

TOWN OF DERRY

Town Council
Derry Municipal Center

September 19 2017
Tuesday - 7:30 PM

7:30 PM Call to order

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

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

Consent Agenda

17-123 Approve Non-Public Minutes – September 5, 2017 – **minutes sealed**

17-124 Approve Minutes – September 5, 2017

17-125 Accept Net Zero Member Resignation

Consent agenda approved, (Councilors Wetherbee and Foote abstained from 17-123, 17-124)

Chairman's Report – Joshua Bourdon

Employee Recognition:

<u>THOSE BEING RECOGNIZED</u>	<u>AS OF</u>	<u>SERVICE</u>
GEORGE FEOLE	06/22/15	35 YEARS
VERNON THOMAS	02/01/16	35 YEARS
RICHARD HOULE	04/21/16	35 YEARS
JOHN MUSE	05/19/15	30 YEARS
SHARON JENSEN	09/03/15	30 YEARS
SCOTT JACKSON	04/14/16	30 YEARS
THOMAS CARRIER	07/21/16	30 YEARS
VIRGINIA RIOUX	07/23/16	30 YEARS
RICHARD SCHOFIELD	09/01/16	30 YEARS
ROBERT MCCARTHY	05/11/17	30 YEARS
ROBERT MACKEY	07/06/17	30 YEARS
JOHN WEBB	08/30/17	30 YEARS
JOAN HAMEL	03/18/16	25 YEARS
LINDA MERRILL	04/01/16	25 YEARS
MARK L'HEUREUX	04/15/16	25 YEARS

Chairman Bourdon listed the vacancies for various Boards and Committees. Derryfest was a great turnout. Thanked Andy Day and Alana Wentworth for putting together Derry After Dark.

Town Administrator's Report – David Caron

A Council Workshop is scheduled for September 26 to discuss the volunteer recruitment process and the goals for the Town Administrator. DPW is making efforts to replace 8-9 trees downtown but does not have the capacity to complete the project internally and would need to seek proposals if it is within the budget. DPW is also reviewing downtown placement for

additional bike racks. Finance is converting to a P-Card system through Citizen's Bank where all eligible payments will be made. The CFO is revising the Capital Improvement Plan process to provide more information, transparency and including more stakeholders into the process. The Town has been looking at placement of signs to enhance traffic/pedestrian safety. Two locations suggested by Chief Garone are the traffic island at Ashleigh Drive and the traffic island by Burger King. The Town implements a mosquito control program which involves pre-treatment and testing. The final step is to spray parks, athletic fields and schools if disease carrying mosquitos are found in Derry, but to date, no such mosquitos have been found.

Public Forum - *30 Minutes*

Open Public Forum – all agreed

Marc Flattes: Linlew Dr – Questioned the recent RFP for Abbott Court and suggests the town look into how parking will be affected.

Steve Trefethen: Windham, NH – Questioned the recent RFP for Abbott Court and suggests the town look into how parking will be affected. Appreciated Councilor Foote helping in Texas.

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

Public Hearings

17-115 Ordinance #2017-005 – Amendment to Traffic Ordinance, Section 150-13 Speed Limits – Humphrey Road

Scott Savard from the Highway Safety Committee presented the Amendment to the Traffic Ordinance. The Highway Safety Committee received a request to consider reducing the speed limit on Humphrey Road. The Committee reviewed the concern on August 17, 2017 and felt this area warranted the speed reduction. The fiscal impact will be less than \$250 to install the signs.

Motion by Councilor Wetherbee to open public hearing, seconded by Councilor Katsakiores –all agreed

Donald Burgess: High St – Believes speed is a perception and driver's appear to be going faster than they actually are.

Motion by Councilor Wetherbee to close public hearing, seconded by Councilor Tripp – all agreed

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Ordinance #2017-005, which reads as follows [*Read the Resolution*], seconded by Councilor Chirichiello

Roll Call Vote: 6-0-0

Ordinance attached

New Business

17-126 Resolution #2017-066 – To Accept a Human Services Grant from Wal-Mart Corp. Human Services Administrator Jill Jamro presented the Wal-Mart grant. Over the past 12 years, the Human Services Department has been the recipient of Wal-Mart Community Grants. This grant has offset the cost of the food pantry items purchased directly for Derry Human Services

clients since FY08. This grant will provide a favorable fiscal impact as items purchased with these funds will have no cost to the taxpayers and reduces the amount of grocery food vouchers provided. The grant amount for the past several years has been \$1,000.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-066, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0
Resolution attached

17-127 Resolution #2017-067 – To Authorize the Town Administrator to Execute an Easement Agreement with NHDOT
Town Administrator David Caron presented the Authorization to Execute an Easement Agreement with NHDOT. NH DOT is planning to install traffic signals at the intersection of English Range and Londonderry Turnpike to address hazardous conditions at the intersection. In order to properly construct the improvements, NHDOT is requesting permanent easements at the corner of the property housing the English Range station, and a drainage easement to the rear. Additionally, NHDOT is seeking temporary easements along the property's road frontage.

Councilor Wetherbee MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-067, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0
Resolution attached

17-128 Resolution #2017-068 – To Adopt Revised Council Rules
Councilor Tripp read the changes to the Council rules and stated that it takes two meetings before they can be approved.

17-129 Resolution #2017-069 – To Abate Taxes and Other Costs on 72 Kendall Pond Road, #30
Tax Collector Dawn Enwright presented the abatement of 2013-2017 taxes. On September 6, 2017, 72 Kendall Pond Road #30 was deeded to manufactured housing park owner, Claude C. Rancourt. The property is claimed to be in less than supreme condition, the property is vacant, the park owner has taken ownership, and will removing the dilapidated structure at no cost to the town. The abatement would net a loss of about \$2,400 of taxes, costs, and interest. The positive aspect is the park owner will secure a new tax paying/rent paying tenant for this site, which benefits both parties.

Councilor Tripp MOVES THAT THE TOWN COUNCIL adopt Resolution #2017-069, which reads as follows [*Read the Resolution*], seconded by Councilor Katsakiores
Roll Call Vote: 6-0-0
Resolution attached

17-130 Appoint Alternate to Zoning Board of Adjustment

Chairman Bourdon moves to appoint Jim Webb as an alternate member of the Zoning Board of Adjustment for a 1 year term to expire March 31, 2018, seconded by Councilor Chirichiello

Roll Call Vote: 6-0-0

17-132 Appoint Member to the Net Zero Task Force

Chairman Bourdon moves to appoint Meg Morse-Barry as a member of the Net Zero Task Force, seconded by Councilor Chirichiello

Roll Call Vote: 6-0-0

Councilor Comments

Councilor Chirichiello – Derryfest and Derry After Dark were both great turnouts. Congratulated Councilor Foote and thanked him for helping in Texas. Thanked Councilor Wetherbee for the Farmer's market.

Councilor Wetherbee – The Farmer's Market will be cancelled tomorrow due to the weather. They are looking at rescheduling for 1 more. Kudos to the DPW for the new lights/signs on Broadway, they have already been impactful. Was pleased with the turnout for Derryfest and Derry After Dark. As the Pinkerton Academy liaison, he will be reaching out to headmaster Griffin Morse for the Council, the Economic Development Coordinator and the Town Administrator to get a tour.

Councilor Tripp – The School Board Budget Advisory Committee is looking for 2 people. Applications can be picked up at the School Administrative building. Derryfest was well attended and the library gave books away.

Councilor Katsakiores – The New Hampshire House is going back into session and the committees are meeting. Derryfest was great.

Councilor Foote – Derryfest was a great event and congratulated the employees recognized tonight.

Chairman Bourdon – The Energy and Environmental Advisory Committee will hold a Buttonup workshop on October 25 at 6:30pm with presentations beginning at 7:00pm. Food and light refreshments will be provided. The first 10 people to attend will receive a free LED light bulb.

Adjournment: 8:45 p.m.



Town Clerk

10-4-17
Date

Recording & Transcription by: Daniel Healey, Town Clerk



ORDINANCE

Number 2017-005

Amendment to Traffic Ordinance, Section 150-13
Speed Limits – Humphrey Road

WHEREAS, Section 5.1 of the Town Charter vests in the Town Council the powers of the legislative and governing bodies; and

WHEREAS, the Town Council is responsible for adopting and amending town ordinances; and

WHEREAS, the Highway Safety Traffic Committee has reviewed and recommended that the speed limit on Humphrey Road be reduced to 30 mph; and,

WHEREAS, public safety will be enhanced through this action;

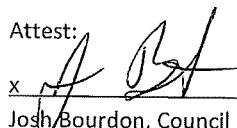
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town's Traffic Ordinance, Section 150-13 is hereby amended to lower the speed limit on Humphrey Road to 30 mph.

This Resolution shall take effect 30 days after its passage.

Adopted: September 19, 2017

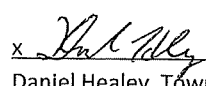
Attest:

x


Josh Bourdon, Council Chair

Date: 9/19/17

x


Daniel Healey, Town Clerk

Date: 9/19/17

Archival Ref: Agenda #17-115



RESOLUTION

Number 2017-066

To Accept a Donation from Wal-Mart Corporation

WHEREAS, Section 9.15 of the Town Charter authorizes the Town Council to accept grants and donations; and

WHEREAS, Wal-Mart Corporation has again this year donated \$1,000 to the Town's Human Services Department; and

WHEREAS, these funds are used to supply the Department's in-house food pantry which assists those community members in need;

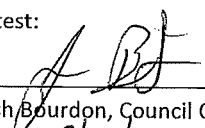
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that, pursuant to RSA 31:95-b, the Town Administrator is hereby authorized to accept a \$1,000 Wal-Mart Community Grant for use by the Human Services Department to assist clients in need, and to express the Council's appreciation to Wal-Mart Corporation for its donation.

This Resolution shall take effect immediately upon its passage.

Adopted: September 19, 2017

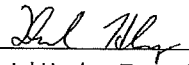
Attest:

x


Josh Bourdon, Council Chair

Date: 9/19/17

x


Daniel Healey, Town Clerk

Date: 9/19/17

Archival Ref: Agenda #17-126



RESOLUTION

Number 2017-067

To Grant to the NH Department of Transportation Easements for Road Improvements

WHEREAS, Section 7.1 of the Town Charter grants to the Town Council broad powers; and

WHEREAS, NHDOT is planning intersection improvements in the vicinity of the English Range Fire Station which will significantly enhance public safety; and

WHEREAS, NHDOT needs temporary and permanent easements on town property to implement the improvements; and

WHEREAS, granting of these easements will not impact Fire Department operations and in fact may improve operations and traffic circulation;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to accept an offer in the amount of \$5,370 from NHDOT as compensation for 6,200 square feet of permanent easement and 6,905 square feet of temporary easement to accommodate transportation improvements to the intersection of English Range Road and Londonderry Turnpike, and to authorize all necessary documents to effectuate said easements.

This Resolution shall take effect immediately upon its passage.

Adopted: September 19, 2017

Attest:

x [Signature]
Joshua Bourdon, Council Chair
Date: 9/19/17

x [Signature]
Daniel Healey, Town Clerk
Date: 9/19/17

Archival Ref: Agenda #17-127



RESOLUTION

Number 2017-069

To Authorize the Sale of a Tax Acquired Property

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

WHEREAS, the abatement of property taxes requires Council authorization; and

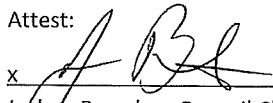
WHEREAS, the property owner of 72 Kendall Pond Road recently took position of #30, which, due to its state of disrepair, carries little value and

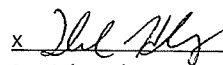
WHEREAS, it is economically beneficial to the Town to have the unit replaced with a more modern home to further expand the Town's tax base;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that, pursuant to RSA 76:16 I (a), the Council hereby abates all taxes, fees and interest outstanding on 72 Kendall Pond Road #30 (M/L 02-009-021) contingent upon demolition of the existing unit by December 1, 2017 and settlement of a replacement unit which meets all applicable building codes by April 1, 2018.

Adopted: September 19, 2017

Attest:

x 
Joshua Bourdon, Council Chair
Date: 9/19/17

x 
Daniel Healey, Town Clerk
Date: 9/19/17

Archival Ref: Agenda Item #17-129