

## TOWN OF DERRY

Town Council  
Derry Municipal Center

January 5, 2016  
Tuesday - 7:30 PM

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6:30 PM Non-Public Session RSA 91A:3 II (a) (b)

7:30 PM Call to order

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

**Roll Call:** Councilors Tripp, Fischer, Osborne, Bourdon, Dimmock, Katsakiores and Chairman Cardon

### Consent Agenda –

16-01 Approve Minutes – December 15, 2015

16-02 Schedule Public Hearing – January 19, 2016 –

- 1) Proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. The Town will retain up to \$25,000 for Administrative expenses and remainder will be used toward financing the interconnection into municipal water and sewer system of the Frost Residents Cooperative, a 30 unit manufactured housing park, located at 139 Rockingham Road

2) The Residential Antidisplacement and Relocation Assistance Plan  
16-03 Schedule Public Hearing – January 19, 2016 – Accept gift from Calvary Bible Church

16-01 Approved as written

16-02 & 16-03 Approved

### Chairman's Report – Tom Cardon

The Economic Development Committee met regarding the posting for the part time Economic Develop position. Some minor changes were made to the posting and comments made on the job description. This position can now be posted.

### Town Administrator Report – Susan Hickey

#### \*\*\*\*\* FY2015 Audit Presentation

Scott McIntire gave an overview of the audit report. He has met with the Finance Committee. The audit went well. Books and records are in good working order. There were no significant deficiencies. There were no significant journal entries and no disagreements on the application or estimates with financial statements. This was the first year that the Town was required under GATSB 68 to report net pension liabilities. The general fund balance sheet is unchanged from one year ago at \$11.3M which is the mid-range recommended. There were strong revenue results and consistent expenditures.

#### \*\*\*\*\* Quarterly Financial Report – 1<sup>st</sup> Quarter

Janice Mobsby, Controller – As of 9/30/15, the general fund cash totaled \$55.5M; this is a decrease of \$1.9M from the prior year. This is primarily from payments made in capital projects.

(new Transfer Station & Rt. 28 Rockingham Rd). As a result of tax deeding activity, the tax receivable decreased. The Town now reports these as an asset. Non-tax related receivable before reserves (primarily ambulance receivables) decreased due to a decrease in ambulance transportation volume. Capital assets, net depreciated increased \$138,000 over the prior year period. We reduced the value of the Town owned courthouse property by \$1M in anticipation of a transfer of the property to the State of NH as a result of them fulfilling lease payment obligations. Compensation absences liability of \$3.7M decreased since the prior year. During the past year no new bonds were issued, annual debt service payments contributed to the \$1.1M reduction in outstanding bond & lease debt. General Fund Revenues are tracking at 44% but are trending 2% below the prior year. General Fund Expenses are tracking at 21% but are 11% below the prior fiscal year. MV registrations are trending above budget over the prior year. The new Transfer Station recycling center is expected in the latter half of the year to increase revenues. Unanticipated revenue from workers comp or disability insurance reimbursements is offsetting the timing of the recycling revenues.

\*\*\*\*\* CIP Preliminary

Susan Hickey – At this point, this is a preliminary look at the CIP. There is nothing coming out of the Land Improvement or Acquisition Fund.

**Public Forum - \*30 Minutes\***  
**Open Public Forum - All agreed**

Marc Flattes, Linlew Dr. – questioned using solar panels at the new transfer station, through the use of these available funds.

Brian Chirichiello, Rollins St – questioned the CPI. He would like someone to look at the sidewalks in the downtown area that need to be cleaned up as they are icy. In regards to 19 Elm Street, his suggestion is to demolish it and give the land to the Derry Housing Authority for low income senior housing.

Steve Trefethen, business owner – spoke in reference to the budget discussion. He was wondering if the Town Administrator search process could be pushed up faster.

Donald Burgess, High St – gave information on 19 Elm St. He has done some research on a few things and feels it's prudent if a business not placed there.

Marion Schizchtlen, Bayberry Lane – does not want to see a park at 19 Elm St.

Mark Flattes, Linlew Dr. - made a statement regarding the Town refusing to purchase another piece of property for a parking lot. Chairman Cardon corrected his statement as not true.

Donald Burgess, High St – sidewalk clearing depends on who is operating sidewalk blower.

**Close Public Forum – All agreed**

**Public Hearings –**

**15-165 NHDES Household Waste Agreement**

**Open Public Hearing Councilors Cardon & Fischer 7-0-0**

No public input

**Close Public Hearing Councilors Dimmock & Cardon 7-0-0**

**The Derry Town Council moves to authorize Susan Hickey, Interim Town Administrator, to sign applications and contracts on behalf of the Town with respect to grant contracts with the State of New Hampshire Department of Environmental Services and to enter into a grant agreement with the State of New Hampshire Department of Environmental Services to receive and expend funds without further action of the council, and hold a household hazardous waste collection event in FY17.**

**Motion by Councilor Cardon, seconded by Councilor Dimmock**

**Vote: 7-0-0**

**15-166 Establish Rail Trail Capital Project Fund with Supplemental Appropriation from Land & Buildings Capital Reserve Fund**

Janice Mobsby gave an overview of this project. The report states there are funds available in the Land & Building Capital Reserve Fund. The money in Unassigned Fund Balance can be also be used but the recommendation is to use Land & Building Capital Reserve Fund.

**Open Public Hearing Councilors Cardon & Dimmock 7-0-0**

Mark Connors Derry Rail Trail – the board is excited hopes the Council will support.

Marc Flattes, Linlew Dr. – would like Council to considered solar energy with these funds. The rail trail should be a combination of a public and private partnership and sell stock certificates for rail trail.

Steve Trefethen - are we able to go through the Boston owned land. Is there anything ready?

Brian Chirichiello - did we notify any of the condo people where that part of land is coming across. Are we adding signage?

Dawn Weymouth – residents are aware and are excited this part will be paved as they walk it.

Donald Burgess – spoke regarding the developer and asked why we don't get an agreement.

Mark Connors – they are fundraising and will continue to fundraise for the rail trail. Boston North is building a walkable community in Londonderry. Fundraising for donations can be made at their website.

Chairman Cardon asked that Mr. Connors supply Ms. Hickey with amount of monies raised through fundraising.

Steve Trefethen – Stated his comment was in regards to the phase 2 of the rail trail.

**Close Public Hearing Councilors Katsakiores & Dimmock 7-0-0**

**I move to establish a Rail Trail Capital Project Fund for rail trail improvements and authorize a FY2016 supplemental appropriation of \$125,000 for Rail Trail Land Improvements from Hood Park to North High Street. The source of funding is to be derived by a \$125,000 transfer from the Land and Building Capital Reserve Fund. At completion of this segment of the rail trail, unexpended funds will lapse to the Land and Building Capital Reserve Fund.**

**Motion by Councilor Cardon, seconded by Councilor Katsakiores.**

Discussion:

Councilor Tripp suggested that in conjunction with Exit 4A we make a lot more effort on planning with what is going to happen in that area. Should have some sort of an agreement from property owner for next phase and having a plan in place with certainty would be more agreeable in case there is a death or transfer of property ownership.

Councilors Fischer, Katsakiores and Dimmock support this.

Councilor Osborne – if not going to take care of the rail trail and keep it clean he doesn't support it.

Councilor Bourdon – regardless if Segment 2 gets completed or not, it is important for Segment 1 to be completed.

Councilor Cardon addressed Councilor Tripp's issue with not having a written agreement the land is going to be turned over to the state. Mike Fowler was questioned regarding signs and fencing as part of this. Mike Fowler replied there will be provisions made and concerns addressed.

**Vote: 7-0-0**

**Old Business -**

**15-157** Demolition 19 Elm Street and Supplemental Appropriation

Some Council Members toured the building with Fire Chief Gagnon, Alan Cote & Mike Fowler. The building is in deplorable condition. They all agree this building is a hazard. Mike Fowler reviewed initial prior discussion on this building and believes this building should be torn down.

- 1. The Derry Town Council moves to authorize the demolition of the building at 19 Elm Street, Map 29, Lot 128; Parcel ID 10540 and to retain the property for Town use. \* Motion by Councilor Cardon, seconded by Councilor Katsakiores**

Discussion:

Councilor Tripp believes the Town should rush to tear the building down and wait on what to do with the land.

Councilor Fischer feels it's a safety issue and should already be torn down.

Councilor Osborne – has some hesitation to vote with spending money without a concrete idea for its use.

**\*Move to amend adding “to retain the property for town use as a park”.**

**Motion by Councilor Osborne, seconded by Councilor Dimmock**

Need to consider all options, most important issue to demolish building.

**Amendment vote: 2-5-0 (Councilors Tripp, Fischer, Bourdon, Katsakiores & Cardon)**

**On Original motion: Vote: 7-0-0**

- 2. The Derry Town Council moves to appropriate \$150,000 from the Land & Building Capital Reserve Fund to demolish 19 Elm Street.**

**Motion by Councilor Cardon, seconded by Councilor Katsakiores**

**Vote: 7-0-0**

### 15-167 Survey Committee Wrap-Up

Owen Provencher and Matt Cullen gave a brief power point summary of the information provided by the Town Survey.

There were 600 respondents and over 480 completed the survey. He thanked the sponsors and members of committee. In a few weeks there will be a more in-depth analysis and presentation. Some results were that participants ranked the need for a High Tech Industry first, then retail, and downtown business. Moving forward there will be a deeper analysis, and lessons learned. The focus of the group will be to develop a long term strategy based on defined goals and regular frequency of surveys and focus groups for continuous feedback.

On the agenda for next meeting they will give a brief discussion about feedback and common threads from the responses. Kudos was given to Elizabeth Robidoux for her extra efforts on this project.

### 15-171 FY2017 Budget Discussion

Susan Hickey was looking for direction in the process for the FY2017 budget so that the issues that entailed with the FY2016 budget would not be repeated.

Council asked for preliminary information of what the FY17 budget would look like with 3 different scenarios, their impacts & possibilities for a pre-budget presentation by the 1/19/16 meeting.

Chairman Cardon stated we already know there is a \$.28 deficit that has to be recovered in this budget. As further discussion ensued, three scenarios were agreed upon; a tax reduction of \$.28, a tax reduction of \$.43 and a reduction somewhere in the middle.

Councilors commented on the drastic cuts outcome and the people have spoken through a vote. Councilor Tripp asked for an update from Ms. Hickey of the RSA 32:5-B I(a) he brought up at the last meeting. Ms. Hickey replied that the Council would have to adopt this RSA in order for it to be used. Councilor Tripp suggested the Town Council should adopt this RSA so that when the Town uses unassigned fund balance to reduce the tax rate there will be no penalty.

Councilor Osborne made it clear that the antics by the public and press during last year's sessions should not be tolerated or repeated and people should be skeptical of ploys.

### **New Business –**

#### **16-04 Heritage Commission – 300<sup>th</sup> Birthday**

Karen Blandfor-Anderson, Chair & Paul Lindemann, member - In 2019 the Town of Derry will celebrate its 300<sup>th</sup> year anniversary. It takes much planning and preparation. They are here to ask for support on a formal basis to move in right direction. They propose that Council move to support creation of a 300<sup>th</sup> Year Anniversary Committee.

**Move that the Town of Derry form a Nutfield 300<sup>th</sup> Anniversary planning committee, chaired by the Heritage Commission. This committee will actively coordinate all interested groups and citizens in the area interested in participating in the Celebration, and return to the Town Council for reporting and budgetary requests.**

**Motion by Councilor Katsakiores, seconded by Councilor Bourdon**

**Vote: 7-0-0**

**Move to extended – all agreed**

**Council Requests / Open Discussion**

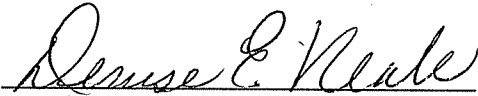
Councilor Tripp – The Supervisors of the Checklist will be registering voters at the Taylor Library on Sunday 1/10/16 from 11 a.m. – 2 p.m.

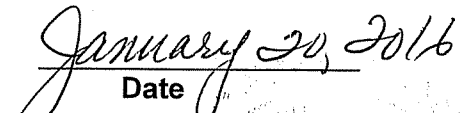
Councilor Katsakiores – The Boston Post Cane will have new recipient there is a 101 year old living at Birchwood Heights and there will be a celebration forthcoming.

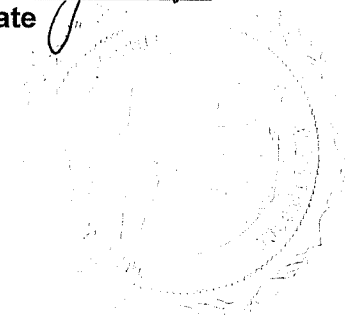
Councilor Bourdon – Has done the preliminary research on Net Zero and it has been successful in communities that have formed a Task Force.

Chairman Cardon asked Councilor Bourdon to get him the backup for the next agenda.

**Adjournment 10:07 p.m.**

  
Town Clerk

  
Date



Recording & Transcription by: Denise E. Neale, Town Clerk