

TOWN OF DERRY

Town Council
Derry Municipal Center
14 Manning Street



Tuesday November 7, 2023
3rd Floor Meeting Room

MINUTES

6:30 PM Non-Public Session – RSA 91A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.

7:00 PM Call to order – Chair Foote

**Motion by Councilor Spencer to leave non-public session, seconded by Councilor Katsakiores
All Agreed**

Motion by Councilor Spencer to seal the minutes per RSA 91A:3 II (d) indefinitely because it was determined divulgence of this information would benefit a party or parties whose interests are averse to those of the general community, seconded by Councilor Katsakiores

Roll Call Vote: 6-0-0

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

Roll Call: Councilors Katsakiores, Chirichiello, MacEachern, Spencer, Granese and Chair Foote

Present: TA Dave Caron, Town Clerk Tina Guilford

Public Forum - *30 Minutes*

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

Karen Blandford-Anderson – Village Brook Lane, On November 18, the Derry Museum of History will be celebrating the 100th birthday of Alan Shepard and the reopening of the Museum. We will have a ribbon cutting for a new display honoring Alan Shepard. The Derry Museum of History is located at the Derry Opera House, 29 W. Broadway. We will be open from 11AM to 2PM.

Steve Trefethen – Broadway Property Owner, Update on exit 4A. Exit 4A the watershed is huge and was changed at the last minute. There are 9 lots left with 2 of the biggest and deepest lots getting a widened 10-year easement. They have not cut the grass either. These types of easements are usually reserved for projects like the big dig. It is unheard of. We have already lost over \$200,000 in taxes for the last few years.

Tom Cardon – Cunningham Drive, something should be done to commemorate Alan Shepard. We did look into it before, but we should look at it again.

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

Consent Agenda

23-118 Approve Minutes – October 17, 2023
23-119 Accept Resignation – Planning Board Member

Councilor MacEachern moves to approve the Consent Agenda, seconded by Councilor Spencer

Roll Call Vote: 6-0-0

Chairman Report – Charles Foote

11/11 MacGregor Park 10:30AM Veterans Ceremony

Town Administrator's Report – Dave Caron

Please Note the following for our Transfer Station and Waste Operations:

Friday, November 10 – Transfer Station is open as normal.

Saturday, November 11 – Transfer Station is Closed for Veterans Day.

Wednesday, November 22 – Transfer Station closes at 12:30PM.

Thursday, November 23 – All DPW operations are closed for Thanksgiving.

Friday, November 24 - Transfer Station Open as normal.

Saturday, November 25 – Transfer Station open as normal.

Saturday, November 18 – Household Hazardous Waste Day at Nelson Fields/LAFA Londonderry 8:30AM to 12PM. Please refer to the Transfer Station page on the Town Website for details on acceptable materials collected.

Saturday, November 25 – Very Derry Holiday Parade & Tree lighting

Town Code Chapter 55 regulates Food Service Establishments. The Town Code included a section whereby food service owners could seek a variance to allow dogs on the premises. Whereas the State Legislature has enacted RSA 466:44 which allows dogs in these premises under certain conditions, the Town Code will be altered to remove this section and reference the new state statute.

Quarterly Presentation by CFO Mark Fleischer - FY24 Q1 Financials

September is 25% through the fiscal year. FY24 General-Operations are at 21% Revenues and 33% Expenses. Revenues and Expenses can run higher due to contractual obligations booked for the entire year.

New Business

23-120 Resolution #2023-077 – Authorize an option to Purchase Agreement on Elm Street – *Town Administrator Dave Caron presenting.*

The Town of Derry became responsible for the 19 Elm Street property after a tax deed was executed in 2015. After taking ownership, the property was found to contain large quantities of hazardous waste stored throughout the building. The Town, through NHDES, involved US EPA whose contractor removed and disposed of all the hazardous waste. Limited excavation and disposal of contaminated soil was also performed, however some residual contamination remained at depth. Trident Building LLC has completed numerous projects with NH Housing Finance Authority. This project will be financed through NHHFA utilizing some tax credits and operate as true workforce housing.

**Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-077 which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0**

Councilor Comments / Liaison Reports –

Councilor Spencer – would like to thank all the Veterans for their service.

Councilor Chirichiello – The tax bill is coming, please note that the county side taxes came down.

Councilor Foote – Remember to shop small and local Saturday, November 25th.

**Motion by Councilor MacEachern to ADJOURN, seconded by Councilor Spencer
All Agreed**

Adjourn: 7:27 PM



Town Clerk

Recording & Transcription by: Cristina Guilford, Town Clerk

November 21, 2023
Date



RESOLUTION

Number 2023-077

To Authorize an Option to Purchase Agreement on 19 Elm Street

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 and convey real property for the benefit of the Town; and

WHEREAS, the Town has previously performed substantial environmental remediation work at 19 Elm Street and seeks to return the property to the tax rolls; and

WHEREAS, the Town has been negotiating with a development team to provide workforce housing on this site; and

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is authorized to execute an Option to Purchase Agreement for 19 Elm Street with Trident Building LLC.

This Resolution shall take effect immediately upon its passage.

Adopted: November 7, 2023.

Attest:

A handwritten signature in black ink, appearing to be "Charles Foote", written over a horizontal line.

Charles Foote, Council Chair

Date: November 7, 2023

A handwritten signature in black ink, appearing to be "Cristina Guilford", written over a horizontal line.

Cristina Guilford, Town Clerk

Date: November 7, 2023

Archival Ref: TC agenda item #23-120

