

TOWN OF DERRY

**Town Council
Derry Municipal Center**

**March 5, 2019
Tuesday - 7:00 PM**

**6:00 PM Non-Public Session 91A:3 II (a,b,c,d,e)
7:00 PM Call to order**

Councilor Tripp moves to leave non-public session, seconded by Chairman Morgan – all agreed

Councilor Tripp moves to seal RSA 91A:3 II (a,b,c,d,e), seconded by Councilor Katsakiores – all agreed

**Councilor Wetherbee moves to unseal portions of the non-public minutes from 3/6/18, 3/20/18, 7/17/18, 9/4/18, 10/2/18, and 12/18/18 and moves to unseal all of the non-public minutes from 4/17/18 and 5/15/18, seconded by Councilor Chirichiello
Roll Call Vote: 6-0-0**

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

Roll Call: Councilors Chirichiello, Tripp, Katsakiores, Foote, Wetherbee, and Chairman Morgan
Present: TA David Caron, Town Clerk Daniel Healey

Public Forum - *30 Minutes*

Open Public Forum – all agreed

Clint Havens: Bradford St – Will be running in the Boston Marathon to benefit the Derry Veteran's Assistance Fund and the Greater Derry Track club. Donations are tax deductible.

Ernie St. Pierre: Sunset Ave – If anyone would like to donate, reach out, he has pledge sheets. Reminded everyone that elections are coming up and he hopes the faces don't change. Was impressed with the candidate's forums for the councilors and the school board.

Eric Knight: Louise Way – Would like something done about the Off Highway Recreational Vehicle's that use his driveway as a public way. Has brought this to the attention of the police department but it is still occurring.

Motion by Councilor Tripp to extend Mr. Knights time, seconded by Councilor Katsakiores – all agreed

Mike Gendron: Greater Derry Arts Council – There will be a semi-formal Nutfield gala to celebrate the Nutfield 300th. Tickets will be available soon.

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

Consent Agenda

19-13 Approve Minutes – February 19, 2019

19-14 Accept Derry Housing & Redevelopment Authority member resignation

- 19-15** Ordinance #2019-001 – Relative to Amending the Zoning Ordinance to move 5 parcels from the Central Business District too the Medium High-Density Residential zone and move 6 parcels from the Medium High-Density Residential District to the Medium High-Density Residential II District

Consent agenda approved

Chairman's Report – James Morgan

Town Moderator Mary Till presented information regarding the March 12, 2019 Town and School Election. The polls will open at 7am and close at 8pm. Districts 1 & 4 will vote at Gilbert H. Hood Middle School and Districts 2 & 3 will vote at West Running Brook Middle School. The moderator's rules will be distributed to all the candidates and voters can look up what they are voting on and what district they are in on the town website.

Requested that the appointment of he Derry Housing & Redevelopment Authority member be postponed until the next meeting in the event that there are new councilors elected.

Town Administrator's Report – David Caron

Human Resources Director Bill Scimone is retiring effective Thursday. The Town has received 44 resumes for the position and the top candidates have been interviewed. A recommendation will be made to the Council at the March 19th meeting and a confirmation by the council will be required. The Town Administrator met with representatives from the Center for Life Management and Community Health Services and they both are continuing to review applications and have a budgeted amount available of \$89,000. The Conservation Commission has been working on an easement on Lane Road and the authorization will come before the council. The Planning Board is scheduled another public forum on the Master plan. It is scheduled for Saturday April 6th from 10:30am to 12:30pm in the 3rd floor meeting room. The Age-Friendly survey results are posted on the town website.

New Business

- 19-16** Resolution 2019-006 Establish a Derry Cultural District – *Economic Development Director Bev Donovan, Cable Division Coordinator Owen Provencher, and President of the Greater Derry Arts Council Mike Gendron*

The Greater Derry Arts Council & GDAC Public Arts Committee recognizes the importance of Art & Culture to provide vibrancy and enhance the experiences of residents, visitors, and businesses and further seeks to support the goals of the Town Council to enhance potential economic development efforts in the Town of Derry. As such, the GDAC is proposing a formal Cultural District as an aid to the shared effort of preserving, promoting and encouraging arts and culture to strengthen the community and stimulate the local economy. The State of NH has recognized that support for arts and culture is important to overall desirability of living and working in NH, and Governor Sununu has recently appointed Commissioner Sarah Stewart to oversee the new Department of Natural and Cultural Resources to leverage NH's unique assets. The GDAC recognizes this important gesture and agrees that arts and culture in NH, and locally in Derry, is important to economic stability.

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2019-006, which reads as follows [Read the Resolution], seconded by Councilor Katsakories
Roll Call Vote: 6-0-0
Resolution attached

19-17 Resolution 2019-007 To Enter into a Lease-Purchase Agreement for Police Equipment – *Police Chief Ed Garone and Police Captain George Feole*
Included in the FY19 budget is an approved expenditure of funds from the capital reserve account to purchase replacement Tasers. During efforts to facilitate that purchase, pricing options were sought from Axon, the company that manufactures and markets the Tasers. It was discovered that it is more fiscally prudent to enter into a 0% 5-year lease purchase arrangement with the company than it is to purchase the equipment outright. A straight purchase of 61 Tasers would cost \$98,810, the 5-year lease option for 61 tasers provides for 5 annual payments totaling \$87,600. 60 additional duty cartridges are included over the term of the lease at no additional cost. Because there is a 0% lease rate, duty cartridges are included and discounts are applied via the lease, there is a savings of \$11,210 by leasing vs a straight purchase. The 5 annual payments, \$17,760 in year one and \$17,460 in years 2-5 will be drawn from the capital reserve account negating any tax impact.

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2019-007, which reads as follows [Read the Resolution], seconded by Councilor Katsakories
Roll Call Vote: 6-0-0
Resolution attached

Councilor Comments / Liaison Reports –

Councilor Katsakories – Hopes to continue with the current councilors after the Town and School election.

Councilor Wetherbee – The last 2 years on the council have been enjoyable with good discussions and good debates. Hopes the 3 councilors' up for re-election are back.

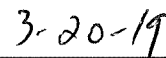
Councilor Tripp – Thanked everyone who participated in the candidate's forums at the VFW, there were good questions on both nights and the VFW will continue to host these forums. The VFW will also be hosting a blood drive on March 7th from 2-7pm. The Derry Arts Council should look into having a kickball league.

Chairman Morgan – Appreciates the work that has been done on the council the past 3 years and would like another 3 years.

Adjournment: 8:15 p.m.



Town Clerk



Date

Recording & Transcription by: Daniel Healey, Town Clerk



RESOLUTION

Number 2019-006

To Designate the Derry Cultural District

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

WHEREAS, the Greater Derry Arts Council recently formed the Public Arts Committee of Derry; and,

WHEREAS, this Group will help advance several Town Council goals, including:

- Downtown possibilities for redevelopment opportunities;
- Develop strategy/plan to attract/retain younger residents;
- Additional Town Support for the Arts; and,

WHEREAS, the Town Council can assist the Committee by designating a Cultural District which would:

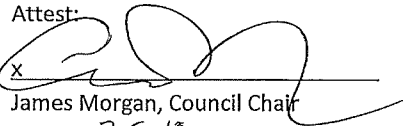
- Provide grant opportunities for the Group;
- Highlight the 92 businesses, artists and venues located within the proposed district which provide cultural enhancements;
- Further support economic development opportunities in the community;

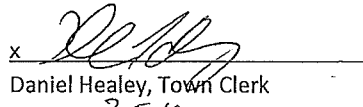
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town hereby designates portions of Derry as the Derry Cultural District as outlined on the attached map.

This Resolution shall take effect immediately upon its passage.

Adopted: March 5, 2019

Attest:

X 
James Morgan, Council Chair
Date: 3-5-19

X 
Daniel Healey, Town Clerk
Date: 3-5-19

Archival Ref: Agenda Item #19-16



RESOLUTION

Number 2019-007

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

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

WHEREAS, the Fiscal Year 2019 Town Budget included funds for the purchase of replacement Tasers for the Police Department; and

WHEREAS, after negotiations it is in the Town's best financial 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 Lease/Purchase Agreement with Axon Enterprises, which will include a fiscal funding clause;

Further, that this authorization shall not increase appropriations beyond what has been previously authorized under separate Council action and to take such other actions as may be necessary to consummate such financing.

This Resolution shall take effect immediately upon its passage.

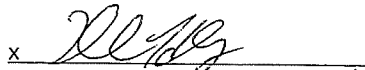
Adopted: March 5, 2019

Attest:

x 

James Morgan, Council Chair

Date: 3-5-19

x 

Daniel Healey, Town Clerk

Date: 3-5-19

Archival Ref: TC agenda item #19-17