

TOWN OF DERRY

Town Council
Derry Municipal Center

December 15, 2015
Tuesday - 7:30 PM

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

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 –

- 15-163** Approve Minutes – December 1, 2015
- 15-164** Approve Abatement
- 15-165** Schedule Public Hearing – January 5, 2016 – NHDES Household Waste Agreement
- 15-166** Schedule Public Hearing – January 5, 2016 – Establish Rail Trail Capital Project Fund with Supplemental Appropriation from Land & Buildings Capital Reserve Fund

15-163 Approved as written

15-164, 165, 166 - Approved

Chairman's Report – Tom Cardon

Chairman Cardon received an email with latest contract For Exit 4A.

Councilor Tripp is concerned as the contract is capped at \$5M; however, in a later section it states if it costs more they can come back and request more money.

Chairman Cardon reiterated that there needs to be permission given for more money. He asked if everyone agreed to have the Interim Town Administrator sign the contract as Londonderry has already signed their agreement. All agreed.

Ms. Hickey stated that the contract has been reviewed by legal counsel.

The Economic Development Committee met and they had some outstanding discussion on what Derry does well. The planning process is done very well. Chairman Cardon also attended a forum at St. Anselm's College on the Hi-Tech industry in SNH. One thing is Derry needs to come up with some type of Hi Tech area for the Town. There are many hi-tech jobs unfilled. He asked for comments about Derry and some were a positive municipal attitude, use the GIS for available properties with water & sewer, more entertainment & night life. We should market the Town via another source, generate foot traffic and do press releases.

Town Administrator's Report – Interim Susan Hickey

The request for the CIP was due yesterday from the departments; however, some of the departments are still awaiting quotes. As soon as it is completed she will put together and send out to Council.

The Economic Development position is going to be posted using the same websites and newspaper outlets. The job description used was from five years ago. Ms. Hickey will ask the

Economic Development Committee to review the job description before it is posted. Council suggested naming the position Economic Development Coordinator instead of Director. There were 18 applicants for HR/position.

Fire Chief Gagnon – gave a presentation regarding the purchase of a new ambulance vs. maintenance cost for repairs of the present ambulance. These funds are in the FY16 Fire Capital Reserve account. He is asking Council to reconsider the purchase as during the FY16 budget session the purchase was denied; however, the funds were left in the budget. This purchase would not affect the tax rate.

Councilors asked that this be brought back as an agenda item with a full presentation.

Public Forum - *30 Minutes*

Open Public Forum 7-0-0

Mark Connors, Cabot Dr. – Applauds Councilor Tripp on his point regarding the contract. He questioned PT positions and if there were any benefits. He had a question on the tax rate savings of \$.56 being reduced to \$.19 by the school taxes increase. The School Board is willing to meet with groups and boards regarding their budget increases maybe Council could invite them to a meeting.

Ms. Hickey responded that the PT positions are hourly and there are no benefits. Qualified people have applied. Tax rate change had to do with the school department having their catastrophic aid being reduced from the state.

Marc Flattes, Linlew Dr – Questioned the position Economic Development director or coordinator.

Ms. Hickey replied that the Economic Development Committee would decide the title.

Steve Trefethen, Business Owner – Do development in the Crystal Ave – Birch St area. Site survey of Rte. 28 area so people will know what kind of development could go there. Widen the downtown area.

Jodi Rogers, owner of the Barking Dog - Received fees & interest on her tax bill as she had left it in the drop box at Town Hall and it wasn't applied until after the due date. She was dissatisfied by the handling of this situation, although the fees were removed.

Close Public Forum 7-0-0

Public Hearings –

15-157 Demolition 19 Elm Street and Supplemental Appropriation

This building has some major structural problems. It is not a good situation for building and code enforcement. There are two options: The estimated sale of the entire property "as is" would sell at auction for \$75,000 - \$100,000 which doesn't cover the outstanding taxes of \$107,774. The projected tax revenue for 20 years would be \$91,600. Alternate option would be for the Town approving a supplemental appropriation of \$150,000 to demolish the building then auctioning the land. The sale value as vacant land is \$100,000 - \$125,000. The projected tax revenue for 20 years would be \$293,000 less the \$150,000 demolition cost = \$143,120.

Open Public Hearing – Councilors Katsakiores & Dimmock 7-0-0

Steve Trefethen, Summerview Real Estate – is against demolition of the building. The building should go to auction.

Marc Flattes, Linlew Dr – he questioned hazardous material in the building?

Mike Fowler explained what has been done and the discussion with the EPA. There are five gallon drums in there. The demo includes hazardous waste & transformers for the \$150,000.

Mark Connors, Cabot Dr – disagrees believes it should be demolished.

Steve Trefethen, Summerview Real Estate – said that the building was up for sale for \$265,000-\$400,000 and it did not sell.

Close Public Hearing – Councilors Katsakiores & Cardon 7-0-0

- 1. The Derry Town Council moves to authorize the demolition of the building at 19 Elm Street, Map 29 Lot 128; Parcel ID 10540.**
- 2. The Derry Town Council moves to appropriate \$150,000 to demolish 19 Elm Street.**

Motion by Chairman Cardon, seconded by Councilor Katsakiores.

Council Discussion:

Discussion entailed the risk in terms of recouping the tax revenue at auction, concern over the zoning which is MHDR as the building is industrial now, how to rezone this piece of property. There were concerns over the building catching on fire, the need to eliminate blighted properties, residents' concerns over rodents once building comes down and other ideas for the property.

Motion to withdraw by Councilor Cardon, & Councilor Katsakiores

Motion to postpone until additional information on Zoning can be obtained by Councilor Osborne, seconded by Councilor Cardon

Vote: 7-0-0

15-160 NH Highway Safety Agency DWI Enforcement Patrol Grant

Captain Thomas, Derry Police Department presented. The NH Highway Safety Agency will reimburse the Town for 100% of the salary-related expenses plus associated roll up costs for all hours worked under the grant up a maximum of \$24,261.74. The grant runs from October 1, 2015 – September 30, 2016. The department has received this grant in the past.

Open Public Hearing – Councilors Osborne & Cardon 7-0-0

No public input

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

Discussion:

Councilor Katsakiores asked how many arrests were made during these DWI stops.

Captain Thomas replied; 107 in 2013, 94 in 2014, and 77 in 2015.

Move to grant authority to Interim Town Administrator Susan Hickey to execute the contract for the FFY2016 DWI Patrol Grant and accept and expend on behalf of the Town, all grant funds associated, without further action by the Town Council.

Motion by Councilor Cardon, seconded by Councilor Bourdon

Vote: 5-2-0 (Councilors Osborne & Cardon)

New Business –

15-161 Economic Development Committee

The Economic Development Committee voted to make this committee a permanent advisory committee to the town.

I move the Derry Town Council approve the Economic Development Committee as a permanent advisory committee to the Town Council beginning April 1, 2016. It shall include seven permanent members, two alternate members, one Town Council member as a liaison, and one member from the planning department. If the Town Council approves an Economic Development Director he/she shall also be a member. All members will be approved by the town council and serve a three year term on a staggered basis consistent with other town committees. The initial membership beginning on April 1st will be 2 members for a one-year term, 2 members for a two year term and 3 members for a three year term, 1 Alternate member for a two year term and 1 Alternate member for a three year term. Motion by: Councilor Cardon, seconded by Councilor Katsakiores.

**Motion to amend - Move to change Economic Development Director to Economic Development Position, moved by Councilor Fischer, seconded by Councilor Cardon.
Vote: 7-0-0**

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**Motion by Councilor Cardon, seconded by Councilor Katsakiores
Vote: 7-0-0**

15-167 Survey Committee – Progress

Councilor Fischer reminded the public that the Town survey is online and hardcopies are available in the Town Clerk's office until December 25th. There have been a lot of people who have expressed opinions. He encourages people to do the survey. There have been 440 people who have completed the survey. The prizes have been business donation from: Sabatino's, Woof Meow, Walmart, Brooklyn Bagel, Rigatoni's, Shaws, Blue House Pizza, Derry Cinema and others as well. Those selected will be randomly drawn after the survey is completed and notification will be by address or email address.

15-168 Appointment to Energy Environmental Advisory Committee

**Chairman Cardon moved to appoint Cindy Peaslee as member of the Energy/Environmental Advisory Committee term to expire March 31, 2017, seconded by Councilor Katsakiores
Vote: 6-1-0 (Councilor Dimmock)**

15-169 Appointment to Highway Safety Committee

**Chairman Cardon moved to appoint Daniel MacInnis as a member of the Highway Safety Committee for a term to expire March 31, 2016, seconded by Councilor Katsakiores
Vote: 6-1-0 (Councilor Dimmock)**

15-170 ZBA – Rescind Appointment

**In accordance to Section 2.9 B of the Derry Town Charter, I move to rescind the appointment of Michael DeMeo as an alternate member of the Zoning Board of Adjustment – term to expire March 31, 2017
Motion by Councilor Cardon, seconded by Councilor Osborne**

Vote: 7-0-0

15-171 FY2017 Budget Discussion / Direction

Ms. Hickey explained the FY2017 budget deficit. However the prime membership had a 5% decrease of approximately \$56,000. Councilor Cardon stated there is still a \$650,000 hole to fix.

(Councilor Osborne excused himself and left the meeting)

Councilor Tripp referenced RSA 32:5-B I(a). Ms. Hickey explained she is checking but it appears the Town does not qualify for this RSA. The funds were used for a specific purpose.

Councilor Fischer reviewed the goals that were set for the FY16 budget which were excessive and there was a tremendous amount of input and discussion by council and public. There was valuable feedback. We value the services for residents in Town and believe the Council should continue to reduce taxes in a reasonable fashion. There is a Budget Advisory Committee and he has spoken to Barbara Reed of NHMA and viewed websites to get additional information to look at data. He provided a handout for the 2015 Tax Rates for Concord, Dover, Merrimack, Salem, Hudson, & Londonderry vs. Derry. There was discussion on proportional tax rates and digging deeper in terms of proportional cost on larger departments. There's a lot of information out there. The Council needs to provide direction for the Interim Town Administrator, staff and department heads. Derry's total tax rate is the highest but the Municipal rate is not the highest. He proposed to set as a goal of decreasing the tax rate by \$.15 for FY2017 budget. Councilor Cardon asked if this included the \$.28 that was already a deficit from fund balance. It was stated \$.15 + \$.28 which is a total of \$.43. There will be more discussion at the January 5th meeting. Ms. Hickey asked if they wanted the total dollar amount this equates to. Councilor Cardon replied yes.

Council Requests / Open Discussion

Councilor Tripp – There is a suit for Veterans program and there is also a program called Dash which is clothes for families that needs donations. He thanked the Rotary Club for doing this and wished everyone a Merry Christmas.

Councilor Fischer – announced the Derry Public Library Holiday Open House is from 6-8 p.m. Wednesday evening, 12/16. Councilor Fischer noticed there is public hearing on the agenda for the January 5th meeting regarding the Rail Trail Funding. He would like to see the CIP information and what other projects maybe requested before this vote.

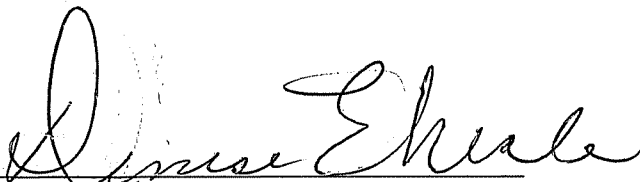
Councilor Dimmock wished everyone a Merry Christmas.

Councilor Bourdon –Highlighted some of the goals he would like to see discussed for next year (i.e. Moving Derry to Net Zero by 2025), new ideas from the community, and completion of the new website. *Ms. Hickey stated the new website will be up on January 1st.*
Councilor Cardon stated the Economic Development Committee will be hosting a Cable Show.

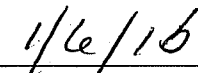
Councilor Bourdon - Another goal is to improve communication between the municipality and school. Happy Holidays
Councilor Cardon asked Councilor Bourdon for information on the on moving Derry to Net Zero.

Chairman Cardon wished everyone a Merry Christmas.

Adjournment 9:45 p.m.



Town Clerk



Date

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