

TOWN OF DERRY

Town Council
Derry Municipal Center

May 2, 2013
Thursday - 7:30 PM

Non-Public Session under RSA 91A:3 II (c) Matters which, if discussed in public would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting

7:35 PM Call to order

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

Roll Call: Councilors Cardon, Osborne, Dimmock, Benson, Wetherbee, Katsakiores and Chairman Fairbanks

Consent Agenda

- 13-39** Approve Non-Public Minutes – April 16, 2013
- 13-40** Approve Minutes – April 16, 2013
- 13-41** Approve Budget Review Minutes – April 18, 2013
- 13-42** Approve Budget Review Minutes – April 22, 2013
- 13-43** Approve Budget Review Minutes – April 25, 2013
- 13-44** Veterans' Credits / Elderly Exemptions (Approved 7-0 in Non-Public session)
- 13-45** Schedule Public Hearing – May 21, 2013 – Supplemental appropriation of \$450,000 to acquire downtown property for economic development and a \$50,000 related budget transfer
- 13-46** Schedule Public Hearing – May 21, 2013 – Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section 150-5 (1) Limited Parking Highland Avenue Acquisition

Accepted

Chairman's Report – Michael Fairbanks

- Pinkerton Academy will install night lighting at upper athletic fields – should be available on September 13, 2013
- Q) Status of a Council liaison to Pinkerton Academy Board of Trustees? A) Town Administrator reported that the Board has approved the request; now awaiting communication from the Headmaster
- Q) Will any Town Councilors attend NH Attorney General's workshop on Trust Fund Management? (If more than four are attending, will need to file a notice under RSA 91-A.)
- Invited John Burtis, 19 Lorri Road, to speak about a Derry resident - National Guard 1st Sgt. Bernard Madore responded spontaneously at Boston Marathon finish line disaster. Mr. Burtis requested that the Town recognize 1st Sgt. Madore

Town Administrator's Report – John P. Anderson

Director of Public Works Michael Fowler reported on the status of the Beaver Meadow Dam. A leak was reported on April 29. New Hampshire Department of Environmental Services is assisting Derry engineers in assessing damage and developing action plans.

Public Forum – Non Agenda Items

Motion to Open Public Forum by Councilor Osborne, seconded by Councilor Katsakiores

Vote: 7-0-0

Kelley Martin – 6 Bayberry Lane – Town services may represent 1/3 of the tax rate but are still significant, Town Councilors who were unhappy with the pace of budget workshops may be in the wrong role, downtown economic development efforts have been unsuccessful so far, Taylor Library – can we afford the luxury of duplicate services? - Town Councilors should work together

Maureen Rose – 115 Windham Road – Would have appreciated current Council discussion about the \$4.5 bond for Rockingham Rd / Transfer Station / Water & Sewer extension - (Town Administrator described timing of bond resolution in May 2012) Town should beautify downtown with trees, plants and bushes

Kevin Coyle – 68 North Shore Road – Hope that Council plans to publicize its plan to spend \$500k to purchase downtown property and that the public is able to provide input on the pending Teamsters' collective bargaining agreement approval

Janet Fairbanks – 1 Rose Avenue – Recent bonding issue was not properly noticed pursuant to RSA 33:8-d - Bond approval was part of the FY13 budget hearing, and not specifically addressed (Councilor Osborne remarked that Agenda Item 13-25 only addressed Municipal Center refinancing) (Town Administrator addressed timing of bond resolution) – Questioned status of retired Councilor Chirichiello's Ipad (Chairman Fairbanks is awaiting response) (CFO Childs described the bond approval process, including its review by outside bond counsel) Dialog followed – Town Administrator, CFO, Councilor Cardon, Councilor Osborne re: Agenda Item 13-25, Councilor Fairbanks, Councilor Dimmock regarding bond timing, issue cost, communication to Council when prior resolution precedes bond issue by a year. Town Administrator will endeavor to make the process clearer in the future.

Kevin Coyle – 68 North Shore Road – Process was legal but concerned that Town didn't issue a notice of a specific public hearing

Janet Fairbanks – 1 Rose Avenue – The notice provided to me does not mention the issue of a bond for the Transfer Station. (Presented to the Council and requested that it be part of the meeting record.)

Maureen Rose – 115 Windham Road – Perhaps there should be a statute of limitations between bond resolution and bond purchase?

Motion to Close Public Forum by Councilor Dimmock, seconded by Councilor Cardon

Vote: 7-0-0

Public Hearings -

13-47 Proposed FY2014 Budget & Capital Improvement Plan

Town Administrator Anderson provided a summary of the Council's budget workshops, which result in a \$0.09 increase to the tax rate.

Councilor Benson mentioned that the Council still has to vote on the Town Administrator's salary – can be done at May 14 meeting

Motion to Open Public Hearing by Councilor Wetherbee, seconded by Councilor Katsakiores

Vote: 7-0-0

Maureen Rose – 115 Windham Road – Supports Police and Fire, maybe Town could shop around for police cruisers and get volume discount or sponsor – perhaps use part-time police officers to control overtime – Taylor Library – should use their reserve funds – shouldn't give Cable funds to school - maybe close Channel 6 and move programming to Channel 17 & 23 - recommends level funded budget (Councilor Fairbanks commented that transfer of Cable funds to school will result in direct tax reduction)

Kevin Coyle – 68 North Shore Road – Stated that Derry has the highest tax rate for Town services – double that of some neighboring communities, have to make difficult decisions – Police Department doesn't need new cars – should cut Fire Dept. personnel – should cut funding for Farmers Market – what are plans for \$30,000 in Economic Development budget? – it's not effective to have an Assistant Town Administrator – on the fence about Taylor Library – so far all Council has done is cut \$24,000

Kelly Martin – 6 Bayberry Lane – Council should consider scaling Taylor Library back to encourage a transition to private funding – acknowledged Town Clerk's volunteering to reduce salary - there is a place for volunteerism, creativity, cross training

John Burtis – 19 Lorri Road – Doesn't make sense to increase taxes – can we consolidate maintenance functions? – use County dispatchers? - review the Directors in Fire Department – review Fire Department equipment purchases – why do citizens have to pay for ambulance transports? – analyze end of fiscal year purchases – consolidate Derry Public and Taylor Library – review DPW – review Fire station locations

Janet Conroy – 16 High Street – Missed last year's Cable workshop – be cautious about using Cable funds outside of Cable - recommends a Council workshop on Cable – Councilors should understand Cable's 5 year plan

Tony Lang – 7 Robin Road – Appreciates Town Administrator's unpopular proposal (Taylor Library) – supports creative solutions to reduce tax rate

Joel Olbricht – 9 Colony Brook Lane – Supports the budget, closing the year with ½ percent surplus – too close for comfort to handle emergencies like Meadow Brook Dam – concerned about \$50,000 cuts to overtime, how does Council arrive at that number? what is cut targeted at? – Town should not use fund balance to lower the tax rate

Janet Fairbanks – 1 Rose Avenue - Farmers Market was never intended to cost the Town money - some other communities operate with outside organizations – perhaps cut funding to \$5000 and direct the Town Administrator to keep the market open – In general, Councilors have to think outside the box when considering the budget

Motion to Close Public Hearing by Councilor Katsakiores, seconded by Councilor Osborne

Vote: 7-0-0

New Business –

- 13-48** Appointments to Boards & Committees
- A) Thomas Morini was appointed to the Energy/Environmental Committee as an Alternate Member for a two year term to expire March 2015. Moved by Councilor Fairbanks, seconded by Councilor Katsakiores
Vote: 7-0-0.
 - B) Janis Del Pozzo was appointed to the Heritage Commission as a Member for a three year term to expire March 2016. Moved by Councilor Fairbanks, seconded by Councilor Katsakiores
Vote: 6-0-0.

13-49 Approve Teamsters Local #633 Collective Bargaining Agreement

HR Director / Assistant Town Administrator Budreau presented a Staff Report. He recommended that Councilors and public view the proposed agreement on the Town's website and take action at the May 14 Town Council meeting.

Council Requests / Open Discussion

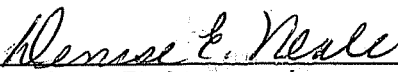
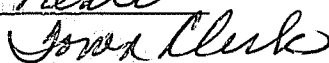
Councilor Osborne appreciates the public's concerns. He did not use a formula but believed that recommending \$50,000 decreases to overtime was a good place to start.

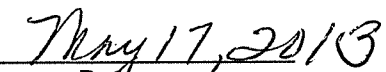
Next Town Council meeting is Tuesday May 14, 2013.

Motion to convene a Non-Public session under RSA 91A:3 II (d) by Councilor Wetherbee, seconded by Councilor Dimmock

RSA 91A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Adjourned 9:40 PM


Larry Budreau



Date

Prepared by Larry Budreau, HR Director / Assistant Town Administrator
Reviewed by John P Anderson, Town Administrator