

TOWN OF DERRY

Town Council
Derry Municipal Center

May 1 2018
Thursday - 6:30 PM

6:30 PM Call to order

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

No one from the public spoke.

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

Consent Agenda

- 18-47** Approve Minutes – April 12, 2018
- 18-48** Approve Minutes – April 17, 2018
- 18-49** Resolution #2018-020 – To Revise the Town's Fund Balance Policy
- 18-50** Ordinance #2018-002 – Amending Article V, Zoning Map to **remove** 7 parcels from the Medium High Density Residential II zone and **add** the 7 parcels to Central Business District.
- 18-51** Resolution #2018-021 – To Create an Expendable Trust for the Repair or Removal of Hazardous Buildings
- 18-52** Resolution #2018-022 – To Approve a Supplemental Appropriation to Fund Derry's 300th Celebration

Consent agenda approved

Chairman's Report – James Morgan

Attended the Salvation Army Building dedication event along with Senator Birdsell. Pinkerton Academy hosted the Miss New Hampshire competition and Chairman Morgan attended this event. It was won by Manchester resident Marisa Moorhouse. The amendment to NH HB1472 was pulled by Senator Morse. In July and August there will be one Town Council meeting each month. They will be on the 3rd Tuesday of the month. A Town Council goals meeting is scheduled for July 19th. 5 new Derry Police officers were sworn in this past Friday.

Town Administrator's Report – David Caron

A surveyor is finishing work on subdividing a piece of land from the conservation parcel located on Island Pond Road. Once approved by the Planning Board, the parcel will be listed for sale. The ribbon cutting for the Solar Project will take place at the Transfer Station on Tuesday, May 15 at 5:30 PM. NHDOT is planning a community meeting to be held at West Running Brook School in May to discuss Exit 4-A. DPW is planning to bid for the replacement of the culvert at

North Shore Road-Beaver Lake in November, with a June 2019 construction date. The town is in the process of having the Derry Commerce Park Sign refurbished, which is located at the corner of A Street. Tax Collector Dawn Enwright coordinated a tax sale of 4 properties totaling \$118,000.

Public Hearings

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”

Planning Director George Sioras and Assistant Planning Director Elizabeth Robidoux presented the Article Amendment. Over the last two years both the Derry Town Council and Planning Board worked on their respective goals and requested staff to review the permitted uses in the existing Industrial and Commercial Districts. The above referenced zoning amendment continues the ongoing steps in meeting those goals. Future zoning proposals will be brought forward to the both the Planning Board and Town Council in reviewing permitted uses in the Central Business District as well re-zoning of parcels near the proposed Exit 4A area. The definition of warehouse will be changed to read “A fully enclosed building used for bulk storage of goods and merchandise, including bulk sales outlets. The definition of Self Storage Facilities will be added and read as follows “A building or group of buildings divided into separate compartments which may be leased or rented, used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses, and may include climate-controlled facilities.”

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

Steve Trefethen: Windham, NH – Questioned wooden storage units and pods and if they would be banned under the new definitions.

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

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Ordinance #2018-001, which reads as follows [*Read the Ordinance*], seconded by Councilor Wetherbee

Roll Call Vote: 7-0-0

Ordinance attached

18-53 FY2019 Budget

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

John Pelletier: Goodhue Rd – Reallocating the Human Services secretary position to the Transfer Station would do a disservice to the residents of this town and people who need help.

Steve Trefethen: Windham, NH – Believes that the Human Services department truly only helps residents who need it the most. In years past, it seemed like it was easier to get vouchers and now it is a more drawn out process and it seems to be working well.

Lloyd Wagoner: Londonderry, NH – Volunteers at the Sonshine Soup kitchen and does not believe outsourcing the Human Services position is a good idea. The location of the kitchen is very close to the Municipal Center and it is part of the reason they chose that building.

Margaret Ives: Field Rd – Does not believe that the Town should be outsourcing the Human Services Department.

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

Motion by Councilor Foote to table the vote on the FY2019 Budget to the May 15, 2018 Town Council Meeting, seconded by Councilor Katsakiores
Roll Call Vote: 6-1-0 (Chairman Morgan)

18-54 FY19-FY24 Capital Improvements Plan

Motion by Councilor Wetherbee to open public hearing, seconded by Councilor Bourdon
Roll Call Vote: 6-1-0 (Councilor Tripp)

No one from the public spoke.

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

Councilor Wetherbee moves to approve the FY19-FY24 Capital Improvements Plan, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

New Business

18-55 Resolution #2018-025 – To Authorize Various Vendors to serve beer and/or wine samples at the Derry Homegrown Farm and Artisans Market

Town Administrator David Caron presented the Authorization for Various Vendors. The Derry Homegrown Farm and Artisans Market is planning its 2018 season and in anticipation of various vendors seeking Council approval to serve samples, Resolution #2018-025 provides authorization within the mandates of NH RSA 179:44, which requires that such activity be authorized by the town or city's governing body and that the authorization must be in writing. In accordance with the Town Charter and State law, the Town Council is the governing body of the town and has the sole authority to grant the requested authority to provide samples under that statute. The authority requested is narrow as to the location and time of operation of the Market. The breweries seeking authority are Rockingham Brewery Company; From The Barrell Brewing Company; Backyard Brewery; Moonlight Meadery and Apollo Vineyards.

**Councilor Bourdon MOVES THAT THE TOWN COUNCIL adopt Resolution #2018-025, which reads as follows [Read the Resolution], seconded by Councilor Tripp
Roll Call Vote: 6-0-1 (Councilor Wetherbee)
Resolution attached**

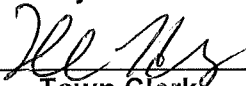
Councilor Comments

Councilor Chirichiello – Did not want to vote on the budget tonight because he wanted more time to review the flagged items.

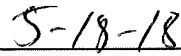
Councilor Tripp – Attended the swearing in ceremony for the new police officers. The VFW will be hosting a loyalty program on May 6th at 1pm to honor first responders, teachers, and scouts.

Councilor Bourdon – On May 6th, 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. Spoke with Londonderry Town Manager Kevin Smith on his experience with CHS and Mr. Smith stated that Londonderry has been satisfied. A few residents have reached out to Councilor Bourdon about extending the time the lights are on at Hood Park. He would like some more information from those residents to see if a compromise can be made. Chairman Morgan – The lights at Hood Park are scheduled on certain times because of the opioid problem. The ribbon cutting for the Solar Project will take place at the Transfer Station on Tuesday, May 15 at 5:30 PM. Chairman Morgan suggests that Councilor Bourdon attend and speak as he had a big part in this project.

Adjournment: 8:15 p.m.



Town Clerk



Date

Recording & Transcription by: Daniel Healey, Town Clerk



ORDINANCE

Number 2018-001

Amending Article II, Word Usage & Definitions, Section 165-5,
Definitions to AMEND the definition of "Warehouse" and to ADD a
definition for "Self-Storage Facilities"

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town, and pursuant to Section 6.1, the Council shall legislate by ordinance; and

WHEREAS, a goal of the Planning Board is to review and update portions of the Zoning Ordinance, and

WHEREAS, the Planning Board has reviewed definitions within the ordinance; and

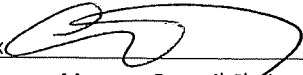
WHEREAS, the Planning Board has held the requisite public hearing and voted to recommend this amendment to the Town Council;

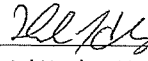
NOW, THEREFORE, THE TOWN OF DERRY ORDAINS that the Derry Zoning Ordinance is hereby amended as follows: Article II, Word Usage & Definitions, Section 165-5, Definitions to AMEND the definition of "Warehouse" and to ADD a definition for "Self-Storage Facilities".

This Ordinance shall take effect thirty days after its adoption.

Adopted: May 1, 2018

Attest:

x 
James Morgan, Council Chair
Date: 5/1/18

x 
Daniel Healey, Town Clerk
Date: 5-1-18



RESOLUTION

Number 2018-025

To Authorize Various Vendors to serve beer and/or wine samples at the
Derry Homegrown Farm and Artisans Market.

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 act in accordance with RSA 179:44; and

WHEREAS, RSA 179:44 II-a authorizes wine manufacturers, beverage manufacturers, nano breweries and brew pubs to provide samples for tasting at a farmers' market, contingent upon written authorization by the Governing Body;

WHEREAS, several vendors successfully participated in the 2017 Derry Homegrown Farm and Artisans Market and plan to return this year;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the following vendors are is hereby authorized to provide beer and/or wine tasting samples during all Derry Homegrown Farm and Artisan Market events for the 2018 season, contingent upon compliance with all applicable state statutes and Town of Derry Ordinances.

Rockingham Brewery Company
Backyard Brewery
Apollo Vineyards

From The Barrell Brewing Company
Moonlight Meadery

This Resolution shall take effect immediately upon its passage.

Adopted: May 1, 2018

Attest:

x

James Morgan, Council Chair

Date: 5/1/18

x

Daniel Healey, Town Clerk

Date: 5-1-18

Archival Ref: Agenda Item #18-55