

## TOWN OF DERRY

Town Council  
Derry Municipal Center

October 20, 2015  
Tuesday - 7:30 PM

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6:30 PM Non-Public Session RSA 91:3 II (a)  
7:30 PM Call to order

Pledge of Allegiance, warning of fire exits, handicap access, & turn off all cell phones

**Roll Call: Councilors Tripp, Fischer, Osborne, Bourdon, Dimmock, Katsakiores and Chairman Cardon**

Present: Susan Hickey, Acting Town Administrator & Denise Neale, Town Clerk

**Consent Agenda –**

15-126 Approve Minutes – October 6, 2015

**Accepted as written**

**Chairman's Report – Tom Cardon**

Chairman Cardon began by stating that it was a great election. He thanked Denise Neale, Margie Ives, Sheila Bodenrader, and Ruth Robinson and everyone who worked the elections. He especially thanked the voters.

So what now? The town moves forward and we start conducting business. It's time for the town to heal. Note: by the previous Council actions the taxes will go down by \$1.04.

He attended the Exit 4A - 10 year plan meeting. One issue - it needs some type of leadership. The problem is they have 10 entities involved in the project and no one is in charge. There was \$3.5M spent on an Environmental Impact Study and basically right now it can't be used. A word of caution for future councils is to keep an eye on this.

Goals – Mr. Cardon asked Councilors to send an email on goals for future discussion.

**Town Administrator's Report – Susan Hickey**

The MRI study has been completed for the Human Resource Department. They interviewed several employees and looked at job descriptions. The recommendation given provides substantial savings to the town. The Town Attorney said we cannot make any changes or reorganize Police, Fire, DPW, or Human Resources. We can reduce the salary. The study would have saved the town \$100K annually. The Finance and Tax Departments will be reviewed next.

**Public Hearings –**

- 15-116 (3) Consecutive Public Hearings October 20, 2015 relative to the following:
- 1) Water system improvements at Centennial Estates Manufactured Housing Cooperative, a 57 unit manufactured housing park located 211 Bypass Route 28
  - 2) Planning study of the existing infrastructure of the Frost Resident's Cooperative, a 30 unit manufactured housing park located at 193 Rockingham Road
  - 3) Planning study of the existing infrastructure and feasibility of interconnection into the municipal water and sewer system of the

Running Brook Cooperative, a 24 unit manufactured Housing Park,  
Located at 100 Rockingham Road

George Sioras Planning Director introduced Donna Lane:

The following was read:

Community Development Block Grant funds are available to municipalities through the NH community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for emergency activities and up to \$12,000 is available per feasibility study grant. All CDBG projects directly benefit low and moderate income persons. During a CDBG project, a progress update public hearing is required. The public hearing will update the public on and take public comment on the progress of the CDBG Project. This hearing will discuss the progress of the 3 CDBG Projects.

1.) The Water Distribution project is substantially complete. The remaining punch list items are installing a residential sidewalk, paving the edge of a small section of the road and providing as-built drawings and reseeding areas on Spring Drive. All items completed by the end of October

2.) The Cooperative hired CMA through a Request for Qualifications process to prepare an Infrastructure Evaluation Report. The study documented the Condition of the Cooperative's existing infrastructure systems and made recommendations for needed improvements. The following improvements were recommended: Complete replacement of all water and sewer mains and connecting into municipal water and sewer systems, metering, new service connections, electrical system improvements, drainage and storm water, upgrades and repaving.

3.) A Planning Study of the existing infrastructure and feasibility of interconnection into the municipal water and sewer system of the Running Brook Cooperative. Running Brook Co-op is a 24 unit manufactured housing park, located at 100 Rockingham Road in Derry.

**Move to Open Public Hearing Councilor Katsakiores/Councilor Tripp Vote: 7-0-0**

**Public no input**

**Moved to Close Public Hearing Councilor Katsakiores/Councilor Tripp Vote: 7-0-0**

Councilor Katsakiores asked, if they decide to hookup into the water who pays?

Ms. Lane replied they will look at a funding package, partially them, or the DES or CBDG.

"These studies were done to find the costs of the projects.

**15-117 Supplemental Appropriation – LED Streetlights**

Mike Fowler – Maureen Reno and Mark Flattes, EEAC also present.

Mr. Fowler explained the supplemental appropriation being sought. The figure is not to exceed \$330,000. Eversource will provide a \$50,000 rebate when the project is complete. The intent is to finish the project by 2016, with a potential savings of \$75,000 per yr.

Ms. Reno thanked the DPW for working with the committee on instituting this project. The EEAC is in full support and asks the Supplemental Appropriation be approved.

**Open Public Hearing Councilor Cardon/Councilor Osborne Vote: 7-0-0**

Phil Brophy Kilrea Rd – questioned the life expectancy of bulbs. Concerned about lack of heat omitted that would not burn off the snow and how long it would take the light to come back on. Snow adheres to cover.

Mike Fowler replied the bulbs have a minimum 10yr warranty. He has spoken to a couple of communities about Snow coverage. The Town has LED lighting on their traffic signals and they have not had a negative experience.

**Close Public Hearing Councilor Katsakiores/Councilor Cardon Vote: 7-0-0**

**Move a FY16 supplemental appropriation of \$310,000 from the Public Works Capital Reserve committed Fund Balance to the Highway division capital expense account 750000 for the purpose of acquiring and retrofitting street light fixtures to LED.  
Motion by Chairman Cardon, seconded by Councilor Bourdon.**

Discussion:

Councilor Tripp questioned the \$50,000 rebate if it goes back in the capital fund.

Councilor Bourdon Thanked PW and the EEAC members as he would like to see the Town become a net zero town. This would lower the total amount of energy used. There is a moral and fiscal obligation to pass this.

Chairman Cardon asked what the cost to replace current ones we have.

Mr. Fowler replied, approximately one to two percent of the fixtures have to be replaced.

Currently we pay \$9 per month +cost of energy with the new LED light it is \$3.50 per month + cost of energy.

Councilor Katsakiores asked about people who pay for their own street lights.

Mr. Fowler stated this does not include private residents. However they could point private citizens in this direction with information.

**Vote: 7-0-0**

**15-118** Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section §150-10 Stop Sign – Hemlock Spring Road @ Overledge Drive Extension

**Open Public Hearing Councilor Cardon/Councilor Bourdon Vote: 7-0-0**

Chief Garone, Highway Safety Committee, stated he was not present when vote was taken. The Police Department has had only two accidents at this intersection on file. He gave a description of this intersection curve. The Chief stated had he been at this meeting he would have voted no.

**Close Public Hearing Councilor Cardon/Councilor Dimmock Vote: 7-0-0**

**Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section §150-10 Stop Sign to read:**

**Hemlock Spring Rd @ Overledge Drive Ext.**

**Motion by: Chairman Cardon, seconded by Councilor Katsakiores**

**Vote: 0-7-0 motion failed**

**15-119** Amend the Code of the Town of Derry, Chapter §150, Traffic Ordinance Article I, Section §150-4 Prohibited Parking – Union Street  
Prohibited Parking – Union Street

**Open Public Hearing Councilor Katsakiores/Councilor Osborne Vote: 7-0-0**

Chief Gagnon stated that citizens concerned with limited site line when parking is on both side of road. Took fire apparatus up with vehicles parked on both sides of the road and it is unpassable. He recommends limiting parking to the inside of the street.

Terrance Tolland, Brook St – has lived there 20 years and there has never been an issue with parking. The person complaining is actually on the opposite side of the street on the outside of circle. He is against this parking ban and he suggested sectioning a no parking area.

Greg Dodge, 8 Union St – This doesn't seem to have ever been an issue. Limiting parking will cause an issue.

**Close Public Hearing Councilor 7-0-0**

Discussion:

Councilor Tripp stated it is a deadly issue to impede a fire truck and no parking in a certain section of the street. This would not be feasible.

Councilor Katsakiores asked if Chief Gagnon could mark certain portions of road.

Councilor Dimmock questioned how wide is the street and if with one side parking can a fire engine get through.

**Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section §150-4 Prohibited Parking to read:**

**Union Street Even For entire length of street.**

**Motion by: Councilor Dimmock, seconded Tripp**

**Vote: 7-0-0**

**15-120 Demolition of Town Owned Properties**

**Mike Fowler** – Tax Collector has taken these two properties for tax liens. The list was sent to departments and the DPW had asked for these properties not to be sent to auction.

Mr. Fowler stated the complaint is they have an ownership of the land, the structure is owned by the town, with no active association. The first is 40 Kilrea Rd. The appraised value of this building is \$12,000. The second property is 41 Collette's Grove. The appraised value of the property is \$158,000; however, the house is only \$45,000. One of the issues that needs to be resolved on this road is there is very deep puddling in the Spring. DPW has looked for an engineering fix. DPW would like to use this property (41 Collette's Grove) for a subsurface drainage system. Town would be responsible with tearing down these two buildings.

**Open Public Hearing Councilor Katsakiores/Councilor Bourdon Vote: 7-0-0**

Donald Burgess High St – if it is commonly owned land let them take care of it.

**Close Public Hearing Councilor Cardon/Councilor Katsakiores Vote: 7-0-0**

**1. The Derry Town Council moves to authorize the demolition of the 40 Kilrea Rd**

**Motion by: Councilor Osborne, seconded by Councilor Tripp**

Chairman Cardon believes the address number is incorrect.

**Amended motion The Derry Town Council moves to authorize the demolition of the relevant building at Kilrea Rd which shall be determined by November 20, 2015.**

Discussion:

Council has been talking about getting serious with blighted properties. We have done this by approving the Property Maintenance Ordinance.

Councilor Fischer questioned why there would be a vote on demolishing a building and when we don't know where it is.

Mr. Cote left the room to obtain the parcel id number.

**Motion Rescinded**

2. **The Derry Town Council moves to authorize demolition of the building at 41 Collette's Grove Rd. The Derry Town Council further moves to retain the underlying land for the purpose of constructing a future subsurface stormwater detention system.**

**Motion by: Councilor Osborne, seconded by Councilor Tripp**

Discussion:

Councilor Fischer asked if this property could be auctioned off.

Mr. Fowler replied the land value is \$112,000 and the building is \$45,000 so we would be taking \$160,000 off the tax rolls. The house is beyond repair.

Councilor Tripp asked if we take down the house and then sell the property it could make it more marketable and would go back on tax rolls.

Councilor Dimmock asked if the house is torn down is there still a water issue.

Mike Fowler stated it wouldn't affect this property but there is still a water issue on the road and DPW is in charge of maintaining this road. There is an issue trying to resolve the water problem.

Councilor Bourdon asked if in adding the drainage system would it increase property values.

Mike Fowler replied he is no expert in this area but it would benefit the area.

**Vote: 7-0-0**

Mr. Fowler received the parcel ID #03153-048 and asked this be placed in the motion.

**Chairman Cardon asked to postpone voting on #1 until November meeting, seconded by Councilor Dimmock.**

**Vote: 7-0-0**

#### **15-121 Road Acceptance – Harvest Drive**

Mike Fowler stated that this is a new subdivision road off Hampstead Road with 30 homes and 4400 ft. of roadway. The cost to the town would be \$6000 per yr.

**Open Public Hearing Councilor Cardon/Councilor Dimmock Vote:7-0-0**

No Public input

**Close public hearing Councilor Dimmock/Councilor Tripp Vote: 7-0-0**

**The Town Council moves to accept Harvest Drive as a Class V roadway as recommended by the Planning Board.**

**Motion by Councilor Cardon, seconded by Councilor Katsakiores**

Discussion:

There were questions regarding the cul-de-sac and plowing and if not approved what would happen?

Mr. Fowler replied there is an emergency exit onto Village Brook Lane; however, it would not be plowed first. In his time this has never happened once approved by the Planning Board.

**Vote: 6-1-0 (Councilor Dimmock)**

**Old Business –**

#### **15-130 Election Results – Discussion**

Chairman Cardon stated there is no information provided in the packet for the additional appropriations

**Chairman Cardon Moved: to add \$1,631,704.00 back into budget for FY2016 budget, seconded by Councilor Katsakiores.**

**Motion Amended to add: to be raised through taxation.**

**Discussion:**

Councilor Fischer was adamantly concerned that no information or options were given or discussed amongst Councilors on the funding these items. He is not opposed to funding as this is what the majority wanted. He is concerned that there has been no information given and the lack of communication of what the different options are.

Councilor Katsakiores asked why no information was shared.

Councilor Bourdon stated it sounds like we have options but we don't. It has to be raised through taxation.

Councilor Osborne – questioned under the charter does this count as a supplemental appropriation and is the Council in a position to vote.

Councilor Tripp – Answered yes, Councilor Fischer will support the “Will of the People” must this all be raised through taxation? Mr. Flattes’ petition talks about pro-rating to reduce cost of taxes.

Chairman Cardon replied according to the Attorney we cannot consider pro-rating. Councilor

Fischer –yes, Councilor Osborne –yes, Councilor Katsakiores – yes, Councilor Dimmock – yes, Councilor Bourdon –yes and Chair –yes.

**Vote: 7-0-0**

**New Business –**

**15-127** Free Petitions – M. Flattes

No Action taken

**15-128** Economic Development Committee Appointments

**Chairman Cardon Moved to appoint: Chris Black & Stephen Demattia to the Economic Development Committee, seconded by Councilor Katsakiores.**

**Vote: Chris Black 6-0-1 (Councilor Osborne)**

**Vote: Stephen Demattia 7-0-0**

**15-129** FY2017 Budget Preparation Discussion

Ms. Hickey stated department heads are meeting to begin working on the Capital improvement plan to send to submit to the planning board. She is looking for direction on the goal for preparation.

Councilor Fischer - The Budget Review Committee is analyzing data to give direction. The information gathered by this committee will be important for Council.

**Open Public Forum**

Ken Grant, - thanked the Council for their support of trying to cut the tax rate. He implores Council to keep looking into things across this town.

**Close Public Forum**

**Public Forum - \*30 Minutes\***

Ms. Hickey reminded the Council the Attorney has advised that within a reasonable time frame from the vote hiring staff needs to begin and opening the fire station. She would like to move forward with posting the positions needed.

**Council Requests / Open Discussion**

Councilor Bourdon – He would like to see the rail trail discussion as an agenda item. On 11/14/15 is the Spinnathon for hunger at the Zoo Workout Club to benefit the Soup Kitchen and Food Pantry.

Last Friday he attended a silent auction dinner to benefit the Friendship Center. Joe Harding gave stats on addiction and the numbers are staggering & the trend continues to double.

*Anyone / anytime can experience addiction/Help call 211.*

Councilor Katsakiores – asked when there would no longer be a need for police officers at the meetings.

Councilor Tripp thanked everyone for coming. He reminded everyone the school budget hearings start in November.

**Adjournment 9:30 p.m.**

Denise E. Neale  
Town Clerk

11/5/15  
Date

Recording & Transcription by: Denise E Neale, Town Clerk