

TOWN OF DERRY

Town Council
Derry Municipal Center
14 Manning Street



Tuesday April 19, 2022
3rd Floor Meeting Room

MINUTES

6:45 PM **Non-Public Session – RSA 91A:3 II (d)**
7:00 PM **Call to order**

Motion by Councilor Spencer leave non-public session, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Motion by Councilor Chirichiello to seal the minutes indefinitely because it was determined divulgence of this information would render a proposed action ineffective, seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0

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

Roll Call: Councilors Katsakiores, Chirichiello, Spencer, Foote, Flood, and Chairman Bourdon;
Absent: Councilor Wetherbee
Present: TA Dave Caron, Town Clerk Daniel Healey

Public Forum - *30 Minutes*

Motion by Chairman Bourdon to open public forum, seconded by Councilor Spencer
Roll Call Vote: 6-0-0

Mark Connors (Derry Rail Trail President): Cabot Dr – Public thanks to Millennium running for the over 30 volunteers that helped with the race on the Derry Rail Trail. Also thanked Next Charter, Garden Club, and Derry Arts Council. There were over 1,200 runners representing 26 states. Most people stayed in Londonderry or Manchester hotels and Mr. Connors recommends getting the muddy section of the rail trail fixed to make it more accessible from those locations. Thanked Derry Medical for their donation to the Rail Trail.

Tracey Zysk: Silver St – Lives in the Sunset Acres area of town. These are older homes, many being multi-generational. She would like the town council to take into consideration buffer zones in this area and would like District 1 Councilor Spencer to advocate for this.

Steve Trefethen: Windham, NH – Would like the town council to take over the school budget and presented a packet of information to them.

John Zirpolo: Schurman Dr – Does not want the Town to use the Alexander-Carr land for the fire station and requests that the councilors read the trust first for the intentions.

Karen Lincoln: Craven Ter – Would the land available at Alexander-Carr park to be developed as a recreational green space incorporating pedestrian and bike paths.

Marc Flattes: Linlew Dr – Supports a fire station in West Derry but does not support the use of the Alexander-Carr park land for this purpose. Would like the town council to shut down the schools plans for a new school.

POINT OF ORDER: Councilor Chirichiello made note that the Town Council has no control over the Derry School District or the School Board. Issues regarding the school should be brought to them.

Richard Tripp: Windham Rd – Reminded residents to vote at the School election to not approve things if they disagree with what the school board is doing.

Nick Sands: Susan Cir – Not opposed to a new fire department but concerned about the location being at Alexander-Carr park. Questioned if the town could bond money without having a location selected.

Tom Cardon: Cunningham Dr – Thanked all the health care professionals that attended tonight's Town Council meeting. He tries to go to all the school board meetings and believes he town and school need to get together. Taxes will increase significantly over the next few years. It is time to get the cost of the schools under the town council. Understands the need for a new fire station but the Alexander-Carr land is there for a reason and the town council should be looking at finding a new location.

**Motion by Councilor Chirichiello to close public forum, seconded by Councilor Foote
Roll Call Vote: 6-0-0**

Consent Agenda

- 22-44** Approve Non-Public Minutes – April 5, 2022 – **Minutes Sealed**
- 22-45** Approve Minutes – April 5, 2022
- 22-46** Resolution #2022-031 – Increase the income eligibility levels for the Elderly Exemption Program
- 22-47** Ordinance #2022-002 – Amend the Zoning Ordinance to establish buffer requirements in the WRB District

**Chairman Katsakiores moves to approve the consent agenda, seconded by Councilor Foote
Roll Call Vote: 6-0-0**

Chairman Report – Joshua Bourdon

Chairman Bourdon read and presented proclamations in recognition of South Central New Hampshire Public Health Network, Parkland Medical Center Staff, and the Derry Fire Department related to their work during the COVID-19 pandemic.

Representative Stephen Pearson was invited to provide insight on HB1417. This bill related to payment by the state of a portion of retirement system contributions of political subdivision employees.

Planning Board

**Chairman Bourdon moves to appoint Richard Malaby as an alternate member of the Planning Board for 3 year term to expire March 31, 2025, seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0**

Town Administrator's Report – Dave Caron

CFO Mark Fleischer gave a presentation on FY22 Quarter 3 financials.

The Town has submitted requests to both Senator Shaheen and Congressman Pappas for consideration of two projects which are as follows:

1. \$2.2M to augment Town Recreation Bond funds to complete WRB field project
2. \$3M for Route 28 South Sewer extension (balance of \$1.2M to be bonded and paid from Southern New Hampshire Water Project revenues)

The Town had solicited redevelopment proposal for the parcel located at 19 Elm Street in 2019. As part of the due diligence process, several environmental studies were required, the first paid by the successful proposer and others paid by the State. The Town has received the information and reengaged with the developer to chart a path forward. The Town is assembling information in response to questions posed about the proposed Fire Station project and suggests a workshop on this matter be held.

Public Hearing

22-38 Resolution #2022-018 – Approve a Revised User Fee Schedule for Derry Water Customers – *Director of Public Works Mike Fowler and Deputy Director of Public Works Tom Carrier*

Derry's municipal water service fees were last increased in FY21. These fees included water meters, meter horn assemblies, and the Merrimack River Source Development (MSD) charge. Derry requires that meters and meter horns be purchased from the Town for quality control purposes and to ensure they meet the town's specifications. Derry specifies Badger meters and their compatible Orion radio transponders. The Town vendor pricing has increased from \$55.00 for the meter and \$168.20 for the transmitter to \$57.88 and \$206.05 respectively (18%) between 2020 and 2022. Meter horn assemblies facilitate the installation of meters by Department employees and provide backflow protection between private house services and the Town's water system. Derry purchases and assembles the individual components which make up the meter horn assembly. The unit costs for these components have increased from \$242.04 to \$328.62 (36%) between 2020 and 2022. Derry's Merrimack River Source Development Charge (MSDC) is a fee charge by Manchester Water Works (MWW) to new and expanding water users, including their wholesale customers, to offset costs associated with the development of the Merrimack River as a supplemental water supply to Lake Massabesic. MWW began charging Derry this fee in 1998 at a fixed rate of \$1.14 per gallon per day. In 2005 MWW began escalating the rate 3% annually. Derry has pre-purchased 2.9 million gallons of capacity and resells excess capacity to new customers to reimburse the ratepayers. In FY21 Derry began charging its customers the same fee as MWW. As of January 1, 2022, that fee is \$4.02 per gallon per day. (\$1,191, \$2,323, \$3,420, \$8,973 and \$15,849 for a 5/8-inch, 1-inch, 1 1/2-inch and 2-inch meter connection respectively.) Meters, meter horn assemblies and the MSD charge are most particularly applied to new development. Maintaining the town fee structure for new developers is necessary to offset these expenses to the ratepayers who upfront these costs. Accordingly, the town proposes to increase these fees in the FY2023 budget.

Motion by Councilor Foote to open public hearing, seconded by Councilor Spencer
Roll Call Vote: 6-0-0

No one from the public spoke.

Motion by Councilor Foote to close public hearing, seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0

Councilor Spencer MOVES THAT THE TOWN COUNCIL adopt Resolution #2022-018
which reads as follows [Read the Resolution], seconded by Councilor Chirichiello
Roll Call Vote: 6-0-0
Resolution attached

New Business

22-48 Resolution #2022-030 – Authorize acceptance of additional Wellness Grant funding from Health Trust– *Wellness Coordinator Elizabeth Robidoux*
The Town of Derry continues to participate in HealthTrust's Wellness Coordinator Program. This year, HealthTrust awarded a Wellness Coordinator Stretch Goal bonus in the amount of \$375.00. This is in addition to the \$1,000.00 received in January which is the annual grant. The Town surpassed its stretch goal by beating a 2-year average for Biometric Screening participation and Slice of Life enrollees. There was also a 2% increase in the number of employees who created secure enrollee portals and participated in Smart Shopper. The specific use of the HealthTrust award is determined by the Wellness Coordinator(s) and is typically used to fund any expenses of the programs and initiatives. The programs provided by the Wellness Coordinator(s), under the auspices of this grant are available to all employees of the Town of Derry and not just those who are enrolled in the town's insurance program.

Councilor Katsakiores MOVES THAT THE TOWN COUNCIL adopt Resolution #2022-030
which reads as follows [Read the Resolution], seconded by Councilor Spencer
Roll Call Vote: 6-0-0
Resolution attached

Old Business

BUDGET WORKSHOP

Water

Director of Public Works Mike Fowler

Deputy Director of Public Works Tom Carrier

Department Mission: To provide safe, reliable, portable water to 18,000 residents, institutions and businesses in Derry and Londonderry as well as supply water to southern NH regional water systems, complying with federal and state regulations and to ensure the availability of adequate water supply and pressure for fire protection at affordable and sustainable rates and in a safe environment for the town workers. Support regional objectives for safe and reliable drinking water.

Councilor Chirichiello moves the bottom line at \$3,726,094, seconded by Councilor Foote
Roll Call Vote: 6-0-0

Wastewater

Director of Public Works Mike Fowler

Deputy Director of Public Works Tom Carrier

Department Mission: To provide adequate collection and treatment of domestic and industrial process wastewater and septage for Derry and Londonderry residents and businesses meeting EPA and NHDES regulations and environmental standards at affordable and sustainable rates in a safe environment for the town workers.

**Councilor Chirichiello moves the bottom line at \$2,819,152, seconded by Councilor Foote
Roll Call Vote: 6-0-0**

Councilor Comments / Liaison Reports –

No councilor comments / liaison reports.

Adjourn: 9:35PM



Town Clerk

Recording & Transcription by: Daniel Healey, Town Clerk



Date



RESOLUTION

Number 2022-018

To Approve Revised User Fee Schedule for Derry Water Customers

WHEREAS, RSA 38:17 authorizes the Town Council to enter into a supply contract with another municipality for the purposes of purchasing water for customers of the Derry Water Department; and

WHEREAS, the Town has entered into a wholesale water supply contract with Manchester Water Works to provide water for its customers; and

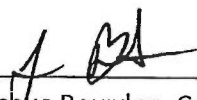
WHEREAS, the Town Council, on occasion and in accordance with RSA 38:28 shall review water user fees to reflect Water Division expenses related to equipment, services and source development charges from Manchester Water Works;

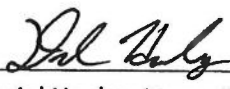
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that it is necessary to adjust water user fees as set forth on the attached schedule to ensure that users requesting those services assume responsibility for the costs.

This Resolution shall take effect on July 1, 2022.

Adopted: April 19, 2022

Attest:

x 
Joshua Bourdon, Council Chair
Date: 4/19/22

x 
Daniel Healey, Town Clerk
Date: 4/19/2022

Archival Ref: TC agenda item #22-38

Fee		Current Charge	Proposed FY23 Charge
Water Service Meter	5/8 x 3/4 inch	\$ 287.00	\$ 331.00
Water Service Meter	1 inch	\$ 425.00	\$ 493.00
Water Service Meter	1 1/2 inch	\$ 673.00	\$ 819.00
Water Service Meter	2-inch Disc	\$ 898.00	\$ 1,093.00
Water Service Meter	2-inch Turbo	\$ 1,029.00	\$ 1,298.00
Meter Horn Assembly	3/4 inch	\$ 265.00	\$ 382.00
Meter Horn Assembly	1 inch	\$ 437.00	\$ 729.00
MSD Charge	5/8 x 3/4 inch	\$ 1,123.00	\$ 1,191.00
MSD Charge	1 inch	\$ 3,224.00	\$ 3,420.00
MSD Charge	1 1/2 inch	\$ 8,458.00	\$ 8,973.00
MSD Charge	2-inch	\$14,940.00	\$15,849.00
MSD Charge	>2-inch	\$3.79/GPD	\$4.02/GPD

Archival Ref: TC agenda item #22-38



RESOLUTION

Number 2022-030

To Authorize Acceptance of Additional Wellness Grant Funding from
Health Trust

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 has participated annually in HealthTrust's Wellness Coordinator Program to raise awareness of the physical activity, social, and mental health of Town employees and their families; and

WHEREAS, the Council authorized the acceptance of funds from Health Trust under Resolution #2021-016; and

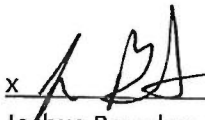
WHEREAS, the Town's Wellness Coordinators were recently award a stretch goal bonus of \$375.00;

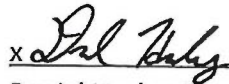
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to accept and expend \$375.00 in additional Wellness Coordinator Grant funds from HealthTrust.

This Resolution shall take effect immediately upon its passage.

Adopted: April 19, 2022

Attest:

x 
Joshua Bourdon, Council Chair
Date: 4/19/22

x 
Daniel Healey, Town Clerk
Date: 4/19/2022

Archival Ref: Agenda Item #22-48
