

## **TOWN OF DERRY**

Town Council  
Derry Municipal Center  
14 Manning Street



Tuesday October 3, 2023  
3rd Floor Meeting Room

### **MINUTES**

#### **7:00 PM Call to order – Chair Foote**

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

**Roll Call:** Councilors Katsakiores, Chirichiello, MacEachern, Granese, Flood, Spencer {remote}  
and Chair Foote

Present: Acting TA Mike Fowler, Town Clerk Tina Guilford

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

**Motion by Councilor MacEachern to open public forum, seconded by Councilor Katsakiores**

**Roll Call 7-0-0**

No one from the public spoke.

**Motion by Councilor MacEachern to close public forum, seconded by Councilor Katsakiores**

**Roll Call 7-0-0**

#### **Consent Agenda**

<b>23-109</b>	Approve Non-Public Minutes – September 19, 2023 – <b>Minutes Sealed</b>
<b>23-110</b>	Approve Minutes – September 19, 2023

**Councilor MacEachern moves to approve the Consent Agenda, seconded by Councilor Katsakiores**

**Roll Call Vote: 6-0-1 (Foote)**

#### **Chairman Report – Charles Foote**

IAFF Local 4392 Leadership Executive Board Introduction  
Stephen Finn – President  
Will Thalheimer – Secretary  
Patrick Glennon – Chief Steward

As the newly elected board, we wish to introduce ourselves and we are eager to participate in the community. We are excited to serve and fundraise. This past weekend we filled the boot for MDA and raised \$5000.00. We also donated an AED to the Sonshine Soup Kitchen. Our goal is to promote positive interaction, especially with our student population. On October 14, we will be

showing some historical Derry films and antique fire paraphernalia here at Town Hall. If there is anything we can do to assist in the community, please let us know.

### **Town Administrator's Report – Mike Fowler**

An update from Public Works and the Water Department. We are in the process of changing back to chloramine. This is a seasonal change as Manchester Water Works changes how they treat our water. We are also flushing the water mains and hydrants at night over the next 2 weeks which will assist in making the changeover seamless.

Also, an update on the Fire Station. We accepted a bid on the initial site work on 9/19. This means we will see shovels in the ground soon as they would like to take advantage of the nice weather before winter sets in.

### **Public Hearing**

**23-106** Resolution #2023-069 – Approve a Supplemental Appropriation to purchase Police Department Tasers – *Police Chief George Feole presenting.*

The FY24 CIP included purchasing 64 replacement tasers for the Police Department in the amount of \$278,315.00. During the efforts to facilitate that purchase, pricing options were sought from Axon, the manufacturer. Axon is offering a 0% 5-year lease purchase. Even though this purchase was included in the FY24CIP, we are seeking a supplemental appropriation in the amount of \$278,277.20 as due to a technical issue, this purchase was not included in the FY24 Munis budget in Capital Activity Center 35. Lease revenues will increase by \$268,227.20 and Sale of Town Property revenue will increase by \$10,000 due to a trade-in allowance offered by Axon for the outdated tasers. Additionally, a supplemental appropriation in OMO is needed in the amount of \$43,920.73 which represents the first lease payment due in January 2024. A transfer from the police capital reserve fund will cover this expenditure.

**Motion by Councilor MacEachern to open public hearing, seconded by Councilor Chirichiello**

**Roll Call Vote: 7-0-0**

No one from the public spoke.

**Motion by Councilor MacEachern to close public hearing, seconded by Councilor Chirichiello**

**Roll Call Vote: 7-0-0**

**Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-069 which reads as follows [*Read the Resolution*], seconded by Councilor Granese**

**Roll Call Vote: 7-0-0**

**Resolution Attached**

**23-107** Resolution #2023-072 – Accept a gift from the Derry Rail Trail Alliance –  
*Public Works Director Mike Fowler presenting.*

The Derry Rail Trail Alliance has donated another set of rapid flashing crossing beacons. These will be for the crossing at Bowers Road. The Bowers Road beacons have a value of \$9,250 which triggers the need for Town Council approval to accept the donation.

**Motion by Councilor MacEachern to open public hearing, seconded by Councilor Granese**

**Roll Call Vote: 7-0-0**

No one from the public spoke.

**Motion by Councilor MacEachern to close public hearing, seconded by Councilor Katsakiores**

**Roll Call Vote: 7-0-0**

**Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-072 which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**

**Roll Call Vote: 7-0-0**

**Resolution Attached**

#### **New Business**

**23-111** Resolution #2023-070 – Approve Lease-Purchase Agreement – *Police Chief George Feole presenting.*

This is to enter into the lease purchase agreement discussed earlier. This is a 5-year lease with a first-year payment of \$43,920.73 and 4 payments of \$56,076.61 totaling \$268,227.20. An outright purchase will cost the same.

**Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-070 which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**

**Roll Call Vote: 7-0-0**

**23-112** Resolution #2023-073 – Approve funds from the Alexander-Eastman Foundation – *Fire Chief Jim Richardson presenting.*

Recently the fire department was notified by the Executive Director of the Alexander Eastman Foundation that the Board of Trustees awarded the Town a grant of \$3000.00 to purchase 2 Automated Electronic Defibrillators (AED's) to support the Fire Department's new AED Loaner Program.

**Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2023-073 which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores**

**Roll Call Vote: 7-0-0**



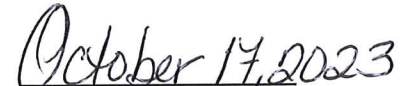
**Councilor Comments / Liaison Reports –**

Councilor Flood – I would like to thank both the staff at Hood and at West Running Brook for supporting our movie and showing it to the students. October 13, Stockbridge Theater, the PizzaStock story. Tickets are available on the Stockbridge website. The Taylor Library has a part-time position available and are looking for help.

**Motion by Councilor MacEachern to ADJOURN, seconded by Councilor Granese  
All Agreed**

**Adjourn: 7:31 PM**

  
Town Clerk

  
Date

**Recording & Transcription by: Cristina Guilford, Town Clerk**



## RESOLUTION

Number 2023-073

To Accept a Donation from the Alexander Eastman Foundation for the  
AED Loaner Program

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WHEREAS, RSA 31:95-b authorizes the Town Council to accept unanticipated revenues to be used for any public purpose; and

WHEREAS, the Alexander Eastman Foundation supports community projects throughout the Greater Derry area; and

WHEREAS, the Council recently endorsed an AED Loaner Program to be managed by the Fire Department; and

WHEREAS, the Eastman Foundation would like to donate funds to purchase additional AED units.

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to accept a \$3,000 donation from the Alexander Eastman Foundation to support the AED Loaner Program.

This Resolution shall take effect immediately upon its passage.

Adopted: October 3, 2023

Attest:

x 

Charles Foote, Council Chair

Date: October 3, 2023

x 

Cristina Guilford, Town Clerk

Date: October 3, 2023

Archival Ref: TC agenda item #23-112

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**RESOLUTION**  
**Number 2023-072**

**To Accept A Gift from the Derry Rail Trail Alliance**

WHEREAS, RSA:31:95-e authorizes the Town Council to accept gifts, other than money, to be used for any public purpose; and

WHEREAS, the Derry Rail-Trail Alliance (DRTA) has provided equipment to augment the use of the multi-use recreation path through Derry; and

WHEREAS, DRTA proposes to provide equipment for another crossing in Derry;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to accept a gift of personal property at a value of \$9,419 for crossing beacons;

This Resolution shall take effect immediately upon its passage.

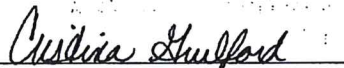
Adopted: October 3, 2023

Attest:

x 

Charles Foote, Chair

Date: October 3, 2023

x 

Cristina Guilford, Town Clerk

Date: October 3, 2023

Archival Ref: TC agenda item #23-107



## RESOLUTION

Number 2023-070

To Authorize a Lease/Purchase Agreement to Finance the Acquisition of Police  
Department Tasers

WHEREAS, Section 7.1 of the Town Charter designated the Town Council as the Legislative Body of the Town, which is then empowered by the New Hampshire law to incur obligations of the Town; and

WHEREAS, the Fiscal Year 2024 CIP included the purchase of (64) Tasers for the Police Department,

WHEREAS, after negotiations, it is in the Town's best interest to enter into a zero-interest lease-purchase agreement to acquire the Tasers;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to enter into a Lease/Purchase Agreement with Axon Enterprises to acquire Tasers for the Police Department as authorized pursuant to Resolution #2023-069.

This resolution shall take effect immediately upon its passage.

Adopted: October 3, 2023

Attest:

x

Charles Foote, Council Chair

Date: October 3, 2023

x

Cristina Guilford, Town Clerk

Date: October 3, 2023

Archival Ref: Item #23-111



## RESOLUTION

Number 2023-069

To Approve a Supplemental Appropriation to Purchase Police Department Tasers

WHEREAS, the Town Charter established the Town Council as the appropriating authority of the Town and as such it is empowered by Section 9.6 of the Charter to make supplemental appropriations after the annual budget is adopted; and

WHEREAS, The Town Council pursuant to Resolution 2023-028 approved the FY2024-FY2028 Capital Improvement Plan which included the purchase of Tasers for the Police Department during FY2024,

WHEREAS, a favorable Lease/Purchase plan has been negotiated with the manufacturer.

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the sum of Two Hundred Seventy-Eight Thousand Two Hundred Twenty-Seven Dollars and Twenty Cents (\$278,227.20) is hereby raised to complete the purchase of Tasers for the Police Department and authorize funding of this appropriation via a lease/purchase agreement (\$268,227.20) and a Trade in allowance (\$10,000.00).

FURTHERMORE, the sum of Forty-Three Thousand Nine Hundred Twenty Dollars and Seventy-Three Cents (\$43,920.73) is hereby raised and allocated to the first lease payment due in January, 2024.

FINALLY, as Agent to Expend, the Council authorizes the transfer of Forty-Three Thousand Nine Hundred Twenty Dollars and Seventy-Three Cents (\$43,920.73) from the Police Department Capital Reserve Fund for the lease payment.

This resolution has been adopted by a two-thirds majority of the entire Council as required by Charter and shall take effect immediately upon its passage.

Adopted: October 3, 2023

Attest:

x 

Charles Foote, Council Chair

Date: October 3, 2023

Archival Ref: Item #23-106

x 

Cristina Guilford, Town Clerk

Date: October 3, 2023