

TOWN OF DERRY

Town Council
Derry Municipal Center

October 21, 2014
Tuesday - 7:30 PM

6:30 PM RSA 91A:II (d)

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

- 14-139 Approve Minutes Special Non-Public Session – October 6, 2014
- 14-140 Approve Non-Public Minutes, Session I – October 7, 2014
- 14-141 Approve Minutes – October 7, 2014
- 14-142 Approve Non-Public Minutes, Session II – October 7, 2014

Accepted as written

Chairman's Report –

Election Day

The NH State Election is November 4th and the polling locations are as follows: Districts #1 & #3 at Pinkerton Academy, District #2 at Calvary Bible School, and District #4 at Hood Middle School. Polls will be open 7:00am – 8:00pm. A presentation of the ballot was shown with an explanation of the write-in column and column titled 'Other Candidates' column. The last day to register to vote before the election will be Saturday, October 25th from 11:00 – 11:30am at the Derry Municipal Center; however registration will be available day of election. Absentee ballots are also available. On October 20th the Chairman Osborne met with the election officials to review procedures and to discuss placements of signs.

Consider Leash Law – 12/2/14 Town Council Agenda
Councilor Osborne will add this to the December 2nd agenda for discussion.

Town Administrator's Report –

Update on 2014 Tax Rate

Documentation has been submitted to the DRA for review and the tax rate should be set within the next two weeks. Tax bills will be due during the 2nd week of December.

Public Forum

Open Public Forum 7-0-0

Carl Accardo, Olsen Rd – Asked if there had been any further discussion amongst the Council on how to replace the staff luncheon. This was a great opportunity to bring staff together and share between departments. It's a lost opportunity.

Councilor Fairbanks asked if a presentation is made to the staff during these luncheons.

Mr. Budreau replied, "It varied depending upon the Town Administrator or Town Council members."

Steve Trefethen, North Shore Rd – Closing the Municipal Center for this luncheon is a cost to the taxpayers and he agrees with Council's decision.

Close Public Forum 7-0-0

Public Hearings

- 14-134** 1) A proposed Community Development Block Grant application to the Community Development Finance Authority for up to \$12,000 in Community Development Block Grant Planning Grant funds. The funds will finance an engineer study of the existing infrastructure as well as the feasibility of interconnection to the municipal water and sewer system of the Running Brook Cooperative, a 24 unit manufactured housing park, located at 100 Rockingham Road in Derry
- 2) The Residential Antidisplacement and Relocation Assistance Plan

Information packets were made available to the public.

George Sioras presented the details of this Community Development Block Grant of \$12,000 and the Town's approval of these types of grants on prior projects. This grant is for an engineering study to allow the Running Brook Cooperative Mobile Home Park to be able to hook into Municipal water & sewer in the future.

Donna Lane, Grant Administrator and Jeanee Wright, NH Community Loan Funds, described the eligibility requirements and availability of funds for this type of project.

Donna Lane read that 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, public facility and housing projects and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

This is a proposed application to the Community Development Finance Authority for up to \$12,000 in Community Development Block Grant Planning Grant funds. The funds will finance an engineering study of the existing infrastructure as well as the feasibility of interconnection to the municipal water and sewer system of the Running Brook Cooperative, a 24 unit manufactured housing park, located at 100 Rockingham Road Derry, NH. The majority of the residences are low and moderate income households.

This project conforms with Derry's Housing and Community Development Plan's Goal of Encourage public and private water and wastewater systems that are safe, sanitary and meet DES regulations

Open the Public Hearing Councilors Osborne & Bourdon 7-0-0

No Public Input

Close the Public Hearing Councilors Fairbanks & Katsakiores 7-0-0

Donna Lane further explained there would be no displacement caused by this project but that the Antidisplacement and Relocation Assistance Plan must be adopted any time CDBG Funds are asked for. The Uniform Relocation Act requires that the displacement or relocation of persons (or businesses), undertaken through a CDBG project requires efforts to find comparable, suitable housing for persons (or businesses) displaced or relocated. This project will not involve any displacement or relocation.

Open the Public Hearing Councilors Osborne & Bourdon 7-0-0

No Public Input

Close the Public Hearing Councilors Osborne & Fairbanks 7-0-0

Move that the Derry Town Council adopt the Residential Antidisplacement and Relocation Assistance Plan as reviewed in April 2014. (*Motion amended date to October 2014*). Motion was made by Chairman Osborne, seconded by Councilor Cardon. Vote: 7-0-0

Move that the Derry Town Council approve the submittal of the application and authorize the Town Administrator to sign and submit the application, and upon approval of the CDBG application, authorize the Town Administrator to execute any documents which may be necessary to effectuate the CDBG contract on behalf of the Running Brook Cooperative without further action of the Council. Motion by: Chairman Osborne, seconded by Councilor Bourdon. Vote: 7-0-0

New Business –

14-143 Appointment to Conservation Commission

Chairman Osborne moved to appoint Andrew Loranger as an alternate member of the Conservation Commission, term to expire in March 2016, seconded by Councilor Cardon.

Vote: 6-1-0 (Councilor Dimmock)

14-144 Amend Property Maintenance Code

The Council wants to make sure that ordinances regarding property are enforceable by Code Enforcement and Zoning Board.

Councilor Cardon is the chairperson of this committee with members including Bob Mackey, George Klauber, George Sioras, Phyllis Katsakiores, Bob Wentworth and John O'Connor who worked on this aka "Blight Ordinance"

George Klauber stated that in 2005 the Derry Town Council adopted the International Property Maintenance Code. This is an amendment to this ordinance. One of the additions to this ordinance is to establish a "Property Maintenance Committee" similar to the "Highway Safety Committee". This committee will review complaints or concerns brought by others. Members shall consist of Code Enforcement Officer, Director of PW, Planning Director, Fire & Police Chiefs, Tax Collector and any other Town staff deemed appropriate and to include three members from the public.

Council discussion & questions included:

- What does the Council need to do to move this forward
- Are there specific steps to be followed in the ordinance and

- Is this enforceable.

Next step is to hold a public hearing and then return to the Planning Board for some adjustment for amendments to the Zoning Ordinances.

Move that the Derry Town Council schedule a public hearing on November 18, 2014 at 7:30 p.m. to consider Chapter 30 Town Codes §165-22 Zoning, Building, Permitting Construction requirements.

Motion was made by Councilor Osborne, seconded by Councilor Cardon.

Vote: 7-0-0

14-145 Local Government / Ethical Considerations

This discussion was on how to ensure going forward the highest ethical standards are being met.

Councilor Fischer would like the new Town Administrator to speak with the Londonderry Town Manager to consider modeling a policy here in Derry like Londonderry's nepotism policy.

Councilor Cardon believes just the appearance of conflict can be considered a conflict of interest.

Councilor Fairbanks suggested all new members of Boards and Commissions take the NHMA webinar on Conflict of Interest & Right to Know Law. Councilor Dimmock agreed. Councilor Katsakiores stated many valued employees have family members who are also employees. People here in Town are hired on merit. Council will move forward on a policy.

14-146 Change times of Town Council Meetings?

Council had a discussion on changing the time of their regularly scheduled meeting from 7:30 pm to 6:30 pm and hold their non-public sessions after the regular meeting.

Move to schedule the Town Council Meeting time to begin at 6:30 pm for one month. Motion was made by Councilor Fischer, seconded by Councilor Dimmock. Vote: 5-2-0 (Councilors Bourdon & Fairbanks)

Council Requests / Open Discussion

Councilor Osborne reviewed accomplishments & goals met and in process by this Council (i.e. Exit 4-A, Blight Ordinance, ethics and the hiring of a new Town Administrator).

Councilor Cardon had a citizen suggest a Saturday brunch for the employee luncheon. He discussed board & commission applicants and would like the website expanded to questions and responses to get a broader picture of candidates.

Councilor Fischer questioned if the residents were aware of the appeals process after a re-assessment. Mr. Budreau will research this.

Councilor Fairbanks gave an update on the Planning Board's future public hearings.

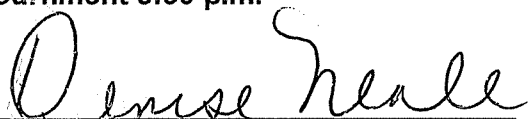
Councilor Bourdon informed the public of the EEAC seminars at the Marion Gerrish Community Center on November 1st & 12th. Contact Maureen Reno for more info. Cash for Gold has painted their business pink for "Breast Cancer Awareness".

Councilor Dimmock questioned if there would be a Town Council meeting on November 4th as this is Election Day and the councilors are required to be at the polling locations at 8 pm.

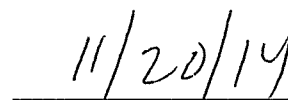
Move to cancel the November 4th Town Council meeting.
Motion was made by Councilor Osborne, seconded by Councilor Katsakiores.
Vote: 7-0-0

Councilor Katsakiores congratulated Chief Garone for celebrating 50 years in law enforcement. She suggested the Town give the Chief a plaque,

Adjournment 8:50 p.m.



Town Clerk



Date

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