

TOWN OF DERRY

Town Council
Derry Municipal Center

June 4, 2019
Tuesday - 7:00 PM

6:30 PM RSA 91A:3 II 9(c)
7:00 PM Call to order

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

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

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

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

Public Forum - *30 Minutes*

Open Public Forum – all agreed

Steve Trefethen: Windham, NH – Council should look at a property on Central Street with administration. They have many unregistered vehicles parked illegally and it is an eyesore.

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

Consent Agenda

- 19-60** Approve Budget Review Workshop Minutes – April 30, 2019
- 19-61** Approve Non-Public Minutes –May 7, 2019 – **minutes sealed**
- 19-62** Approve/Deny Hardship Abatement
- 19-63** Ordinance #2019-004 – Amend Article II, General Provisions of the Zoning Ordinance to allow Electric Vehicle Charging Stations
- 19-64** Resolution #2019-036 – Authorization to accept reimbursement from the Federal Management Activity

Consent agenda approved (Councilor Foote abstained from 19-60)

Chairman's Report – Neil Wetherbee

The Town Council will meet Tuesday July 16th at 7pm, Thursday July 18th at 6pm for a goals workshop, and Tuesday August 13th at 7pm.

Chairman Wetherbee moves to appoint AnnMarie Chase as an alternate member of the Conservation Commission for a 3 year term to expire March 31, 2022, seconded by Councilor Chirichiello – all agreed

Town Administrator's Report – David Caron

The Department of Revenue Administration has approved the agreement with Whitney Consulting; transition planning began this week. The carpeting was replaced in the meeting room last week. Also, upon a final review of technical and structural considerations, the Cable Division will not be installing HD monitors in the room. Instead, a new screen will be installed with an HD projector to improve picture quality. The Town has received a petition to abandon Louise Way. Legal is now reviewing the required statutory process for the Council to consider this request. All documents have been delivered to NHDES for the Southern NH Water Regional Interconnection and the town is anticipating Governor and Council action on the grant at the June 5 G&C meeting. Hansen Bridge of New London, NH has been awarded the contract to replace the existing culvert at North Shore Road- Beaver Lake in the vicinity of Jenny Dickey Hill Road and Lake Avenue. The total project cost was \$434,827, with 80% cost reimbursement from the NHDOT Bridge Aid program. The corroded metal culvert will be replaced with a precast concrete box culvert structure. Residents and motorists are advised that North Shore Road will be closed to all through traffic in the immediate project area starting July 8 with a projected reopening date of September 27. Local traffic on North Shore Road, Lake Avenue, Pebble Lane, Rocky Road and Jenny Dickey Hill Road will have access to their properties for the duration of the project. Detour signage will be established to divert traffic around the construction area. Economic Development Coordinator Bev Donovan, Cable Division Coordinator Owen Provencher, Planning and Economic Development Assistant Liz Robidoux and President of Greater Derry Arts Council Mike Gendron presented last week at the 7th Annual Arts Advocacy Summit in Concord about the influx of cultural activities in Derry. The gathering was intrigued and impressed with the Council's designation of the Derry Cultural District and how the arts economy impacts the community.

Economic Development Coordinator Bev Donovan and Robert Duval President and Chief Engineer of TF Moran presented a conceptual design for Abbott Court. It would consist of a parking garage with approximately 200 spaces, a 5 story technical building, and a small apartment complex. A restaurant with glass windows would be located on the ground level.

Director of Public Works Mike Fowler and Chairman of the Net Zero Task Force Committee Jeffrey Moulton presented an update on DPW Solar RFP. An RFP was issued on April 3, 2019 and 6 vendors were invited. 4 vendors performed the mandatory site visit on April 23. 3 vendors provided bids on May 7th. There was a request for 3 sizes (1 Mw, 1 Mw with infrastructure to support 5 Mw, and 5Mw) and 2 purchase options (direct purchase & lease/purchase). 1 Mw system will enable 75% of DPW site to be covered by solar energy production. 5 Mw system will enable 100% of town and schools to be covered by solar energy production. Current legislation could expand the net metering limit from 1 Mw to 5 Mw.

New Business

19-65 Resolution #2019-034 – Authorize Conservation Commission to accept a Conservation Easement at 52 Lane Road – *Town Administrator Dave Caron presenting*

The Derry Conservation Commission has been working with Linda Rutter to accept a conservation easement on 19 +/- acres of land located at 52 Lane Road. The Rutter family plans to place a permanent conservation easement on the property as part of a subdivision application, with the family retaining simple ownership. No public access rights would be included in this transaction. Pursuant to state statutes, the Conservation Commission can accept gifts, including land under easement or fee simple; after the Governing Board

approves the transaction. The attached deed has been prepared by Town Counsel, who confirms that this matter is ready for Council review and action.

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2019-034, which reads as follows [Read the Resolution], seconded by Councilor Chirichiello

Roll Call Vote: 6-0-0

Resolution attached

19-66 Resolution #2019- 035-Set the compensation of the Town Clerk and provide employee benefits -*Town Administrator Dave Caron*

The Town Clerk is currently compensated at the rate of \$44,177 annually; non-represented employees are eligible for a 3% merit increase; it is therefore recommended that the Clerk's compensation be adjusted by 3% to \$45,502. By New Hampshire State Law, the governing body of the town is required to set the elected Town Clerk's salary. This is acted upon annually after the fiscal year budget has been approved. Each year the Town Council needs to approve the elected Town Clerk's salary. Granting a 3% increase would be consistent with non-represented employees and adjustments budgeted for most of the Town's collective bargaining units.

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2019-035, which reads as follows [Read the Resolution], seconded by Councilor Katsakiores

Roll Call Vote: 6-0-0

Resolution attached

Councilor Comments

Councilor Bourdon –The Net Zero Task Force Committee is co-hosting a New Hampshire Business Solar Summit with Tupelo Music Hall on Wednesday June 5th from 5:30-7pm.

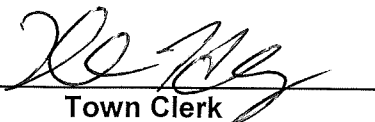
Councilor Katsakiores – The Derry Museum is open every Saturday from 1-5pm and they are looking for a curator. The Derry Police blood drive will take place on Wednesday June 12th from 11am to 6pm at Calvary Bible Church. Pizza will be provided by Blue House Pizza, Papa Gino's, and Domino's. Coffee and donuts from Dunkin Donuts, ice cream from Clam Haven, and Lindt Chocolates. All donors will also receive a Red Cross/Derry Police t-shirt.

Councilor Tripp – The EDAC meeting was very informative. Would like to know more on the eligibility for the façade improvement program and how many applicants the town has had. Would like an updated list of the open positions on all the boards and committees.

Councilor Foote – The Memorial Day parade and the Rotary Clubs of Derry's Annual Veteran's Cookout were both well attended, thank you to all the veterans. Touch a Truck is bigger and better every year. Believes 4,000-5,000 people attended. Congratulated Derry Police Department detective Scott Tompkins on being recognized by the United States Attorney's Office District of New Hampshire. Detective Tompkins was presented the Excellence in the Pursuit of Justice Award. The award stemmed from Detective Tompkins involvement in an Internet Crimes Against Children task force case.

Chairman Wetherbee – The Farmer's Market opens tomorrow and runs through September 25th. There will be music, kids' activities, and wine and mead samplings.

Adjournment: 9:00 p.m.


Town Clerk

Recording & Transcription by: Daniel Healey, Town Clerk

6-20-19
Date



RESOLUTION

Number 2019-034

To Authorize the Conservation Commission to accept a Conservation
Easement at 52 Lane Road

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

WHEREAS, the Conservation Commission is requesting permission to accept a Conservation Easement at 52 Lane Road; and

WHEREAS, RSA 36-A:4 I authorizes the receipt of gifts subject to the approval of the governing body; and


WHEREAS, the acceptance of this Conservation Easement aligns with the Town's conservation goals;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to execute all required documents for acceptance of a Conservation Easement on 19 +/- acres at 52 Lane Road from Linda Rutter.

This Resolution shall take effect immediately upon its passage.


Adopted: June 4, 2019

Attest:

x 

Neil Wetherbee, Council Chair

Date: 6/4/19

x 

Daniel Healey, Town Clerk

Date: 6/4/19

Archival Ref: TC agenda item #19-65



RESOLUTION Number 2019-035

To Set the Compensation of the Town Clerk and Provide Employee Benefits

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

WHEREAS, Section 8.6(C) of the Charter empowers the Town Administrator to fix the compensation of all town officers and employees appointed by the Town Administrator; and

WHEREAS, the Town Clerk is an elected official whose compensation is not fixed by the Town Administrator, doing so is therefore a legislative action and a duty of the Town Council;

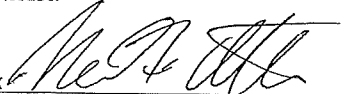
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Clerk base annual compensation is hereby fixed at \$45,502 (Forty-Five Thousand Five Hundred Two and 00/100 Dollars); and

FURTHER, BE IT RESOLVED that the Town Clerk is hereby provided with access to the full range of employee benefits available to non-represented employees.

This Resolution shall take effect immediately upon its passage.

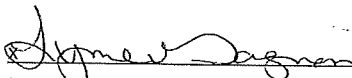
Adopted: June 4, 2019.

Attest:

x 

Neil Wetherbee, Council Chair

Date: 6/4/19

x 

Lynne Gagnon, Deputy Town Clerk

Date: 6/5/19

Archival Ref: TC agenda item #19-66