

TOWN OF DERRY

Town Council
Derry Municipal Center

April 1, 2014
Tuesday - 7:30 PM

7:00 PM Non-Public Session 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, Katsakiores, Dimmock, Bourdon and Chairman Osborne

Consent Agenda

- 14-29 Approve Minutes – March 18, 2014
- 14-30 Elderly & Disabled Tax Deferrals
- 14-31 Two (2) consecutive Public Hearings – April 15, 2014 relative to the following:
 - 1) A proposed Community Development Block Grant application to the New Hampshire Community Development Finance Authority for up to \$12,000. The funds will finance an engineering study of the infrastructure of the Frost Residents Cooperative, a 30 unit manufactured housing community located at 139 Rockingham Road.
 - 2) Residential Anti-displacement and Relocation Assistance Plan.

Corrections were referenced to the Meeting Minutes of March 18, 2014 as follows: Page 2 vote on #14-27 Councilor Cardon thought it should be 6-0-1. ***(Vote was recorded incorrectly after review of minutes vote should be 5-0-2 (Fischer, Bourdon)***

Page 5, paragraph 6, Chairman Osborne referenced a statement in the minutes regarding the suggestion of a sub-committee to draft an advertising campaign as a motion. ***(However this was not recorded as a motion but rather a statement)***

Consent Agenda approved.

Chairman's Report – Mark Osborne

Stated how the Town Council was to proceed and a collective agreement was made for the new seating arrangements. This Council will work as a team.

Going forward in the event a Councilor would like to present an agenda item they may contact the Chair or Chair Pro-Tem.

At the last meeting, there was a unanimous approval on the qualifications and the budget was set at \$2,000.00 for the Town Administrator search. The ad is presently posted on Simply Hired, Monster.com, New Hampshire Municipal Association, New Hampshire Management and the Town of Derry website.

Chairman Osborne thanked all the Councilors for their work and settlements in moving forward with the search.

Town Administrator's Report – Larry Budreau

At the last public forum, it was suggested by a resident to call the police or fire business lines instead of calling 911. In case of an emergency, call 911 - do not call administrative business line

The NHMA Workshop for Local Officials in 2014 is scheduled on May 10th from 8:30 – 4:00 in Concord, NH. Mr. Budreau has provided the copy of the table of contents. There is no fee for registration unless you register and do not go. Then there is a \$20.00 charge. He encourages all members of the Town Council to attend. Sheila Bodenrader or Mr. Budreau will assist in getting the Councilors registered if interested.

There is a project coming along for the extension of water & sewer on Rte. 28 south from Webster's corner to By-pass 28 north of Webster's corner. Design work has been completed. A cross country easement needs to be obtained as well as a water booster station. Eight (8) bids have been received for this project. American Excavating has been awarded the bid and we are confident that the project can be completed with the \$5,585,000, which has been previously approved. A competitive Bond Sale of \$3,440,000 is scheduled for 4/9/14 with a closing date of 4/17/14.

We received our new rating from Standard and Poor and we have gone from an AA to an AA+. This will secure a lower interest rate for 20 year Municipal Bonds. This rating was based on Derry's strong economy, strong management environment and good financial management.

On May 6th, Council approval for the two easements of the project will be sought, one for the cross country section and one for the booster station.

******* FY2015 Budget**

Larry Budreau opened his presentation with the following;
Local government is diverse and complex and he asked the Council to read the mission and objective statement for each department.

Mr. Budreau presented a power point presentation which showed comparable communities by population. This is important to look at when looking at pay levels, the quality of service, service levels and cost. The presentation showed Town services appropriation per capita which ranged between \$51M - \$23M with Derry being \$39M. Derry is right in line with surrounding communities. In looking at the increase in Town services from taxes from 2005 – 2013, Derry is 1/3 less than other towns. Town Services from 2006-2014 - Derry's taxes increased by only 10.8% although the CPI increased by 19.1%. In total assessed valuation, Derry is in next to last place of assessed valuation compared to surrounding communities. Mr. Budreau gave examples of how this could fluctuate the tax rate based on raising \$24,522,561.

This budget will provide the same level of services to which our community is accustomed. It invests in an important proactive approach to the future development of Derry. This budget funds reasonable and overdue union contract settlements, continues a prudent pay as you go approach to infrastructure, maintenance and improvements. It maintains a measured investment approach to capital items, replacements and new capital projects.

The Total FY2015 Budget is \$36,989,448 which is 0.2% less but projected revenues is down slightly, which gives the Town a tax rate of \$10.41. However, we have been notified by two of the insurance providers that there is a decrease in payment of \$51,000 less than the prior year. Therefore the tax rate will be the same as the last two fiscal years at \$10.39.

Public Forum

Open Public Forum 7-0-0

Al Schnitzlein, Bayberry Lane – Last Tuesday's meeting was outstanding and respect was shown to each other.

Candice Westgard – She is in the process of purchasing property on Nutmeadow Lane and there appears to be a title Infringement with plot plan 1987. She is looking for some direction on how to get this solved. (She will contact Mr. Budreau)

Marc Flattes, Linlew Drive - The meeting for the ad campaign was excellent work together by the Council. He would like to see budget come in \$1M lower.

Brian Chirichiello, Rollins Street – questioned the Councilors who have not responded to his email and thanked those who had. In his email he asked for an opinion of importance of the downtown.

Steve Trefethen, North Shore Road – he is concerned in regards to emails without full disclosure. He appreciates the Council working closely together. The taxes are high for residents and commercial owners. School budget is 2/3 of the tax bill. He asked the Town Council to look into what can be done.

Mike Gendron, Old Auburn Road – Is opposed to seeking new town administrator without using a staffing firm. He spoke regarding on a statement that was made at a prior meeting. He asked the Council to reconsider the method for the town administrator search.

He also provided some information on Abbott Court in regards to a prior creation of an RFP. The Downtown Committee has disbanded and he is trying to resurrect it. Councilor Cardon would like to see it resurrected.

Chairman Osborne responded to concerns regarding a Councilor's statement at the last meeting that it was certainly done with good intentions and there were no advertisements created or resumes received when the statements were made.

Janet Fairbanks, Rose Avenue –Welcomed the new Councilors. She would like Council, before budget session begins, to see about getting "current use" penalties that are collected be given back to Derry tax payers instead of the Conservation Commission. She stated she had briefly heard something about a fire station downtown and gave the history of the closed downtown fire station and said at one time there was supposedly going to be a new one built by the Birch Street Tennis Courts.

Close public forum 7-0-0

Public Hearing –

14-12 Review of Town Owned Property – 2nd Public Hearing

Open Public Hearing (Councilor Katsakiores/Councilor Dimmock 7-0-0)

Marc Flattes, Linlew Drive – He asked for an answer from the last meeting regarding if the property had already gone to auction could the town sell the property. Mr. Budreau replied that the Town Code states the property must go by sealed bid process or public auction. He doesn't interpret the code to list the property by a real estate agent. However, a real estate agent could be utilized to assist in the sealed bid process.

Steve Proulx, Featherbed Lane – Spoke regarding the Featherbed Lane property. He feels it that makes more sense to go through the RFP process to get this property purchased. There should be standards for particular bids.

Councilor Fairbanks would like to look deeper into Code 59.2 and what it reads. He feels discussion should be held off as more education is needed on the subject.

Nicole Shattuck, Orchard Drive - Asked who would be in contact with the neighbors for this property when it goes up for auction/sale as she abuts these 5.5 acres and would be interested in bidding so it stays undeveloped. Mr. Budreau replied there would be a sign placed on the property.

Janet Fairbanks, Rose Avenue – She referenced information provided in the staff report of 3/4/14 regarding a future fire station. She objects to this as it would not put the property back on the tax rolls. The tax deeded properties sent to auction do not recover true value and should be given to real estate agents.

Steve Trefethen, North Shore Road- He echoed Mr. Flattes and Ms. Fairbanks comments. He also made suggestions in regards to the Featherbed Lane property. He commented on Abbot Ct. /Central St properties and the downtown parking during the winter parking ban from November 15th – April 1st.

Close Public Hearing (Chairman Osborne/Councilor Dimmock 7-0-0)

Old Business –

14-23 Review Central Court / Central Street properties

Chairman Osborne asked the Council for their thoughts on these properties.

Councilor Cardon – would like nothing but a park. Best idea for a new fire station is a central location.

Councilor Fischer – none at this time

Councilor Fairbanks – being sold and pursue an RFP for development

Councilor Bourdon – feel it is important to get it right. Need an economic development team and invite more viewpoints into the group. He doesn't feel qualified to be making suggestions, should sell.

Councilor Dimmock – does not want a park or more parking. It should be sold and put on the tax roll.

Councilor Katsakiores – We need to hire an Economic Developer.

Chairman Osborne – Council needs to schedule a workshop on this property to find the most appropriate use for it.

Councilor Fairbanks reminded that one of the goals was zoning in the downtown.

Mr. Budreau stated he cannot encourage the Council more to hire an Economic Development Coordinator. He has put this in the FY 2015 budget.

Chairman Osborne will put a workshop together with some items to consider and who should attend and advise. Councilors agreed. Mr. Budreau will schedule the workshop in the future.

Close discussion. (Chairman Osborne, Councilor Dimmock: all agreed)

13-122 Search for new Town Administrator

Chairman Osborne stressed the confidentiality of these candidate applications. With the assistance of the staff, he has drafted a pledge for all of the Town Council to sign that these candidate applications will remain confidential.

Discussion was on the process for review of the application, creating an evaluation form and the checklist that was created by Mr. Budreau of the process.

Suggestions: Whether review of the applications should be done during a complete board, non-public or Councilors may review individually. There will be a grading scale for which the candidate application moves to the next level. Blacking out the name and addresses and using a numbering system.

It was agreed that a comprehensive evaluation form be drafted and the steps for review.

New Business –

14-32 Appointment of Administrative Representative to Planning Board

Move to reappoint Randall Chase as the administrative representative to the Planning Board.

Motion by Chairman Osborne, seconded by Councilor Katsakiores

Vote: 6-1-0 (Councilor Fischer)

14-33 Appointments to Boards & Committees

Conservation Commission

Member: Eileen Chabot Expires 2017

Vote: 6-1-0 (Councilor Katsakiores)

Member: Riccardo Buzzango Expires 2017

Vote: 4-3-0 (Councilors Fischer, Katsakiores & Osborne)

Derry Housing & Redevelopment Authority

Member -Janis Del Pozzo Expires 2019

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

REDC Loan Review Committee

Lauren Neves Expires 2015

John Phelan Expires 2015

Joel Olbricht Expires 2015

Robert Gorham Expires 2015

Vote: 7-0-0 for all

Energy/Environmental Advisory Committee

Members: Maureen Reno Expires 2017

Vote: 7-0-0

Member: Jim Ricker Expires 2017

Vote: 7-0-0

Member: Tom Morini Expires 2016

Vote: 7-0-0

Heritage Commission

Member: Karen Blandford-Anderson Expires 2017

Vote: 7-0-0

Member: Mark Mastromarino Expires 2017

Vote: 7-0-0

Alternate: Roger Konstant Expires 2017

Vote: 6-1-0 (Councilor Fairbanks)

Highway Safety Committee

Members: Thomas Caron Expires 2015

Randall Chase Expires 2015

Michael Houghton Expires 2015

Donald Burgess Expires 2015

Walter Deyo Expires 2015

Matt O'Malley Expires 2015

Vote: 7-0-0 for all

Planning Board

Member: Darrell Park Expires 2017

Vote: 6-1-0 (Councilor Fischer)

Member: Jan Choiniere Expires 2017

Vote: 6-1-0 (Councilor Fischer)

Alternate: Marc Flattes Expires 2017

Vote: 7-0-0

Southern NH Planning

No Candidates

Zoning Board

Member: Allan Virr Expires 2017

Vote: 7-0-0

Member: Teresa Hampton Expires 2017

Vote: 7-0-0

Alternate: Heather Evans Expires 2017

Vote: 7-0-0

Alternate: Michael DeMeo Expires 2017

Vote: 7-0-0

Alternate: Scott Burt Expires 2016

Vote: 7-0-0 (Councilor Katsakiores made it unanimous)

Alternate: Stephen Coppolo Expires 2015

Vote: 7-0-0

14-34 NH Fish & Game OHRV Patrol Grant

Chief Garone – gave an explanation on this grant. He stated that they are applying if approved but it is not a given that they will receive this grant.

A questioned was asked, "What would happen if the grant came in more than \$5,000?"

Mr. Budreau replied it would have to come back to the Council for approval.

Move to grant authority to the Acting Town Administrator to apply for, accept and expend on behalf of the Town, the FY 15 NH Fish and Game grant and to execute

on behalf of the Town all associated contracts or documents without further Town Council action.

Motion by Chairman Osborne, seconded by Councilor Katsakiores

There was discussion.

Councilor Dimmock re-read the motion and it was seconded by Councilor Bourdon

Vote: 7-0-0

14-35 Review public forum policy/practice

Councilor Fischer wanted general information on the practices and protocol of the Public Forum as he doesn't understand the lights. Councilor Dimmock explained the past procedure and the meaning of the lights. Councilor Fischer agrees that they need to listen to the residents. His concern is if there are questions that can't be answered or given an immediate response, how this is handled. Also, that the Public Forum dialogs not create new agenda items or policy issues to be deferred to a future agenda. Chairman Osborne appreciates his concerns and will try to guide the discussion when necessary. He has had discussion with the Town Clerk and the lights have been set from 3 to 5 minutes to assist with time and moving the meeting forward.

(Motion to Extend Councilor Dimmock, Councilor Osborne 7-0-0)

14-36 Anti-Blight Ordinance

In the packet is an article from a local newspaper dated 12/11/08 "Derry to consider Blight Ordinance. Chairman Osborne would like for the Council to work this through. He has been researching the RSA's and can't find one that either authorizes or not this ordinance. He would like to establish a committee to explore if it is feasible or not and secondly if it is feasible start putting together a Blight Ordinance. The committee would consist of two Town Councilors, Chief Klauber, Bob Makey and if approved someone from the Downtown Committee. The Committee would develop a proposal and bring it before the Town Council and the Council would vote on it.

Discussion: Councilor Katsakiores offered to serve on the Committee. Mr. Budreau suggested adding the Planning Director, George Sioras to the Committee. Also, he asked the Fire Chief to contact the Town's Counsel to briefly look into this.

Motion by Chairman Osborne to establish a Blight Ordinance Committee, consisting of two Town Councilors, the Fire Chief, Code Enforcement Director, Planning Director and a person from the Downtown Committee, seconded by Councilor Fairbanks. All agreed

Appoint Councilor Katsakiores and Councilor Cardon to the Blight Ordinance Committee. All agreed

Council Requests / Open Discussion

Councilor Dimmock handed out a copy of Chapter 72.

Motion to extend until 10:10 p.m. (Councilor Fairbanks, Councilor Bourdon)

Councilor Dimmock would like to increase the Veteran's tax credit another \$100. He would like to have this put this on an upcoming agenda.

Councilor Katsakiores has been in contact with the Legislator from Londonderry about the plaque to be placed on the bridge for the hero and it is set for May.


Councilor Cardon – Attended the Conservation Commission meeting and there will be a town wide clean up held the week of 4/13/-4/20.

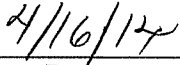
Councilor Fairbanks would like to take a look at the Town Charter for cleanup sometime between June – September and also review Town Council goals.

Councilor Bourdon – There is local business grand opening on 4/5 at 10AM “Grind Rail Trail Café” on Manning St.

Chairman Osborne – On 4/15/14 there is a non-public meeting for collective bargaining strategies. Everyone should review the contracts.

Adjournment 10:20 p.m.


Town Clerk


Date

Transcription and Recording: Town Clerk, Denise E Neale
Review by: Acting Town Administrator, Larry Budreau