



STAFF REPORT
Public Hearing 7-5-22

AGENDA ITEM #: 22-75
COUNCIL MTG OF: Tuesday, June 21, 2022
FROM: David Caron, Town Administrator
OFFERED BY: Deputy Chief George Feole
PREPARED BY: Deputy Chief George Feole
SUBJECT: Part-Time Prosecutor

PURPOSE:

- Make a supplemental appropriation to the FY 23 Budget
- Allow the Town Administrator to execute a contract with the Town of Chester to provide prosecution services.

TOWN ADMINISTRATOR COMMENTS: The Council is urged to support this initiative which would result in additional police prosecutorial resources for Derry which Chester reimbursing the Town for a significant portion of expenses for the p-t prosecutor position.

BACKGROUND: As a result of the COVID-19 pandemic restrictions being lifted in the State Court's system, our workload in prosecution has increased significantly. Our two prosecutors find that they cannot keep up with the workload during their normal schedule. Both of our prosecutors are working 10-15 hours extra each week as a result. The creation of this position would ease the additional 20-30 hours a week they are subjected to, as a result of this increase in case load.

Also, recently the Town of Chester has expressed an interest in the Town of Derry Police Prosecution assuming the prosecutorial functions of the Chester Police Department. It is estimated that 5 hours per week would be dedicated to Chester prosecution services with an initial revenue rate from the Town of Chester of \$26,000, pro-rated based on actual contract start time. The contract has an annual escalator of 3%, subject to mutual agreement for these services.

If approved, it is anticipated that a part-time prosecutor would start on or about September 1st, 2022, and work 20 hours per week dedicated to the Town of Derry and an additional 5 hours per week dedicated to the services for the Town of Chester for a total of 25 hours per week.

DISCUSSION: The Police Department Budget for FY 23, as approved in May, did not consider an additional part time prosecutor or the revenue stream associated with executing a contract for prosecution services with the Town of Chester. **Section 9.6** of the Town Charter provides the ability for a 2/3 majority of the Council to make a supplemental appropriation. We are requesting that the Town Council appropriate an amount equal to the revenue so as to not impact the tax rate. Expenditures for the new position beyond the revenue amount will be made from funds already approved by the Town Council in the FY 23 budget.

The pro-rated revenue is anticipated to be \$21,667.

The cost of the part time position for the remainder of FY 23, considering a start date of September 1st is expected to be \$45,194 inclusive of salary and benefits.

The Police Department will cover the remaining cost of \$23,517 from previously approved funds.

FISCAL IMPACT: Since the supplemental appropriation sought, does not exceed the revenue stream proposed, there will be not tax impact to the community.

RECOMMENDED ACTION BY COUNCIL:

- Make a supplemental appropriation for FY 23 in the amount of \$21,667
- Allow the Town Administrator to execute a contract with the Town of Chester to provide prosecution services to the Town of Chester Police Department providing a revenue amount in FY 23 of \$21,667.

RECOMMENDED MOTION: See Resolution Number 2022-046

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