

TOWN OF DERRY

Town Council  
Derry Municipal Center

February 19, 2013  
Tuesday-7:30PM

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7:00PM Collective Bargaining Strategy Session *(not open to the public)*

7:30PM Call to order

Pledge of Allegiance, Warning of Fire Exits, Handicap Access, Turn off all Cell Phones

**Roll Call:** Chairman Benson, Councilors Milz, Olbricht, Wetherbee, Fairbanks, and Kastsakiores (Chirichiello absent)

**Consent Agenda**

- 13-11 Approve Workshop Minutes – January 29, 2013
- 13-12 Approve Non-Public Minutes-February 5, 2013
- 13-13 Approve Minutes- February 5, 2013
- 13-14 Schedule Public Hearing- March 5, 2013- Municipal Water Rate Increase
- 13-15 Schedule Public Hearing- March 5, 2013- Authorize Town Administrator to apply for and accept grants from The NH Highway Safety Agency for DWI Patrols and Speed Enforcement Patrols

**Accepted as written**

**Chairman's Report** – Brad Benson

Mr. Benson thanked the staff and volunteers for all the work in making the Frost Festival a success.

Councilor Benson also extended condolences to the families of Chris Reisdorf and Attorney John Michaels.

**Town Administrator's Report** – John P Anderson

He received a notice from PSNH stating there would be helicopter inspections of transmission lines in Derry, Chester, Sandown and Danville

Town Staff has been busy preparing budgets. The CIP draft will be presented to the Planning Board on Wednesday, February 20<sup>th</sup>.

He has received excellent reports from citizens in regards to the good job Public Works has done for the last couple storms. The downtown business community is very happy.

In response to Mr. Trefethan's statement at your last meeting, that case has been appealed to Supreme Court. It should be noted that the jury found the town liable for \$2,900.00. The original request to the court was for \$700,000 but the jury awarded only \$2900.00 instead.

It is incredulous that Mr. Trefethan would complain about legal fees when he personally has filed several frivolous cases against the Town again. This is the first case out of 14 relative to this matter that we've lost.

Public Forum – Non Agenda Items

**Open Public Forum 6-0-0**

Lynn Perkins, Woodland St – Addressed question #4 on the School Ballot. This is a retention of 2.5% of unassigned fund balance. It needs to be applied for through the Department of Education, it also allows for return of money to tax payers for high tax spikes. He asked the Town Council if they would like to entertain a position on this.

Neil Deluca, Spollet Dr. – Appreciates what Town Council has tried to do with School Department. Taxes are unaffordable. He is very concerned over the school budget.

Lynn Perkins, Woodland St – Spoke on voter turnout during deliberative session, there were a few who voted and there is not enough public knowledge of the process. This is why the property taxes are going up. The public doesn't know what a deliberative session is. He suggested a board be developed to structure budget increases.

Al Dimmock High St – the people need to be educated as to why we need to vote and what they are voting for. It should be taught in schools.

**Close Public Forum 6-0-0**

Mr. Wetherbee also would like people to bring concerns to the school board directly. The Council has no authority over the schools or budget.

Public Hearing

13-07 Approve FY 2014 & FY 2015 Public Health Network Grant

Garret Simonsen – gave an overview of the grants provisions. The grant focuses on prevention programming and emergency preparedness.

**Open Public Hearing 6-0-0**

No Public Input

**Close Public Hearing 6-0-0**

**Move that the Derry Town Council approve the application for the FY2014 and FY2015 New Hampshire Public Health Network Grant in the amount of up to \$151,163 per fiscal year (\$85,783 for Public Health Preparedness and \$65,380 for Substance Misuse Prevention and Health Promotion) and authorize the Town Administrator to accept and expend the funds on behalf of the Greater Derry Public Health Network. Further, move that the Derry Town Council approve the application for the New Hampshire Charitable Foundation grant in the amount of up to \$20,000 per fiscal year and authorize the Town Administrator to accept and expend the funds on behalf of the Greater Derry Public Health Network.**

**Motion by: Wetherbee, seconded by Milz. Vote: 6-0-0**

Chief Garone and Sue Centner CATS Director - This is a program by state statute which has allowed the Derry Police Department to provide a take back of unwanted & unneeded prescription drugs. The Derry Police Department now has a receptacle at their facility thanks to CATS. CATS have assisted in the take back program and Derry has been recognized for being the town with the unwanted and unneeded prescription drugs collector in the county. These are grants given to CATS through the federal government. This is how they purchased a permanent drop box for the Derry Police Department's lobby.

New Business

13-16 Appointment of Town Treasurer

**Tabled until March 5, 2013**

13-17 Collective Bargaining Request

Larry Budreau gave an overview stating that the law allows mediation and fact finding. The new law allows union to approach the Town Council. Town Council has statutory right to accept and or deny the request. The Town Administrator, Attorney and Larry Budreau are advising against approval of this vote.

**Move that the Derry Town Council approve the February 12, 2013 request of the Professional, Administrative & Technical Employees' chief negotiator to make a presentation directly to the Town Council.**

**Motion by: Councilor Wetherbee, seconded by Councilor Milz**

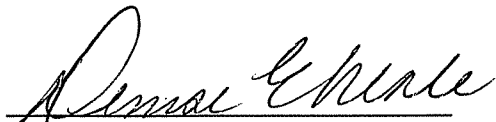
**Vote: 0-5-1 (Abstain Katsakiores)**

Council Requests / Open Discussion

Councilor Katsakiores had a point of interest. She stated how important it is to have a carbon monoxide detector in every home. She recently experienced an incident with her furnace, her detector went off, and the Fire Department responded. Her home had to be ventilated to remove the gas.

Chairman Benson wanted to speak on his own issues regarding the school and stated his personal feelings. The deliberative session was poorly attended - it could have been a wholesale cut. We need to continue working with the schools. The school district should be run like Town Council and have a strategy to stay on point. It is a community problem that Derry has to fix.

Adjournment 8:25 p.m.

  
Town Clerk

  
Date

## Workshop Discussion

Chairman Benson referred to an email that was sent to all councilors regarding open issues and future discussion. He is asking if everyone is in agreement or if they would like to add more to the list.

\*Open leases on the Opera House, Chamber of Commerce and Derry Housing & Redevelopment Authority – put back on agenda

\*Cable fund to assist schools for the future – there is a plan to do upgrades in the school system with assistance from the Town's IT Department. This is a cooperative effort.

\*Zoning sign ordinance – this is going before the Planning Board.  
Blight ordinance - Ask George and Chamber of Commerce for feedback

\*Centralizing dispatch for Police and Fire. Gather information for future budget cycle

\*Manchester Rd - property Pinkerton Tavern. Need to get it sold. Mr. Anderson stated that the town has hired a Real Estate firm to market the property. Timeframe to get on market is end of month.

\*E911 renumber and renaming of streets. We have asked for them to come and survey and map. The Town Council will receive the report when this done.

\*Request for additional Economic Development discussions – Would like to formulate an RFP for property downtown.

\* Town Administrator's contract renewal. Schedule a non- public to review contract - set a date and update goals.

\* Meetings & joint meetings with School District, Pinkerton Academy, and the Rockingham County. This should take place after Town Elections.

Workshop Adjourned 8:45 pm