

TOWN OF DERRY

Town Council
Derry Municipal Center

June 17, 2014
Tuesday - 7:30 PM

6:30 PM Collective Bargaining Strategy Discussion (Not open to public)

7:15 PM RSA 91A:II (c)

7:30 PM Call to order

Pledge of Allegiance

Roll Call: Councilors Cardon, Fischer, Fairbanks, Bourdon, Dimmock, Katsakories and Chairman Osborne

Consent Agenda

- 14-77 Approve Workshop Minutes – May 27, 2014
- 14-78 Approve Special Meeting Non-Public Minutes – June 2, 2014
- 14-79 Approve Non-Public Minutes, Sessions I & II – June 3, 2014
- 14-80 Approve Minutes – June 3, 2014
- 14-81 Approve Non-Public Minutes – June 10, 2014
- 14-82 Waive Unpaid Property Taxes

Accepted as written

Chairman's Report –

NH Department of Transportation – will be providing information on the Rt. 93 widening- project at the July 15th meeting @ 6:30 p.m.

Town Administrator Search Update – The Town Council has put in many hours to find the right candidates for the Town Administrator position. The two finalists are Richard Brown and Stephen Eldridge. They have agreed to answer questions from the employees of the Town on Thursday @ 2 p.m. Citizens can attend a public forum which will be held Thursday @ 6 p.m. at the Derry Municipal Center.

Town Administrator's Report –

Downtown Parking Signs – Wall St parking is accessible from Railroad Ave and Wall St. Some of the parking signs on Broadway are obscured by trees. These signs are in need of refreshing. **Town Council agreed the signs should be blue with a "P".**

On June 20th from 2-4 p.m. the community and the Town Council are invited the Derry Rotary to celebrate their gift of the Pavilion at Don Ball Park to the Town. Members of the community can contact Derry Parks and Recreation @ 432-6136 for more information.

Update on the environmental monitoring of contaminated sites in Derry, particularly areas of Sanmina, Shamrock Cleaners, DiFeo & Palmer Oil and the Municipal Center. Mr. Budreau has spoken to Mike Fowler and Craig Durrett and all of these sites are managed by the DES. Manning Street hasn't needed monitoring,

however there is a monitor on site. He would like Public Works to give an update at the July 15th meeting.

Mr. Budreau was approached by an employee as to what the Town's sentiment was regarding political candidates coming into Town offices. He referred to a memo from Jim Turse, Assistant Town Administrator, back in 2004 in which the Town denied requests for political campaign activities within Town facilities. He referenced RSA 659:44A, Electioneering by Public Employees, while performing their duties and gave examples. Mr. Budreau will continue with the practice that was started in 2004. Council agreed.

Public Forum

Open Public Forum 7-0-0

Marc Flattes, Linlew Dr – Would like to see if the Town Historian could view the statues recently completed at the Barka School. He asked if there is any handicap parking downtown? Chief Garone replied, yes.

Mary Till, Old Chester Rd – Took the invite from the last meeting for representatives to come to introduce themselves. She follows the meetings on Cable 17. She spoke on what she has learned in her first term as a Derry Representative. She asked if there was any consideration of having a bi-annual budget that would allow Council more time to work within the budget before revision and identify ways to save money.

Councilor Fairbanks asked if it was state statute that required an annual budget?

Kelly Martin, Bayberry Lane – spoke on facilitating seated candidates using the Municipal Center. She was dismayed by the Memorial Day Parade allowing campaigning in the parade.

Steve Trefethen, North Shore Rd – gave some suggestions for the new Town Administrator and how this person can oversee some of the departments and cut cost in salaries. He also referenced the School Board and thanked the Council for their work.

Joel Olbricht, Colony Brook Lane – has read articles about the Land Use Tax and believes it should stay with the Conservation Commission to maintain open land.

Close Public Forum 7-0-0

Public Hearings –

14-69 Revise Chapter 55 of the Code of the Town of Derry-
Food Service Establishments

Open Public Hearing – Councilors Katsakories & Dimmock

No public Input

Close Public Hearing – Councilors Katsakiores & Fairbanks

Mr. Budreau explained the primary change is that food service establishment licenses issued shall be valid for one year from date of issue instead of expiring on March 31st. There are also minor changes to the classification of food establishments.

Paul Raiche answered some questions from the Council. Councilor Cardon asked for thoughts on whether the Town Code could require that each licensee employ a Certified

ServeSafe person. Mr. Raiche replied that he could confer with the State, and believes that it could be a future amendment to the Town Code.

Move that the Derry Town Council amend Chapter 55 Food Establishments of the Code of the Town of Derry.

Motion by Chairman Osborne, seconded by Councilor Katsakiores

Vote: 7-0-0

14-73 Accept funding from US Department of Justice, Bureau of Justice Assistance, for personal body armor under the Bullet Proof Vest Partnership Program

Open Public Hearing – Councilors Fairbanks & Katsakiores

No public input

Close Public Hearing – Councilors Katsakiores & Fischer

Chief Garone gave background on the program and answered questions asked by Council such as recycling to another person. Chief Garone answered they are tailored.

Chief Garone wanted to speak regarding the handicap parking spaces. There are designated HCP in lots around Town; however, a handicapped person can park in any space available.

Move to grant authority to the Town Administrator to accept on behalf of the Town without further action by the Town Council, grant funds associated with the United States Department of Justice, Bureau of Justice Assistance, FY14 Bulletproof Vest Partnership Program in the amount of \$8,075.

Motion by Chairman Osborne, seconded by Councilor Katsakiores

Vote: 7-0-0

Old Business –

14-71 Land Use Change Tax

This discussion is in regards to having a public hearing in regards to the Land Use Change Tax.

Move that the Derry Town Council schedule a public hearing to change the percentage of Land Use Change Tax revenues be placed in the special revenue fund Conservation on September 2, 2014.

Motion by Chairman Osborne, seconded by Councilor Dimmock

Vote: 7-0-0

Councilor Fairbanks read a letter to Council in regards to this matter on behalf of Janet Fairbanks, Rose Ave. A copy of this letter and maps were provided by Ms. Fairbanks to the Council members.

New Business –

14-83 Zoning Board of Adjustment Appointment

Move to appoint Katherine Prudhomme-O'Brien as an alternate member of the Zoning Board of Adjustment for a 2-year term to expire March 31, 2016.

Motion by Chairman Osborne, seconded by Councilor Katsakiores

Vote: 7-0-0

14-84 Extend 13 Manchester Road Approval Process Period

Mr. Budreau discussed the details of the delay and explained the reasoning for the addendums.

Move that the Derry Town Council authorize the Town Administrator to execute one or more addendums to the P&S Agreement between Caffeine Team, LLC and the Town of Derry to initially extend the Approval Process Period to August 15, 2014 and subsequently, if necessary, to September 15, 2014.

Motion by Chairman Osborne, seconded by Councilor Katsakiores

Vote: 7-0-0

14-85 Waive Tax Lien Fee

Mr. Budreau explained that a customer service employee made a mistake giving the final total for the tax bill; as a result a tax lien was placed; however, the citizen did pay the difference.

Move that the Derry Town Council waive tax lien fees of \$34.50 for Parcel #30-120.

Motion by Chairman Osborne, seconded by Councilor Katsakiores

Vote: 6-1-0 (Dimmock)

Council Requests / Open Discussion

Ms. Katsakories reminded everyone of the upcoming Blood Drive and cookout being held by the Derry PD on June 25th 11am – 6pm @ Promises to Keep.

Mr. Dimmock expressed his amazement that the meeting is ending early which included the public forum and would like it to continue.

Mr. Bourdon thanked the Chair for an expedient meeting.

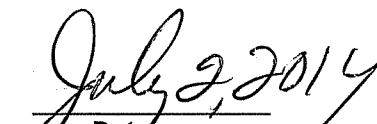
Mr. Osborne reminded everyone of the public forums coming up with the Town Administrator candidates on June 19th.

Mr. Fairbanks gave an update that the zoning changes on Rte. 28 & the central business district meetings coming up beginning on Wednesday at the Planning Board meeting. A public hearing will be in August or September

Move into Non-Public under RSA 91A:3 by Councilor Fischer, seconded by Councilor Cardon. Vote: 7-0-0

Adjournment 9:30 p.m.


Town Clerk


Date

Recording & Transcription by: Denise Neale, Town Clerk
Reviewed by: Larry Budreau, Acting Town Administrator