

TOWN OF DERRY

Town Council
Derry Municipal Center
14 Manning Street



Tuesday January 2, 2024
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, and Chair Foote

Present: TA Dave Caron, Town Clerk Tina Guilford

Public Forum - *30 Minutes*

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

All Agreed

Steve Trefethen, West Broadway – Property Exit 4A property owner. 9 buildings, 8 taken. They shut our water off from the building. The state does not meet necessity for the highway or the 10-year easement. Councilors, there were 202 communications with Woodmont Acres. This development is to benefit Woodmont, not Derry, and the State will be hearing from me.

Tom Cardon, Cunningham Dr – 10-year easement is killing economic development. 5 million of assessed value taken away by the State. After 30 years you would think I would not be, but I continue to be surprised by 4A. 7 lanes of traffic by the police station. Derry is being taken advantage of by the DOT and I hope the Council is following up so that Derry does not get taken advantage of.

Motion by Councilor MacEachern to close public forum, seconded by Councilor Spencer
All Agreed

Consent Agenda

- | | |
|--------------|---|
| 24-01 | Approve Non-Public Minutes – December 19, 2023, Minutes Sealed |
| 24-02 | Approve Minutes – December 19, 2023 |
| 24-03 | Resignation from Highway Safety Committee |

Councilor MacEachern moves to approve the Consent Agenda, seconded by Councilor Spencer

Roll Call Vote: 7-0-0

Chairman Report – Charles Foote

Election Update – Town Clerk Tina Guilford

Our traffic plan is ready and is being rolled out to the public. Everything else is on schedule. We are still looking for additional poll workers. Absentee Ballots are available in the Town Clerk's office.

**Chairman Foote moves to appoint James Roddy as a Member of the Highway Safety Committee for a term to expire March 31, 2024, seconded by Councilor MacEachern
Roll Call Vote: 7-0-0**

Town Administrator's Report – Dave Caron

Landfill Solar Update – Director of Public Works Mike Fowler

This is just an update on the landfill project. We are moving forward with Encore Renewable Energy. We are at the end of the permitting process. Rob Greer and Katie Hinds are here with an update on the construction phase. We look forward to starting actual construction in May. The lease agreement, power purchase agreement, some additional costs. We will be transparent about the costs.

The Town Council will meet in non-public session on Wednesday, January 10 @ 4:30PM to discuss the sale of real estate.

The CFO has recently opened the budgeting portal for Departments to begin working on the FY25 budget process. The Capital Improvements Program for FY 25-30 is also underway; we expect the draft plan to be presented to Council in February as an FYI, as we will be presenting to the planning board as well during February for their comments and input. We would also request input on the budget review schedule as the room is now reserved for the School Board on the 2nd and 4th Tuesdays. Options may include lengthening the available dates to include more departments or scheduling a Saturday workshop.

Tina has been tracking legislation which may impact municipal interests and we'll be presenting information to the Council throughout the session seeking input or requesting a Council position on some of the issues.

Public Hearing

23-130 Resolution #2023-083 – Relative to a Supplemental Resolution for the Wastewater Main Pump Station Project – *DPW Deputy Director Tom Carrier presenting.*

The purpose of this hearing is to request Council approval of a supplemental appropriation in the amount of \$114,434.00 from the Wastewater Fund Balance to bridge the budget shortfall for making repairs to the Town's Wastewater Treatment Plant's main Influent pumping station.

Motion by Councilor Chirichiello to open public hearing, seconded by Councilor MacEachern
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 #2023-083 which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0
Resolution Attached

New Business

24-04 Resolution #2024-001 – Authorize the Town to apply, receive and expend a grant from the New Hampshire Department of Environmental Services for Milfoil Treatment – *DPW Director Mike Fowler presenting.*

The Town of Derry has been working with the Beaver Lake Improvement Association to provide milfoil treatment at Beaver Lake. This resolution is to apply for, accept and expend up to \$8815.00 in grant funds from the Department of Environmental Services and to execute all necessary documents to provide milfoil treatment on Beaver Lake.

Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2024-001 which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

24-05 Resolution #2024-002 – Authorize the Town to receive and expend a grant from the Beaver Lake Improvement Association for Milfoil Treatment – *DPW Director Mike Fowler presenting.*

The Town of Derry has been working with the Beaver Lake Improvement Association to provide milfoil treatment at Beaver Lake. This resolution is to accept and expend up to \$3000.00 in grant funds from the Beaver Lake Improvement Association and to execute all necessary documents to provide milfoil treatment on Beaver Lake.

Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2024-002 which reads as follows [Read the Resolution], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

24-06 Resolution #2024-003 – Apply for and accept grant funding related to Household Hazardous Waste Collection – *DPW Director Mike Fowler presenting.*

The Town of Derry has held an annual Hazardous Waste event for years in conjunction with Londonderry. This is for a grant application for matching funds from the NH Department of Environment Services for no more than \$10,000.00 and so that we can schedule the Spring Event in 2025.

Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2024-003 which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

24-07 Resolution #2024-004 – Transfer funds from the Highway Division Bridge Fund – *DPW Director Mike Fowler presenting.*

The Town has begun a bridge/culvert replacement program, and this transfer will allow the program to continue by using existing funds for this purpose. The sum of \$1,450,000.00 is to be transferred from the Highway Bridge Fund, which includes the use of \$600,000 in unobligated bond proceeds for the replacement of culverts on Sunset Avenue.

Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2024-004 which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

24-08 Resolution #2024-005 – Designate a Polling Location for the elections conducted in 2024 – *Town Administrator Dave Caron presenting.*

The Town has begun a bridge/culvert replacement program, and this transfer will allow the program to continue by using existing funds for this purpose. The sum of \$1,450,000.00 is to be transferred from the Highway Bridge Fund, which includes the use of \$600,000 in unobligated bond proceeds for the replacement of culverts on Sunset Avenue.

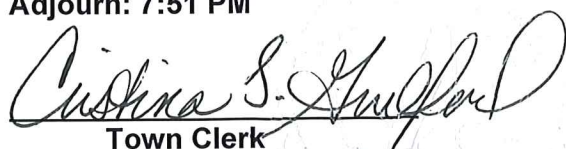
Councilor MacEachern MOVES THAT THE TOWN COUNCIL adopt Resolution #2024-005 which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Councilor Comments / Liaison Reports –

Councilor MacEachern – Happy New Year.
Councilor Flood – January 7th, Battle of the Bands at Tupelo Music Hall. It will be an amazing event in support of some great talent.

Motion by Councilor MacEachern to ADJOURN, seconded by Councilor Spencer
Roll Call Vote: 7-0-0

Adjourn: 7:51 PM


Town Clerk


Date

Recording & Transcription by: Cristina Guilford, Town Clerk



RESOLUTION

Number 2024-001

To Authorize the Town to apply, receive and expend a grant from the New Hampshire Department of Environmental Services for Milfoil Treatment

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

WHEREAS, Section 9.15 of the Town Charter authorizes the Town Council to accept grant funding; and

WHEREAS, milfoil is an invasive aquatic weed which has been introduced in Beaver Lake; and

WHEREAS, left untreated, milfoil will continue to grow, damaging the Lake and potentially negatively impacting property values; and

WHEREAS, it is in the best interest of the Beaver Lake Improvement Association and the Town to eradicate milfoil from Beaver Lake;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to apply for, accept and expend up to Eight Thousand Eight Hundred Fifteen Dollars (\$8,815) in grant funds from the Department of Environmental Services and to execute all necessary documents to provide for milfoil treatment on Beaver Lake.

This Resolution shall take effect immediately upon its passage.

Adopted: January 2, 2024

Attest:

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

Charles Foote, Council Chair

Date: January 2, 2024

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

Cristina Guilford, Town Clerk

Date: January 2, 2024

Archival Ref: Agenda Item #24-04



RESOLUTION

Number 2023-083

To Approve a Supplemental Appropriation for the Wastewater
Treatment Plant Pump Station Project

WHEREAS, the Town Charter establishes 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 #2022-022 funded repairs to the Wastewater Treatment Plant's main influent pumping station; and

WHEREAS, the Town recently received bids to complete this work, which bid exceed the funds previously appropriated; and

WHEREAS, the ARPA Grant anticipated through the State Department of Environmental Services was slightly less than budgeted; and

WHEREAS, the Town's Wastewater Fund has an adequate fund balance from which resources can be used to complete this project.

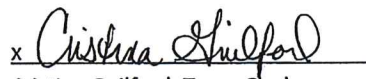
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the sum of One Hundred Fourteen Thousand Four Hundred Thirty-Four Dollars (\$114,434) shall be appropriated from the Wastewater Fund Balance for this project.

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

Adopted: January 2, 2024.

Attest:


Charles Foote, Council Chair
Date: January 2, 2024


Cristina Guilford, Town Clerk
Date: January 2, 2024

Archival Ref: TC agenda item #23-130



RESOLUTION Number 2024-005

To Approve the Central Polling Location for all Elections

WHEREAS, State Statutes assign to the Town Council the responsibility to provide polling locations;
and

WHEREAS, the Town Council under Resolution #2023-080 designated Pinkerton Academy as the
central polling location for the January 23, 2024 Presidential Primary; and

WHEREAS, a central polling location needs to be designated for the remaining elections in 2024;
and

WHEREAS, Pinkerton Academy has offered to host these elections at its facilities.

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council hereby designates
Pinkerton Academy as the Town's Central Polling Location for all elections conducted in 2024.

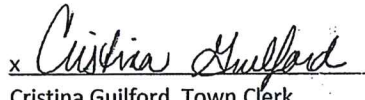
This Resolution shall take effect immediately upon its passage.

Adopted: January 2, 2024

Attest:

x 
Charles Foote, Council Chair

Date: January 2, 2024

x 
Cristina Guilford, Town Clerk

Date: January 2, 2024

Archival Ref: TC agenda item #24-08



RESOLUTION

Number 2024-004

Transfer Funds from the Highway Division Bridge Fund

WHEREAS, Section 9.7 of the Town Charter empowers the Town Council to transfer any unencumbered appropriation balance; and

WHEREAS, the Town maintains a Highway Division Bridge Fund in which funds previously appropriated by the Council or accepted from outside sources are deposited; and

WHEREAS, the Department of Public Works is planning to replace the culverts on Sunset Avenue; and

WHEREAS, the project requires funding from the Bridge Fund to augment proceeds from the culvert bond to advance the project to construction;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that pursuant to Section 9.7 of the Town Charter the Town Administrator is authorized to transfer the sum of One Million Four Hundred Fifty Thousand Dollars (\$1,450,00) from the Highway Division Bridge Fund, which includes the use of \$600,000 in unobligated bond proceeds, for the replacement of culverts on Sunset Avenue.

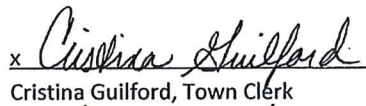
This Resolution shall take effect immediately upon its passage.

Adopted: January 2, 2024

Attest:

x 
Charles Foote, Council Chair

Date: January 2, 2024

x 
Cristina Guilford, Town Clerk

Date: January 2, 2024

Archival Ref: Item #24-07



RESOLUTION

Number 2024-003

To Apply for and Accept Grant Funding Related to Household
Hazardous Waste Collection

WHEREAS, the Section 9.15 of the Town Charter authorizes the Town Council to apply for, accept and expend funds received from the State; and

WHEREAS, the Town annually has hosted a Household Hazardous Waste Collection Day to provide residents with a convenient and safe method by which to dispose of household hazardous waste; and

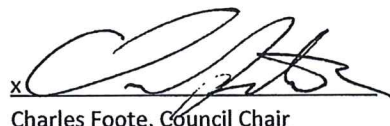
WHEREAS, matching grant funding from the NH Department of Environment Services is available to the Town to help defray expenses associated with this program;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to sign Grant Applications and Agreements with NHDES for no more than \$10,000 in matching funds and further authorize the Town to hold a Household Hazardous Waste Collection event in Spring, 2025.

This Resolution shall take effect immediately upon its passage.

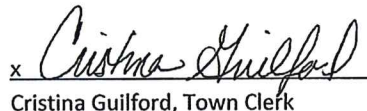
Adopted: January 2, 2024

Attest:

x 

Charles Foote, Council Chair

Date: January 2, 2024

x 

Cristina Guilford, Town Clerk

Date: January 2, 2024

Archival Ref: TC agenda item #24-06



RESOLUTION

Number 2024-002

To Authorize the Town to receive and expend a grant from the Beaver
Lake Improvement Association for Milfoil Treatment

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

WHEREAS, Section 9.15 of the Town Charter authorizes the Town Council to accept grant funding; and

WHEREAS, milfoil is an invasive aquatic weed which has been introduced in Beaver Lake; and

WHEREAS, left untreated, milfoil will continue to grow, damaging the Lake and potentially negatively impacting property values; and

WHEREAS, it is in the best interest of the Beaver Lake Improvement Association and the Town to eradicate milfoil from Beaver Lake;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to accept and expend up to \$3,000 from the Beaver Lake Improvement to provide for milfoil treatment on Beaver Lake.

This Resolution shall take effect immediately upon its passage.

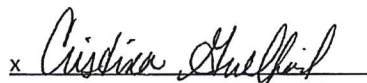
Adopted: January 2, 2024

Attest:

x 

Charles Foote, Council Chair

Date: _____

x 

Cristina Guilford, Town Clerk

Date: January 2, 2024

Archival Ref: Agenda Item #24-05