

TOWN OF DERRY

Town Council
Derry Municipal Center
14 Manning Street



Tuesday April 4, 2023
3rd Floor Meeting Room

MINUTES

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

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

Motion by Councilor Spencer to seal the minutes indefinitely 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, MacEachern, Flood, Granese, Spencer, and Chairman Foote
Present: TA Dave Caron, Town Clerk Tina Guilford

Public Forum - *30 Minutes*

Motion by Councilor Spencer to open public forum, seconded by Councilor MacEachern
All Agreed

Steve Trefethan, North Shore Road – Tonight's agenda has the Advisory Committees. Property owners should be on the committee as an advisory member. Please email me on the application process.

Councilor Foote advised that the application process for all boards and committees are online and if you have questions or need further assistance please contact Sheila Bodenrader

Marc Flattes, Linlew Drive – Please keep the Derry taxpayers in mind as you review the budget and try to keep it as low as possible.

Motion by Councilor MacEachern to close public forum, seconded by Councilor Spencer
All Agreed

Consent Agenda

23-32 Approve Minutes – March 21, 2023

Councilor MacEachern moves to approve Items the Consent Agenda, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Chairman Report – Charles Foote

Councilor Foote – Due to a conflict, Councilor Spencer and I have switched two Liaison positions. I will be the liaison to the School District and Councilor Spencer will be the liaison to the Net Zero Task Force.

Councilor Foote – I would like to amend the Legislative Committee Bylaws to provide a balance of interests and self-determination by the committee members.

Councilor Spencer reads the amended bylaws.

Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-025 which reads as follows [Read the Resolution], seconded by Councilor Spencer
Roll Call Vote: 7-0-0

Town Administrator's Report – Dave Caron

Town Administrator Dave Caron and CFO Mark Fleischer present the FY 2024 Budget.

There are no significant adverse collection trends to report as we enter the 4th quarter of the Towns fiscal year. There will be a delay replacing culverts on Franklin Street and Sunset Avenue until June of 2024 due to the construction contractor landscape. DPW is looking at an update of the Natural Gas contracts as the market has dipped. New rates would take effect on January 1, 2024. Our Forestry Tanker is currently out of service and response protocols with neighboring communities have been adjusted accordingly. You may recall that representatives of the Upper Room met with the council last month to review their vision to expand the Town owned building. We are anticipating that the Town will be applying for a Planning Grant on behalf of the Upper Room in May.

Public Hearing

23-22 Resolution #2023-021 – Authorize the purchase of 6.5 Meadowbrook Road–
Public Works Deputy Director Tom Carrier presenting.

This is the second of two public hearings on this matter. The purchase of 6.5 Meadowbrook Road will maximize the return to the Town on the sale of 23 Adams Pond Road. 23 Adams Pond Road is landlocked. It had an easement while it was a water asset, but that easement was extinguished once the wells were no longer in operation. 6.5 Meadowbrook Road is a 9.5-acre parcel that is vacant and mostly lowlands with a pond. However, there is an opportunity for

access via wetlands permit from NHDES. Any prospective purchaser will be required to secure all necessary permits for development. The price is \$20,000.00

Motion by Councilor Chirichiello to open public hearing, seconded by Councilor MacEachern

Roll Call Vote: 7-0-0

No one from the public spoke.

Motion by Councilor MacEachern to close public hearing, seconded by Councilor Spencer

Roll Call Vote: 7-0-0

New Business

23-33 Resolution #2023-023 – Amend the Gateway TIF District By-Laws and Advisory Board – *Town Administrator Dave Caron presenting*

The Town has authorized the creation of two Tax Increment Finance Districts in Town within the last 20 years. State Statute requires the creation of an Advisory Board to ensure that occupants and property owners within the District have an opportunity to contribute to the TIF Development Plan and Financing Program. As set forth in the amended bylaws, the following is recommended; a five-member committee, one member shall be an owner or occupant of real property within the development district, one of the voting members shall be an ex-officio Town Councilor appointed by a majority of the Town Council and removes the requirement of seating two EDAC members.

Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-023 which reads as follows [Read the Resolution], seconded by Councilor Chirichiello

Roll Call Vote: 7-0-0

Resolution attached

23-34 Resolution #2023-024 – Amend the Derry Commerce Corridor TIF District By-Laws and Advisory Board – *Town Administrator Dave Caron presenting*

The Town has authorized the creation of two Tax Increment Finance Districts in Town within the last 20 years. State Statute requires the creation of an Advisory Board to ensure that occupants and property owners within the District have an opportunity to contribute to the TIF Development Plan and Financing Program. As set forth in the amended bylaws, the following is recommended; a five-member committee, one member shall be an owner or occupant of real property within the development district, one of the voting members shall be an ex-officio Town Councilor appointed by a majority of the Town Council and removes the requirement of seating two EDAC members.

Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-024 which reads as follows [*Read the Resolution*], seconded by Councilor Spencer
Roll Call Vote: 7-0-0
Resolution attached

Councilor Comments / Liaison Reports –

Councilor Katsakiores – May 7th at 1 PM at the VFW on Railroad Ave there will be a celebration for the Paramedic of the Year – Chuck Hemeon

Councilor Chirichiello – The opioid issue, the Town of Derry was one of the first to file lawsuits and now the money is going to start slowly rolling in. We should create a subcommittee to discuss what we will be doing with the funds.

Town Administrator Caron replies that we have received approximately \$46,000 to date. The settlements are structured all differently and as the structure of funds is defined we will be coming to the Council to discuss the discussion of funds.

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

Adjourn: 8:12PM


Town Clerk


Date

Recording & Transcription by: Cristina Guilford, Town Clerk



RESOLUTION

Number 2023-025

To Amend the Bylaws of the Legislative 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 pursuant to Resolution #2019-15A established a Legislative Committee whose mission is to promote local interests to State Government; and

WHEREAS, it is beneficial to the community that the mission, goals and activities of the Committee be reviewed, amended and adopted by the Town Council; and

WHEREAS, an amendment clarifies that the Legislative Committee shall have the authority to further amend its own Bylaws as a self-governing entity

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council hereby adopts the amended By-Laws of the Legislative Committee, including a mission, goals, and membership to reflect its important work in the community.

This Resolution shall take effect immediately upon its passage.

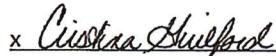
Adopted: April 4, 2023

Attest:

x 

Charles Foote, Council Chair

Date: April 4, 2023

x 

Cristina Guilford, Town Clerk

Date: April 4, 2023

Archival Ref: Agenda Item – Chairman's Report