



STAFF REPORT

Public Hearing 1-3-17

AGENDA ITEM #: 16-164
COUNCIL MTG OF: December 6, 2016
FROM: Michael Fowler, Acting Town Administrator
OFFERED BY: Susan Hickey, CFO
PREPARED BY: Susan Hickey, CFO
SUBJECT: Supplemental Appropriation and Reserve of Conservation Commission Funds for 7.5 Willow Street

PURPOSE

Town staff has moved forward after receiving Town Council direction in the matter of acquiring a 63.5 acre parcel for conservation, known as 7.5 Willow Street.

TOWN ADMINISTRATOR COMMENTS

I concur with the staff's recommendation to schedule a public hearing for January 3, 2017. Because this acquisition will involve an appropriation after the FY2016 budget was adopted, five votes in favor of adopting the proposed resolution will be required. I recommend that the Town Council schedule the hearing with appropriate the required complimentary funding from the Unassigned Fund Balance.

BACKGROUND

As authorized by the Council, Town staff has moved to secure a purchase and sale agreement with the owner of the 63.5 acre parcel known as 7.5 Willow Street. There have been no extraordinary circumstances or terms encountered. The Terms Sheet has been executed by the seller prior to the June 21, 2016 Council meeting. Acting Town Administrator Daly had signed for the Town per the Council's authorization. This action will serve to affirm the Town Council's intent to use unrestricted fund balance and Conservation Commission funds to supplement the NHDES Watershed Protection Grant.

The Conservation Commission has been included in this process. The Commission voted to contribute \$150,000 to the purchase at its June 22, 2016 meeting.

FISCAL IMPACT

This acquisition, when considered in light of the Conservation Commission's contribution and the NHDES grant, will have a net cost to the Town of just under \$4,000 per acre. This is a significant bargain for the preservation of open space in West Derry and the protection of a drinking water supply.

RECOMMENDED ACTION BY TOWN COUNCIL

I recommend that the Town Council proceed with scheduling the public hearing, accept the endorsement and support of the Conservation Commission, and vote to authorize the use of unassigned fund balance for the purchase the of the property and reserve the Conservation Commissions financial support.

RECOMMENDED MOTION

I MOVE that the Derry Town Council schedule a public hearing on January 3, 2017 to appropriate \$252,500 from Unassigned Fund Balance and reserve \$150,000 from Conservation Commission in accordance with their vote for the purpose of purchasing land at 7.5 Willow Street.

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RESOLUTION

Number 2017-001

To Approve a Supplemental Appropriation for the Purchase of Land on
Willow Street in Derry for Water Supply Protection and Conservation
Purposes

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 real property for the benefit of the Town and to appropriate funds for such purposes; and

WHEREAS, The Town Council at its June 21, 2016 meeting approved the purchase of a certain parcel of undeveloped land located at 7.5 Willow Street in Derry, if acquired by the Town, will serve to protect an active community water supply and preserve open space in West Derry; and

WHEREAS, the Derry Conservation Commission has voted to contribute One Hundred Fifty Thousand Dollars (\$150,000) toward acquisition of the parcel; and the State of New Hampshire has offered to contribute grant funding of Three Hundred Thirty-Seven Thousand Five-Hundred Dollars (\$337,500);

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the total acquisition cost of Seven Hundred Forty Thousand Dollars (\$740,000) is hereby reaffirmed and a Supplemental Appropriation in the amount of Two Hundred Fifty Two Thousand Dollars (\$252,000) from Unassigned Fund Balance is hereby approved to complete funding; with consummation of the transfer of ownership to the Town contingent upon the funding commitments of the Derry Conservation Commission, as approved by this Council pursuant to RSA 36-A:4, and the State of New Hampshire; and

BE IT FURTHER RESOLVED that the Town Administrator is authorized to execute all necessary documents on behalf of the Town.

This Resolution shall take effect immediately upon its passage.

Adopted: January 3, 2017.

Attest:

X _____

Brian Chirichiello, Council Chair

Date: _____

X _____

Daniel Healey, Town Clerk

Date: _____