

## TOWN OF DERRY

Town Council  
Derry Municipal Center

March 3, 2015  
Tuesday - 7:30 PM

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**6:30 PM Review Sealed Non-Public Minutes (March 2014–March 2015)**  
**Non-Public Session RSA 91A:3 (a)**  
RSA 91A:3 II (b)  
RSA 91A:3 II (c)

**7:30 PM** Call to order  
Pledge of Allegiance, warning of fire exits, handicap access, & turn off all cell phones

**Roll Call: Councilors Cardon, Fischer, Fairbanks, Dimmock, Katsakiores and Chairman Osborne (Councilor Bourdon-absent)**

### Consent Agenda

- 15-18** Approve Non-Public Minutes – February 17, 2015
- 15-19** Approve Minutes – February 17, 2015
- 15-20** Schedule Public Hearing – March 24, 2015 – Approve Zoning Amendments, Building Code, Section 165-22

**Consent Agenda approved as written**

### Chairman's Report – Mark Osborne

The School Facilities Committee has asked for a Town Councilor to be a representative and Councilor Bourdon has volunteered if all approve. All agreed.

Councilor Dimmock thanked everyone who had visited or sent well wishes during his surgery.

This is Councilor Mike Fairbanks last meeting as he is not a candidate for re-election. Chairman Osborne thanked him for his dedicated service to the Town. There were congratulations from all as each Councilor thanked Mr. Fairbanks individually.

Chairman Osborne answered the questions posed at the last meeting by the Council and public:

The Town Council Stipend is \$2,500 per year.

The amount paid out to employees for longevity pay is \$100,000.

The total overtime paid in the FY2015 budget is \$1.8M

The total buyback for health insurance for FY2015 is \$470,000.

The cost of remodeling the kitchen at the English Range Road Fire Station was \$11,577.

The VFW will host a "50's" dance on March 28. They will also be hosting a Town candidate forum on Friday, March 6.

The Town Administrator has reached out to the employee's unions for concession to prevent jobs elimination and each organization stated no discussion.

Chairman Osborne read a statement to the public regarding the upcoming budget discussion to put a few things to rest in hopes that the discussion regarding the upcoming 2016 budget will be productive.

## Town Administrator's Report – Galen Stearns

Read a memo from Mike Fowler regarding the battle with the snow storm budget. As of March 2 the budget is at \$671,641, which is 110% of the snow budget. With a potential refund from FEMA, the bottom line is still in favorable condition for Public Works.

### \*\*\*\*\* Initial Budget Presentation

Galen Stearns gave a PowerPoint Presentation:

On December 2, 2014 Council established a goal of reducing the Town's tax rate by \$2.50. December 16, 2014 the Council revised this goal to \$2.00. This resulted in decreasing the goal by \$1,245,000. Tonight's presentation is tentative and meets the Council goals; however this is a work in-progress through reduction in operational budgets. This task is to reduce but not eliminate services. Staff reductions are inevitable without concessions on salary.

Timeline for the FY2016 budget will be March 24 TA budget proposal, April 21 budget hearing, and May 5 budget hearing and adoption.

Total staff reductions are 39 FT & 7 PT for a total of \$6,005,000. One option for consideration is to change the fund balance policy. Presently we retain a 12.5% of un-reserved fund balance. The suggestion is to reduce this to 10% of un-reserved fund balance freeing \$2.7M to offset the tax rate. Other options are to reassess fees, regionalization of services and utility assessments.

Councilor Fischer – Questioned if he was correct by changing the unassigned fund balance policy this would cut the loss of positions in half.  
Mr. Stearns replied that is correct it would cut the \$6M in half.

Councilor Cardon asked what the minimum on unreserved fund balance is needed to be kept (DRA recommends the Town keeps between 8-17%).

Councilor Fairbanks – questioned the breakdown and asked if anything was brought forward to reduce costs without cutting positions or hours.  
Mr. Stearns stated there were but he wanted to show the ramification of personnel including reduced costs.

Councilor Katsakiores - would like the department heads to tell the Council what effect these cuts would be like for their departments. Mr. Stearns was not given this direction from the Council.

Ms. Katsakiores also asked if 'we' go with this plan, would the Fire Department keep the contract they presently have with the Towns of Auburn and Chester. Mr. Stearns replied they would not. Councilor Katsakiores stated that if all these cuts are made, losing police and fire personnel and asked how do we take care of the needs of the citizens as there is a lot they are used to receiving now and these cuts are too drastic.

Chairman Osborne asked Mr. Stearns if jobs could be saved by concessions. Mr. Stearns replied stating there aren't any at this time. Mr. Stearns said by averaging out we need to find \$88,000 per position that we would need to save.

## **Public Forum**

### **Open the Public Forum 6-0-0**

Richard Tripp, Windham Rd – The VFW will host their Town Hall Meeting on 3/6/15 at 8 p.m. Mr. Tripp and Karen Blandford-Anderson Heritage Commission Chair reviewed some issues with POW/MIA chair display. They suggested the location to be outside the Council Meeting room. Mr. Tripp will ask the American Legion to order a plaque to be displayed and will be meeting with Councilor Katsakiores to finalize its placement.

Mike Hughes, Gervaise Dr. – addressed the upcoming budget and has created a petition to prevent layoffs for fire and police. He was speaking as a concerned resident and asked at what cost would the taxpayers save money? There are a lot of questions everyone has. He asked that the Town Council consider the petition when received.

Lynn Perkins, Woodland St – He noted a decade of sprinklers for new homes were required however sprinklers were eliminated in new homes to make them affordable. There are many ways the budgets can be achieved. The school obligation is likely to increase \$1.37 next year due to a change in school funding from the state; there is a potential increase in the tax rate \$2-3. He asked, "How many showed up for deliberative session to stand up for their budget."

Steve Trefethen – thanked Mike Fairbanks for his service. He stated that he's not sure if it is a good idea to take the taxpayers savings to lower the taxes. Appreciates any help in tax relief.

Mark Flattes, Linlew Dr – Also thanked Mr. Fairbanks. Couldn't believe the unions would not work on these concessions. He believes the staff has the answers to a cost effective of service to the community.

Janet Fairbanks, Rose Ave – The union contracts are not in line for cost to Derry tax payer. The general fund has to have a certain amount of money in there and the Town's debt to ratio has to be sustained in order to obtain better interest rates for bonding. It's never a good idea to take money from the general fund. There are alternatives to these. She thanked Mr. Fairbanks for his service.

Chief Garone – He also Thanked Mr. Fairbanks for his service. Mr. Perkins comments brought a thought about the schools deliberative session, something happened there. There was a motion made by Mr. Perkins to reduce the budget it was defeated by a 2/1 vote. Those people were also taxpayers so there is a bit of a contradiction from what this council is hearing from the citizens. I can't help but think that would probably transfer over to the town.

Mike Gendron, Old Auburn Rd – Believes the method is totally wrong to get the tax rate down. Roughly \$400 would be saved annually at an extreme cost of services. Mr. Stearns works for the seven councilors and everyone behind him and hopes Mr. Stearns represent all of us. This is an extremely dangerous course of action. We have always brought more homes rather than business into this town and that's what we need to do.

Karen Blandford Anderson, Village Brook Lane (Heritage Commission Chair) – Supports the last two speakers. There are people out there who disagree with this method. In her neighborhood they are not having houses trouble selling their homes there may be other

areas of town having this issue. Although the Heritage Commission has a small budget no one has contacted her regarding this budget. She wondered what other entities have not been contacted.

Rick Metts, Dustin Ave – Thanked Mr. Fairbanks. Referenced cuts to Police, Fire and Public Works. Mr. Metts gave examples of possibilities and lack of coverage for each situation.

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

**Public Hearings –**

**15-16 NHDES Asset Management Planning Grant**

Tom Carrier this an application to apply for and accept an Asset Management grant for the inventorying and condition evaluation for infrastructure need in reporting into the federal permit sewer system report. This is asset management software.

**Open Public Hearing Councilors Katsakiores/Dimmock 7-0-0**

No input

**Close Public Hearing Councilors Osborne/Katsakiores 7-0-0**

**Move that the Derry Town Council enter into and approve the 2015 Asset Management Planning grant agreement with the New Hampshire Department of Environmental Services in the amount of up to \$15,000 to the Town of Derry and to authorize the Town Administrator Galen Stearns, to sign paper work associated with such grant on behalf of the Town.**

**Motion by Councilor Osborne, seconded by Councilor Katsakiores**

**Vote: 6-0-0**

**15-17 NHDOT Force Account Agreement**

Tom Carrier explained the project and changes of this pipeline in the State ROW caused by the extension of Rte. 93, so that this pipeline is has to be re-laid. The NHDOT will pay 20% which is \$3,042.53. They will be back later with construction portion when it's time in 2015-2016 timeframe.

**Open Public Hearing Councilors Katsakiores/Dimmock 6-0-0**

No Public input

**Close Public Hearing Councilors Katsakiores/Dimmock 6-0-0**

Councilor Cardon has read the RSA what is the other part that the town would have to pick up. Tom gave the details.

Councilor Osborne asked if this was included as part of the \$5M for Exit 4A?

Mr. Carrier replied no.

**Move that the Derry Town Council enter into and approve the Force Account Agreement with the State of New Hampshire by its Department of Transportation in a an amount estimated at \$3,042.53 to the Town of Derry and to authorize the Town Administrator, Galen Stearns, to sign paperwork associated with the execution of such Agreement on behalf of the Town.**

**Motion by Councilor Osborne, seconded by Councilor Katsakiores**

**Vote: 5-1-0 (Councilor Cardon)**

**Old Business –**

**15-07 Town Owned Property**

Dawn Enwright – there were two public hearings. One of the 18 properties has been repurchased by the previous owner. There were several issues that came up which Ms. Enwright reviewed.

**Move that the three properties listed on Attachment B be retained for Town use and authorize the Town Administrator to dispose of the Seventeen properties on Attachment A in accordance with the Town of Derry Code, Article V, Section 5-29.**

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

**Vote: 6-0-0**

**New Business –**

**15-21 Trustee to Taylor Library appointment**

**Chairman Osborne moved to appoint Jillien Klok as a Trustee to the Taylor Library for a term to expire March 2017, seconded by Councilor Katsakiores**

**Vote: 5-1-0 (Councilor Dimmock)**

**15-22 Planning Board appointment**

**Chairman Osborne moved to appoint Lori Davison as a member of the Planning Board for a term to expire March 31, 2016, seconded by Councilor Katsakiores**

**Vote: 5-1-0 (Councilor Dimmock)**

**Council Requests / Open Discussion**

Councilor Fischer – Asked that in the budget presentation as part of the reduction of the FY 2016 budget of \$6M, if the Council were going to consider applying and changing the policy of unassigned fund balance using the \$2.7M towards lowering the tax rate, he is in favor of giving direction to make this policy changed.

Councilor Fairbanks suggested looking at the feasibility of this change. "It's not responsible to use fund balance for taxes."

The Council asked the CFO Susan Hickey how she would feel about this action.

Councilor Katsakiores – In the General Court Calendar the State's Finance Committee is having meetings so that the public can see how their budget operation works. They will be hosting one at the Derry Municipal Center Monday, March 9 @ 5pm.

Councilor Cardon- Asked about discussion on putting Abbott Court back on the tax rolls. County Commissioner Coyle spoke about integrating dispatch and he thinks town should look into this.

## Meeting with Boards & Committees Agenda

The Chair of each board / committee made a short presentation on 2015 goals.

**Present: Maureen Reno, Marc Flattes-EEAC, Karen Blandford-Anderson-Heritage, Lynn Perkins-Zoning, David Granese-Planning Board.**  
**(Submitted Goals: Conservation Commission, Derry Housing and Redevelopment Authority- See attached)**

**EEAC** Maureen Reno – gave overview of committee’s activities.

Goals: Continue to serve community through education and outreach efforts.

Continue to work with go green to educate town of new transfer station and recycling program.

Advice and support town on saving on energy costs.

Explore ways to work a solar power ray on old landfill

Work with local school and advice on energy costs.

Seek and evaluate new technologies to save on energy costs.

Councilor Fischer – asked if they had explored “Rain Bank” this company provides all equipment and captures water from buildings. Ms. Reno replied they had not.

**Heritage** – Karen Blandford-Anderson- Heritage Commission

Goals: More visibility of the Derry History Museum (Has a new Curator, more consistent hours, more displays around town, new website and Facebook page)  
MIA/POW Chair (work with Rolling, Thunder, VFW and American Legion, location tentative dedication April 7, 2015 @ 6:15 p.m.  
Establish a 300<sup>th</sup> Anniversary Committee to take place in 2019

**Zoning** – Lynn Perkins

Goals: Continue to educate new members

Recommend zoning ordinance changes to the Planning Board that may no longer align with the goals of the community.

Policy and procedure changes that may no longer align with state statutes

**Planning Board** – Dave Granese

Goals: Update requirements for residential buffer zones(second Public Hearing 3/4/15)

Review building height restrictions downtown(5<sup>th</sup> workshop 3/4/15)

Review permitted uses in CBD & TBD Overlay (workshop 3/4/15)

Review uses in Industrial IV zone-updated effective 2012

Review revised parking calculations(2<sup>nd</sup> Public Hearing 3/4/15)

Review revised permitted uses allowed General Commercial Zone

Hold ongoing discussion regarding Mixed Use zoning

Completed: Revised Zoning Ordinance with new Property Maintenance Code, updated Sign Ordinance, and Livestock Ordinance.

2015-2016 - Review overall zoning in different districts in town including town lines.

Revise ordinances to be compliance with Legislative changes.

Councilor Cardon asked if a moratorium could be put on multi-family housing. Mr. Granese replied that we have been working on it. The zoning ordinance needs to be changed. There is an issue.

Councilor Fairbanks asked about Central Business District for Charging Stations. Marc Flattes replied the EEAC reviewed paperwork. He has reached out to the parties to review the grant.

Councilor Dimmock asked questions regarding solar panels in the old landfill. Marc Flattes stated that an RFP was put out. The EEAC has reviewed and we have given our results and turned over to Mike Fowler. Mr. Stearns and Mr. Fowler will review.

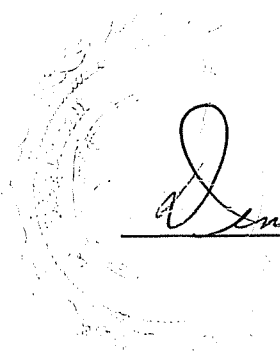
A "Rain Bank" was a recommendation of the EEAC for the new transfer station.

Karen Blandford-Anderson – Heritage  
Dedication for MIA/POW April 7<sup>th</sup> prior to Council Meeting, new brochures and website.

Councilor Cardon – asked duties of election. Mr. Osborne will have the Clerk advise. Reminder next Town Council Meeting is March 24, 2015.

Mr. Fairbanks motioned adjournment.

Motion to adjourn 9:45 pm



*Denise E Neale*

Town Clerk

*3/31/15*

Date

Recording & Transcription by: Denise E Neale, Town Clerk