

TOWN OF DERRY

Town Council
Derry Municipal Center
14 Manning Street



Thursday October 21, 2021
3rd Floor Meeting Room

MINUTES

6:00 PM Call to order

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

Roll Call: Councilors Chirichiello, Katsakiores, Foote, Spencer(Video), and Chairman Morgan
Absent: Councilors Wetherbee and Bourdon
Present: TA Dave Caron, Town Clerk Daniel Healey

Public Forum - *30 Minutes*

Motion by Councilor Katsakiores to open public forum, seconded by Councilor Foote – all agreed

Katherine Prudhomme-O'Brien: Beacon Hill Rd/ Lorraine Lindenberg: W. Broadway – Created a non-profit organization called "Friends of Hood Park" that is meeting on November 2nd at 7PM at Marion Gerrish. The goal is to bring people back to the park and to keep it clean.

Ann Marie Putman: Fairway Dr – Concerned about the parking along E. Broadway near the condominiums and believes the traffic circle is dangerous.

Motion by Councilor Chirichiello to extend Ms. Putman's time, seconded by Councilor Foote – all agreed

Motion by Councilor Katsakiores to close public forum, seconded by Councilor Foote – all agreed

Consent Agenda

- 21-123** Approve Non-Public Minutes – October 5, 2021 – **Minutes Sealed**
- 21-124** Approve Minutes – October 5, 2021
- 21-125** Ordinance #2021-011 – Amend Traffic Ordinance, Prohibited Parking on Franklin Street
- 21-126** Resolution #2021-065 – Approve a Supplemental Resolution to purchase equipment for the Water Division
- 21-127** Resolution #2021-066 – Apply for and accept a Drinking Water Trust Fund Grant for Phase II Conceptual Planning Report for Southern NH Regional Water Project

Councilor Chirichiello moves to approve the consent agenda, seconded by Councilor Katsakiores

Roll Call Vote: 5-0-0

Chairman's Report – James Morgan
Nothing to report.

Town Administrator's Report – Dave Caron

NHDOT is scheduling a public information meeting on Thursday, October 28 at 6PM at the Municipal Center to present design information on Phase I of the project (I-93 to Derry line) and review the status of Phases II & III. Executive Councilor Stevens will be hosting a hearing on the State's proposed Ten-Year Highway Plan and that hearing will also be at the Municipal Center on Tuesday, October 26 at 7PM. Derry projects include the Rail Trail from North High Street to Londonderry Line estimated at 915K with engineering in FY24-26 and construction in FY27-28. Exit 4A & Corridor is estimated at \$85M with construction in FY23-25.

New Business

21-128 Resolution #2021-067 – Relative to Town Council refusal to accept certain Tax Deeds – Tax Collector Diane Mulholland

On April 18, 2019, the unpaid balances of the 2018 tax bills were lienied at the Rockingham County Registry of Deeds. According to RSA 80:76, "the collector, after 2 years from the execution of the real estate tax lien, shall execute to the lienholder a deed of the land subject to the real estate tax lien and not redeemed." RSA 80:76 also provides the Town Council specific (Paragraph II) and subjective (Paragraph I I-a) reasons to waive tax deeding. For a multitude of reasons, the Town presently has 21 parcels that are eligible for tax deeding. List A is the list of properties subject to the issuance of a Tax Collector's deed. This list consists of two properties. All have outstanding lien balances for 2018 liens. The list consists of two parcels of land. The information presented includes the 2021 assessed value, total 2018 unpaid balances as of October 19, 2021, as well as the total balance for all tax years and individual notes for each property. List B is the list of properties not recommended for deeding, referred as "deed waiver". These nineteen properties are recommended for waivers due to potential liability risk or undesirable obligations. The information presented includes a column of notes that briefly describes the reason for recommending a deed waiver. Regarding List A, the execution of the Tax Collector's Deed on the 2 parcels will reduce tax revenues. The intent of tax deeding, however, is to sell the property in anticipation of collecting an equal or greater amount of revenue and returning the properties to the tax rolls. List B would mean a delay in payments or deeding of these properties but should be recoverable at a later date.

Chairman Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2021-067 which reads as follows [Read the Resolution], seconded by Councilor Katsakiores

Roll Call Vote: 5-0-0

Resolution attached

Councilor Comments / Liaison Reports –

Councilor Foote – Would like the parking on E. Broadway to be on the next agenda for Council vote.

Councilor Chirichiello – There is rental assistance available at the County and the State.

Chairman Morgan – The Planning Board Member appointment will take place at the next Council meeting and alternate members will be voted on in order of seniority. E. Broadway parking will be on the next meeting agenda. Asked if it was possible to get gas connected under

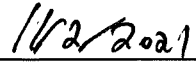
the Derry Rail trail in certain sections. Londonderry has done this for parts of the trail in Londonderry.

Adjourn: 6:40pm



Town Clerk

Recording & Transcription by: Daniel Healey, Town Clerk



Date



RESOLUTION

Number 2021-067

To Direct the Tax Collector not to Execute Certain Tax Deeds

WHEREAS, Section 5.1 of the Town Charter establishes the Town Council as the legislative and governing body of the Town; and

WHEREAS, RSA 80:76 sets forth the procedure for conveying tax deeded properties to the Town; and

WHEREAS, pursuant to RSA 80:76 II and II-a, the Governing Body may refuse to accept a deed on certain properties, whenever in its judgment acceptance and ownership of those properties would subject the municipality to undesirable obligations or liability risks; and

WHEREAS, the Town has identified properties eligible for tax deed however acceptance of ownership would not be in the Town's best interest;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby directed not to execute a tax deed as set forth on the attached list; pursuant to RSA 80:76 III, the Council may revisit this decision at any time and may later direct the Tax Collector to issue a deed for the property subject to this directive.

This Resolution shall take effect immediately upon its passage.

Adopted: October 21, 2021

Attest:

A handwritten signature in black ink, appearing to be "James Morgan", written over a horizontal line.

James Morgan, Council Chair

Date: _____

x

A handwritten signature in black ink, appearing to be "Daniel Healey", written over a horizontal line.

Daniel Healey, Town Clerk

Date: 10/21/2021

Archival Ref: Agenda Item #21-127