

**TOWN OF DERRY**

**Town Council  
Derry Municipal Center**

**September 2, 2014  
Tuesday - 7:30 PM**

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**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, Bourdon, Dimmock, Katsakiores and Chairman Osborne**

**Consent Agenda**

- 14-114** Approve Minutes Special Non-Public Session – August 18, 2014
- 14-115** Approve Minutes – August 19, 2014
- 14-116** Schedule Public Hearing – September 16, 2014 – Accept generator from Verizon Wireless
- 14-117** Schedule Public Hearing – September 16, 2014 – Accept Department of Health & Human Services Grant

**Approved with a correction of attendees at the Non-Public Session 8/18/14.  
(Councilor David Fischer absent)**

**Chairman's Report –**

\*\*\*\*\* Town Administrator Search Update

There were 66 applications received. Council has met and have narrowed it down to three. Galen Stearns of Windham & Peter Graczykowski of R.I. and a third candidate who I do not have permission to announce his name at this time due to his pending notification to his present employer which is in process. All finalists will answer questions from citizens and employees on Thursday, September 4<sup>th</sup>; employees will have a chance to meet the candidates at 2:00pm and the citizens forum will begin at 6pm.

Town Clerk would like to remind everyone that on Tuesday, September 9, 2014 is the NH State Primary Election. Voting will take place for District 1&3 at Pinkerton, District 2 at Calvary, and District 4 at Gilbert H. Hood Middle School. The Town Clerk's office will be closed on that in order to assist at the elections. Ms. Neale has requested the assistance from the Town Council to be at designated polls at 8:15pm to sign the seals.

**Town Administrator's Report –**

Reminder- Public Works will be resurfacing West Broadway from Manning Street to the Derry/Londonderry town line from 9/29/14-10/24/14. The road will remain open during this time.

The Adams Memorial Building repairs have been completed on schedule. Inspection is pending.

## **Public Forum**

### **Open the Public Forum 7-0-0**

Mark Flattes, Linlew Dr – Asked what the requirement would be to place a referendum on the next ballot to control the school budget.

Mr. Fairbanks replied it would take a charter change and a change to the form of government.

Chairman Osborne referred to Article #3 of the Town Charter. They would also have to defer to state law. This could be a discussion for a later time.

John Burtis, Lori Rd – questioned expenditures on equipment to monitor fire alarms in other towns and asked the Town Council if they are aware of these expenditures?

Gary Lynch, Heritage Lane – voiced his opinion on Exit 4A and that it is unrealistic to expect the state to cover all costs outside of the \$5M.

Mark Connors, Cabot Dr – Asked the Council to make sure the state is aware of the need to preserve the corridor owned by Hyrax for the Rail Trail. He also asked if the \$5M committed could go toward the rail trail for this corridor. The Rail Trail is a major benefit for the town.

Steve Trefethen, North Shore – Still questioned how the town would benefit from Exit 4A and how will the downtown businesses be affected. Downtown business owners want to know if the Council will protect them. He suggested some designated parking spaces for a fee.

Mr. Dimmock wanted to know what the downtown merchants are going to do instead of asking the Town Council what they will do for the merchants.

Ron Goldthwaite, Scenic Dr – questioned how much land will be taken for Exit 4A and how much in property tax revenue will be lost.

### **Move to Close the Public Forum 7-0-0**

## **New Business –**

**14-118** Accept \$2,500 grant for NH Center for Excellence

Larry Budreau reviewed the background, discussion and impact of this grant.

***Move that the Derry Town Council approve the application for, acceptance and expenditure of the NH Center for Excellence funds in the amount of up to \$2,500, without further action of the Town Council.***

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

***Vote: 7-0-0***

## **Public Hearing –**

**14-71** Land Use Change Tax

### **Open Public Hearing – Councilors Osborne, Katsakiores 7-0-0**

John Burtis, Lori Rd – Explained the 2005 Land Advisory Committee report for the Town Council and gave stats from this report.

Margaret Ives, Chair Conservation Commission – provided the Council with the benefits of the Current Land Use and open space for the town. The Conservation Commissions goal is to preserve wildlife corridors and protect wetlands. They use these funds as leverage when applying for grants to obtain this type of land. She reviewed a map (attached) the major preserved areas and some of the privately held easements that are not accessible to the public that have been purchased.

Craig Bulkley, Gervaise Dr.- was a Town Council member when the 100% of Land Use Tax was designated to the Conservation Commission. He urged the Council to continue to preserve open space.

Al Schnitzel, Bayberry Lane – the Council should take over this fund for control purposes.

Paul Needham, Orchard Dr – Council should leave things as they are. The population of the town has stabilized because of open space.

Kelly Martin, Bayberry Lane – Suggested some of the Current Land Use Tax dollars be directed toward an increase in the Veterans Tax Credit & Rail Trail. Then the remainder should go to the Conservation Commission.

Mark Connors, Cabot Dr. - Would like to compare values of land vs. what it cost the town. He questioned the legality of privately owned land not being opened to the public. He asked where the Master Plan fit in. The #2 goal was to preserve open space and #1 was to reduce taxes. The town needs more active recreation land. Discretionary easements should be looked at and reviewed.

Janet Fairbanks, Rose Ave – agrees open space makes sense; however, the zoning in East Derry is 3 acres per home, medium is 1 acre per home. In West Derry, it is high density. East Derry homes are tax positive and West Derry homes are not. The town would be better served by Council if 25% was given to maintain open space and 50% went back to the taxpayers.

Rick Buzzanga, North Shore Rd – Conservation Commission can act faster than the Town Council to acquire property that is in threat of development. The town needs to look at zoning.

Arthur Caras, North Shore Rd – Council should give more funding to the Conservation Commission. They keep property out of the hands of developers. Fewer houses = fewer town costs. He asked the Town Council to reconsider a \$6M bond previously voted on.

Mary Eisner, Derryfield Rd – the Commission needs funding to obtain grants.

Rick Metts, Dustin Ave – wants tax relief but not at the expense of the Conservation Commission.

Richard Tripp, Windham Rd – Stated some of the costs for this land. He gave an approximate taxpayer savings from the current use tax as .09% decrease on the tax rate.

Mary Till, Old Chester Rd – loves the green space & rural aspect of Derry. Some privately held land that could be sold by heirs to developers the Conservation Commission prevents this from happening.

**Chairman Osborne moved to postpone the vote to the next meeting and invited the public to speak during the Public Forum at this next meeting.**

**Motion by: Chairman Osborne, second by Councilor Fairbanks. Vote: 7-0-0**

**Council Requests / Open Discussion – N/A  
Adjournment 9:13 p.m.**



Denise E. Neale, Town Clerk

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Date

