

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

February 20, 2007
Tuesday 7: 30 pm

Member Present:

Chairman Chirichiello
Councilor Reisdorf
Councilor Ferrante
Councilor Bulkley
Councilor Fairbanks
Councilor Coyle

Staff Present:

Frank Childs, CFO
Chief Klauber, Fire
Mike Scott, Fire Prevention
Robert Mackey, Code Enforcement

Acting Town Administrator, John Moody
Recording -Town Clerk, Denise Neale

Called to Order at 7:30 pm

Salute to Flag, Notice of Fire Exits & Handicap Access

Roll Call-Present: Fairbanks, Ferrante, Bulkley, Chirichiello, Reisdorf, Coyle, & Dowling

Consent Agenda

07-20 Acceptance of Minutes – February 6, 2007 – with responses

07-21 Schedule Public Hearing – March 6, 2007 – Amend the Code of the Town of Derry, Chapter 150, Section 150-10, Stop & Yield Intersection to add a Yield Sign at Peabody Road Annex @ Peabody Road

The Consent Agenda was approved.

Chairman' Report

07-15 Approve Private Road Sub-Committee Report Public Hearing has been removed from the agenda for this meeting. It should be more.

Copies of the Charter Commission's Final Report are on the Town of Derry Website and a copy may be obtained in from the Town Clerk's Office.

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Administrator's Report

- Acceptance of Town Audit Report for Fiscal Year 2006
Robert Vachon, Vachon, Clukay & Co., PC-Gave a presentation and overview of the Town of Derry's Financial Statement for YE June 30, 2006. Robert stated, that the finances of the Town of Derry are in excellent shape.

- 2nd Quarter Financial Report

Frank Childs, CFO gave a financial update of the Six-Month End December 31, 2006.

Frank highlighted 3 areas within the Public Works Department areas under revision for over expenditures and the reasons for these. Human Service area reimbursement for services is running ahead of budget.

Councilor Coyle, Could you, explain why you do not want to use the any of the Fund Balance for next year? (*Frank Childs, the bond rating would become lower if the fund balance were lower*)

Reminders:

- Manchester Road-Mike Fowler has completed his review and selection process. The contract should be signed this week. It is well within the \$500K for the Site Plan.
- Police Department Open House – February 24, 2007 10am – 2pm
- Frost Festival Synopsis – over 1000 people participated in the weekend events and 164 people attended the Frost Ball.

Public Hearing

07-15 Fire Ordinance Revision

**Councilor Bulkley motion to open the Public Hearing, Second by Councilor Ferrante
Vote: 7-0-0**

Chief Klauber and Mike Scott reviewed the staff report. Mike Scott reviewed the changes to Chapter 36 Miscellaneous. They had held meetings with the Landlord Association and with their input have made these changes, as some of these changes are under the Building Code, Bob Mackey is also here.

Councilor Fairbanks questioned if the safety will be the same? (*Mike replied that it is above what is required by the state.*)

Councilor Dowling existing codes how long have they been in effect. (*Chief Klauber approximately 10 years*) So these are not in compliance?
(*Chief Klauber 90% were not within compliance*)

Steve Trafedra, West Broadway – Has had good collaboration with the Fire Department in working with the landlords towards these changes. The ordinance that the Fire Department is proposing is in compliance with the rest of the state.

Chief Klauber reviewed the increases in fees, as there has not been an increase in 10 years.

Councilor Dowling question if someone cannot afford these changes. (*Chief Klauber explained there is a process in the town that the Town Council can waive these fees.*)

Councilor Coyle questioned the incident report increase as he feels that this does not take much time. (*Chief Klauber stated that these records are kept in the archives and takes time to retrieve and confirm that they are correct.*) Councilor Coyle disagrees.

Paul Hopfgarten, Hampstead Rd – concerned that we do fee studies with surrounding towns. He feels that we should make sure that these increases reflect the cost. A note should also be made on the document to reflect the fee change date.

Chief Klauber stated if the fees were based on reflected costs. these fees would be much higher.

Mark Boody, Lennox Rd – doesn't feel the fees are too high as he is a contractor.

Motion to close the Public Hearing by Councilor Coyle, Second Councilor Bulkley Vote 7-0-0

Councilor Ferrante thanked the Fire Department for working together with the Landlords Association on this.

Motion: Move that the Town Council rescind the current Derry Town Ordinance Chapter 36 Miscellaneous and adopt the Chapter 36 Miscellaneous Requirements as proposed in the Staff Report date 2/1/2007 Revision to Town Code. Effective 3/1/2007.
Motion by Councilor Bulkley, Second Councilor Ferrante Vote: 7-0-0

Old Business

06-135 Approve change to Derry Code, Article IV, Section 5-25 A,
Purchasing Policy

Frank Childs, the recommended motion should read Article IV, Section 5-25A, in the staff report.

Councilor Bulkley questioned if the telephone quotes are put into writing? *(Frank stated that it is put into the purchase order request and a paper quote is given)*
Also there is not an email quote mentioned. Is this included as a written quote?
(Frank yes)

Motion: Move that Article IV, Section 5-25A of the Derry Code be amended to read as follows: The Town Administrator or designee has the responsibility of purchasing and implementation of Town Council directives. Three written or telephonic quotes are required for purchases over \$3000 through \$9,999. Purchases of \$10,000 or greater require a formalized sealed bid process and the signatures of the Town Council Chair, or his Council Designee and the Town Administrator.
Motion by Councilor Reisdorf, Second by Councilor Dowling. Vote: 7-0-0

New Business

07-22 Appointment DHRA Board (tenant)

Motion: To Appoint Sandra Amabello to the DHRA Board of Commissioners as the Tenant Representative. Appointment expires on: ?
Motion by Councilor Bulkley, Second by Councilor Dowling Vote: 7-0-0

Acting Town Administrator would contact JL Sweeney for the term information and report back to Council at the next meeting.

Public Forum – Non-Agenda Items

Paul Hopfgarten, Hampstead Rd-requests that the Town Council considers, rescinding the TIF

and uses a conventional bond instead for the Rte 28-TIF.

Raigh Paradis, Sawyer Ct-Abbott Court parking lot- there is a problem with the lights again. There is a safety issue with lighting. People who attend events at the Adams Building walk down the middle of the street to get to the lot.

George Chaloux, Karen Ave – Commented the Town Council on their vote at the last meeting pertaining to the Wal-Mart agreement. Reminded everyone that the Election is March 13th and there is a voice in the public.

Margaret Ives, Field Rd, Town Moderator-Reminder Voting is March 13th, register to vote at Town Hall until March 3rd, or at the polls on voting day, use absentee ballots as prescribed by law. The HAVA act has helped the handicap and it works well. Changes: Signs will not be allowed at the driveway entrance to WRB School. The count of the vote will now take place at Town Hall.

Al Dimmock, High St – made political statements and endorsed a candidate.

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Council Request/open discussion

Councilor Reisdorf asked if Charter Commission had ended or if under law they had finished their affairs.

Councilor Coyle stated that the Commission had until 2/25/07 to finish their affairs and thought it was appropriate to hold a meeting to have a question and answer session. Meeting to be held on 2/22/07 at 7:00pm.

Councilor Fairbanks feels Mr. Paradis brought an important point about the lights in the parking lot downtown. In order to utilize that parking lot lights are an issue. Maybe the town could put cages over the lighting, as the children seem to be taking out the lights with rocks. Maybe the light isn't ample.

Councilor Ferrante - we did contact PSNH over the lighting in that area and then asked Acting Town Administrator Moody to follow up with PSNH.

Councilor Coyle recommendation that a hiring freeze be put into effect.

Chairman Chirichiello stated that a new council would be faced with this request, as they would be involved in FY08's budget process.

Acting Town Administrator Moody clarified that there are two positions already advertised. He would check with Larry Budreau, HR Director, and get back to the council on this issue.

Councilor Reisdorf noted different issue over his tenure and gave his opinion of these issues. Just for clarification purposes. He is not seeking re-election.

Meeting Adjourned 9:02 p.m.

Town Clerk

Date