

TOWN OF DERRY

Town Council
Derry Municipal Center

May 3, 2016
Tuesday - 7:30 PM

6:00 PM Consultation with legal counsel (not open to the public)

6:30 PM RSA 91A:3 II (a)
RSA 91A:3 II (c)
RSA 91A:3 II (d)

7:30 PM Call to order

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

Councilor Tripp moves to seal RSA 91A:3 II (c), seconded by Councilor Morgan
Vote: 7-0-0

Councilor Tripp moves to seal RSA 91A:3 II (a), seconded by Councilor Bourdon
Vote: 7-0-0

Councilor Tripp moves to seal RSA 91A:3 II (d), seconded by Councilor Bourdon
Vote: 7-0-0

Councilor Tripp moves to close non-public, seconded by Councilor Morgan

Roll Call: Councilors Bourdon, Foote, Katsakiores, Tripp, Fischer, Morgan and Chairman Chirichiello

Present: ATA Stephen Daly, Town Clerk Daniel Healey

Consent Agenda

16-61 Approve Budget Workshop Minutes – April 12, 2016

16-62 Approve Budget Workshop Minutes – April 14, 2016

16-63 Approve Non-Public Minutes – April 19, 2016 – **minutes sealed**

16-64 Approve Minutes – April 19, 2016

16-65 Approve Elderly & Disabled Deferrals

16-66 Approve Veterans' Credits / Elderly Exemptions / Blind Exemptions

Chairman Chirichiello moves to remove 16-63 off the consent agenda, seconded by Councilor Bourdon

Vote: 7-0-0

Consent agenda approved. (Councilor's Fischer and Foote abstained from 16-62)

Chairman's Report – Brian Chirichiello

The meeting to interview the next Town Administrator was not posted correctly so it has been rescheduled to this Thursday. The public forum is still occurring tonight. It was mistakenly left off the agenda by Acting Town Administrator Stephen Daly.

Town Administrator's Report – Stephen Daly

Thanked the councilors that attended the swearing in of the new police officers last Friday. He stated that there is an application for a license for a public gathering for the area to the west of Halligan's Tavern. The applicants would like the street closed off May 25th. It is a fundraiser for a former Derry Firefighter diagnosed with Leukemia.

Councilor Foote moves to address new business before the old business, seconded by Councilor Morgan

Vote: 7-0-0

Public Forum - *30 Minutes*

Open Public Forum – all agreed

Steve Trefethen, Windham, NH – Would like the opportunity to question Mike Fowler on 16-67. He is told that the public will get that chance June 7th.

Marc Flattes, Linlew Dr. – **[Councilor Morgan made a point of order for Mr. Flattes name and address]** Has a 91A request for the top 35 town employees and the entire amount paid per member of the Derry Fire department. The town administrator took that request.

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

New Business

16-67 Presentation on Amendment #7 to Exit 4A Environmental Impact Statement Engineering Contract

A supplemental appropriation is requested to proceed with engineering work associated with the Environmental Impact Statement for Exit 4A. On July 15, 2014 the paradigm of the Exit 4A project changed when the former NHDOT Commissioner Christopher Clement expressed to the Derry Town Council that NHDOT would serve as project sponsor and seek federal funds for construction of the new interchange and collector roads. NHDOT has included the construction of Exit 4A in its draft 10-year plan, to be completed by 2022. NHDOT and the two Towns worked to negotiate a scope and fee agreement with CLD in the amount of \$2,333,197, with Derry's 50% share of the cost being \$1,116,598. Amendment #7 will finalize the EIS document for submission to FHWA. The Exit 4A agreement obligates Derry to expend \$5,000,000 as its share of the total project cost. The completion of EIS would be done by the end of 2017, the record of decision by early to mid-2018, the preliminary engineering by 2018-2019, the right of way 2019-2020 and construction in 2020.

Councilor Morgan motions to schedule a public hearing June 7th, Councilor Katsakiores seconds

Vote: 7-0-0

16-68 Presentation on U.S. Dept. of Justice Bulletproof Vest Grant Program

Chief Garone presented the request for bulletproof vests. The Derry Police department was notified by the Bureau of Justice Assistance (BJA) that the Derry Police department is eligible to receive an award under the Fiscal Year 2016 Bulletproof Vest Partnership (BVP) program. The funds can be used until August 31, 2018. It is projected that the Derry Police department will need twelve bulletproof vests. The BJA would reimburse the police department for 50% of each

vest after the purchase has been made. The vests have a 5 year lifespan and if approved, it would be included in the FY2018 budget. The police department has 8 included in the current budget.

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt Resolution #2016-009 ...[Read the Resolution], seconded by Councilor Katsakiores

Roll Call Vote: 7-0-0

(See attachment)

- 16-69** Presentation on Proposed Amendment to Zoning Ordinance Article V – Zoning Map and District Boundaries, Section 165-30, Zoning Map to change 3 parcels from the MHDR District to the General Commercial (GC) District

Planning Director George Sioras presented the proposed amendment to Zoning Ordinance Article V. Three property owners on Lenox Ave across from Walgreens and adjacent to Sal's Pizza would like their zoning designation changed from Medium High Density Residential (MHDR) to General Commercial (GC). New development and redevelopment of commercially zoned parcels will expand the town's tax base and present opportunities for new business and employment.

Councilor Morgan moves to schedule a public hearing June 7th, Councilor Katsakiores seconds

Vote: 7-0-0

- 16-71** Appointment to Derry Housing Redevelopment Authority

Councilor Morgan moves to postpone this appoint to June 7th, seconded by Councilor Katsakiores

Councilor Bourdon questions when and in what manner. Councilor Morgan states that the council has made a point to not have a member on multiple boards and committees so he feels it needs further discussion.

Vote: 6-1-0 (Councilor Bourdon)

- 16-72** Consideration of compensation level for Town Clerk

Chairman Chirichiello moves to postpone action on 16-72 until the FY2017 budget is adopted

Vote: 7-0-0

Old Business

- 16-38** Presentation and deliberation re FY2017 Budget and Flagged Items
Action Item – Vote on matters relevant to the FY2017 budget

CFO Susan Hickey and Acting Town Administrator Stephen Daly make a presentation on the items the councilor's flagged during the budget workshop and the items that the councilors requested more information on. The council question if most town employees are receiving longevity pay and are told yes. The council is informed that the Derry Firefighters receive hours off but they are based on a 24 hour day. The council would like short term disability and workers compensation to be bid out.

Line 390 totaling \$65,000 will be removed to get to the 1 cent reduction goal. The goal of this council is to provide services but still lower the tax rate. There are bonds that are going to be retired, contracts that can be renegotiated, and more items bid out. The capital reserve will be funded adequately.

Councilor Morgan moves to remove line 390 from the master plan totaling \$65,000 seconded by Councilor Foote.
Roll Call Vote: 7-0-0

Councilor Morgan moves to accept budget changes presented with the exception of line 390, seconded by Councilor Katsakiores
Vote: 7-0-0

Councilor Tripp questions the salary of first year firefighters and police officers and is assured by Acting Town Administrator Stephen Daly that it is the correct cost.

16-34 Council Actions re FY2017 Budget Adoption Process

Emergency Management

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Emergency Management budget in the amount of \$69,361 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Bourdon
Roll Call Vote: 7-0-0

Executive – Administration

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Executive - Administration budget in the amount of \$537,578 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Executive – Health

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Executive - Health budget in the amount of \$83,323 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Executive – Community Development

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Executive – Community Development budget in the amount of \$130,000 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Executive – Information Technology

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Executive – Information Technology budget in the amount of \$599,692 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Bourdon
Roll Call Vote: 7-0-0

Finance – Human Services

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Finance – Human Services budget in the amount of \$390,863 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Finance – Assessor

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Finance – Assessor budget in the amount of \$513,583 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Finance – Finance

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Finance – Finance budget in the amount of \$732,629 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Finance – Tax Collector

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Finance – Tax Collector budget in the amount of \$794,416 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Finance – Other Municipal Obligations

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Finance – Other Municipal Obligations budget in the amount of \$1,972,652 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Bourdon
Roll Call Vote: 7-0-0

Fire – Prevention & Emergency Services

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Fire – Prevention and Emergency Services budget in the amount of \$10,992,487 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Fire – Dispatch

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Fire – Dispatch budget in the amount of \$976,790 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Libraries – Derry Public Library

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Libraries – Derry Public Library budget in the amount of \$1,311,414 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Libraries – Taylor Library

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Libraries – Taylor Library budget in the amount of \$183,446 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Planning

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Planning budget in the amount of \$266,867 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Bourdon
Roll Call Vote: 7-0-0

Police

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Police budget in the amount of \$9,639,803 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Police- Animal Control

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Police – Animal Control budget in the amount of \$80,601 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Bourdon
Roll Call Vote: 7-0-0

Public Works – Highway

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works – Highway budget in the amount of \$4,020,567 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Bourdon
Roll Call Vote: 7-0-0

Public Works – Transfer Station

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works – Transfer Station budget in the amount of \$1,768,702 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Public Works – Vehicle Maintenance

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works –Vehicle Maintenance budget in the amount of \$460,639 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Public Works – Buildings & Grounds

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works – Buildings and Grounds budget in the amount of \$739,944 presented in the Town Administrator’s FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Public Works – Cemetery

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works – Cemetery budget in the amount of \$254,091 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Public Works – Code Enforcement

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works – Code Enforcement budget in the amount of \$354,410 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Public Works – Recreation

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works – Recreation budget in the amount of \$597,432 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Public Works – Parks

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Public Works – Parks budget in the amount of \$914,168 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Town Clerk – Town Clerk

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Town Clerk – Town Clerk budget in the amount of \$137,840 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0

Town Clerk – Elections

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Town Clerk – Elections budget in the amount of \$64,791 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Wastewater

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Wastewater budget in the amount of \$2,220,563 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Water

Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Water budget in the amount of \$2,591,672 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Foote
Roll Call Vote: 7-0-0

Cable

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the Cable budget in the amount of \$319,143 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0**

TIF Districts

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the TIF Districts budget in the amount of \$322,316 presented in the Town Administrator's FY2017 budget proposal, seconded by Councilor Katsakiores
Roll Call Vote: 7-0-0**

**Councilor Morgan MOVES THAT THE TOWN COUNCIL adopt the FY2017 budget of \$44,041,783 pending final vote and approval after the May 17th public hearing, seconded by Councilor Foote
Roll Call Vote: 7-0-0**

Councilor Morgan makes a point of order asking if the council needs to vote on the leases. The council is informed that this can be done at the May 17th meeting.

Council Requests / Open Discussion

Councilor Bourdon – Thanks the municipal employees and fellow councilors for their work on the budget. Read a letter about a former Derry Firefighter diagnosed with leukemia. Would like to discuss information on the fundraiser at the next town council meeting.

Councilor Morgan – Jokes that Councilor Foote can read the budget motions next year.

Councilor Foote – Congratulated the new Derry police officers and thanks them for their service and dedication. Would like to inform the public that the deadline to change parties for the September primary is May 31st.

Councilor Tripp – Sorry that he missed the police officer's ceremony. Thanked all the people that came to the Veterans of Foreign Wars ceremony this past Sunday. Requests that the council form a working group to look at the council rules and possibly update them.

Chairman Chirichiello – Said that it is a good budget and thanks the council.

Adjournment: 10:00 p.m.


Town Clerk

5-23-16
Date

Recording & Transcription by: Daniel Healey, Town Clerk



RESOLUTION

Number 2016-009

To Authorize Application for and Expenditure of Grant Proceeds to
Fund Acquisition of Protective Vests for Police Personnel

WHEREAS, the Town Charter establishes the Town Council as the appropriating authority of the Town and in that the expenditure of grant funds is authorized by way of appropriation; and

WHEREAS, grant funding is available to law enforcement agencies through the U.S. Department of Justice, Bureau of Justice Assistance, Bulletproof Vest Partnership Program, under which the Derry Police Department is eligible; and

WHEREAS, periodic replacement of bulletproof vests is essential to the safety of police personnel and has been budgeted for in the FY2016 operating budget; and

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to apply for grant funding in the amount of Six Thousand One Hundred Thirty-two and 00/100 Dollars (\$6,132.00), that being the sum the Derry Police Department is eligible to receive, and furthermore, to accept award of that or any larger sum and to expend such funds upon their receipt.

This Resolution shall take effect immediately upon its passage.

Adopted: May 3rd, 2016.

Attest:

x Brian K. Chirichiello

Brian Chirichiello, Council Chair

Date: 5-13-16

x Daniel Healey

Daniel Healey, Town Clerk

Date: 5-13-16