted: April 18, 2017.

Attest:

X   
Joshua Bourdon, Council Chair  
Date: 4/18/17

X   
Daniel Healey, Town Clerk  
Date: 4/18/17

Archival Ref: Agenda Item #17-42



## Town of Derry Derry Loan Review Committee Charge

### *Mission & Charge*

The Committee shall be responsible for reviewing all loan requests submitted to it by the Regional Economic Development Corporation (REDC) Executive Director for the purposes of determining compliance with the Statement of Loan Policy and recommending approval/disapproval to the REDC Board of Directors.

### *Membership*

The Committee shall consist of five community members who ideally should have experience in banking, small business or community development. During the initial term of the re-structured Committee, three members shall be appointed for a term of three (3) years (to April 1, 2020) and two members shall be appointed for a term of two (2) years (to April 1, 2019). After the expiration of their initial terms, all Town representatives shall serve terms of three (3) years. Committee members shall serve until their successors are appointed and qualified. The Town Council shall fill vacancies that arise due to the unexpired terms of Committee members.

At least three (3) of the members shall be Derry residents, and at least one (1) shall possess private sector commercial lending experience. The REDC Executive Director or designee shall serve as a non-voting member of the Committee.

### *Officers*

The committee shall elect the following officers annually during the month of April:

Chairperson shall preside at all meetings of the Committee when he or she is present and shall direct the work of the committee. The Chair may appoint chairs of any standing sub-committees from the membership as approved by the Committee. The chair shall submit a report to the Town Council annually as required by the Town Charter (Section 4.8).

The Chair shall ensure continuing liaison between REDC, the Town Council and other town agencies and departments. The Chair shall set the agenda, send the approved minutes to the Town Clerk and post notices of committee meetings and give notice to members when necessary.

Vice Chairperson shall assume all duties and powers of the chairperson in his or her absence. The Vice Chair shall assist the Chair in all Committee planning and activities.

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Archival Ref:

Secretary shall keep minutes of all meetings and proceedings of the committee and record any action taken.

### *Meetings*

The Committee shall meet at the call of the Chair, or upon the request of a minimum of three (3) Committee members. The Committee shall me to execute its responsibilities as outlined by this Charge and shall meet at least once annually to review the status of outstanding loans and to prepare for its annual report to the Town Council.

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Archival Ref: