

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

May 1, 2007
Tuesday 7: 30 pm

Member Present:

Chairman Chirichiello
Councilor Carney
Councilor Ferrante
Councilor Bulkley
Councilor Fairbanks
Councilor Coyle
Councilor Metts

Staff Present:

Mike Fowler, Dir of PW
Chief Garone, PD
Larry Budreau, Dir of HR
Chief Klauber, FD
Jill McLaughlin, Dir HS
Kerran Vigroux, Dir PH
Frank Childs, CFO
Janice Mobsby, Controller
Mark Fleischer, Finance
Tom Carrier, Dept PW Dir

Acting Town Administrator, John Moody
Town Clerk, Denise Neale

Called to Order at 7:30 pm

Salute to Flag led by Tom Carrier, Notice of Fire Exits & Handicap Access

Roll Call-Present: Fairbanks, Ferrante, Bulkley, Chirichiello, Carney, Coyle, and Metts

Consent Agenda

07-38 Acceptance of Minutes – April 10, 2007 – Budget Workshop
07-39 Acceptance of Minutes – April 11, 2007 – Budget Workshop
07-40 Acceptance of Minutes – April 14, 2007 – Budget Workshop
07-41 Acceptance of Non-Public Minutes – April 17, 2007
07-42 Acceptance of Minutes – April 17, 2007
07-43 Acceptance of Minutes – April 19, 2007 – Budget Workshop
07-44 Acceptance of Minutes – April 24, 2007 – FY08 Budget & CIP
Public Hearing

07-45 Approval of Veterans Credits and Blind Exemptions

Motion: To accept Veterans Credits, Disabled Veterans Credits and Blind Exemptions by Councilor Chirichiello, seconded by Councilor Carney Vote 7-0-0

Consent Agenda Accepted

Town Administrator's Report

- Alan Shepard Day is May 5, 2007. (First man in Space)
- Derry 180th Birthday Celebration meeting will be held Monday, May 7th in the Cable Room at 3:00 p.m. This is an organizational meeting.
- Thanked everyone who came out for Clean up Day last Saturday. Everyday should be clean up day.

- Received an email and have passed it on to Mike Fowler a suggestion that next year we make it a fundraiser for the group who picks up the most using colored bags on Clean -Up Day.
- Public Hearing - Rescheduled to May 15th, 2007. 07-37 Amend the Code of the Town of Derry Chapter 150, Section 150-4 Prohibited Parking – A Street South from B Street to Route 28 (Manchester Road)

06-86 Highway Garage

ATA Moody gave an update on the recent offers for the present Highway Garage sale. Need to make a motion to accept a lower bid for the Garage to \$550,000 as the proposed \$700,000.

Mike Fowler gave his overview and update of the Bid for the New Highway Garage.

Councilor Metts asked if the Town owns the environmental issues with this sale. Mike Fowler replied, that the Town owns this; however, the Town receives 100% reimbursement for this. Monitoring is what the Town is required to do.

Councilor Carney asked about the high salt in the streams, not stating that it was from the Salt Shed but wondered what safe guidelines are being put in place for the new salt shed. Mike Fowler - there is ongoing safeguards being discussed as more information is being obtained.

Councilor Fairbanks asked about the boring company having blasting materials stored in their vehicles.

Mike Fowler - to the best of his knowledge he has not known them to store these materials.

Councilor Coyle questioned if any thought had been given to keep this land for the Town? Asked if this area was zoned industrial? He is concerned that someone will come in and want to build housing.

Councilor Chirichiello agrees that the Town needs to be sure that housing will not be built. (Councilor Chirichiello and ATA Moody went to check the zoning map)

ATA Moody stated it is zoned Industrial One.

Motion: Move to accept the sales offer of \$550,000 with Restrictive Covenants-No Residential Structures can be placed on this land and to dispose of the Highway Garage facility at 40 Fordway – Lot 23005. It is further moved to authorize the Department of Public Works to accept the bid of Ricci Construction in the amount of \$828,777 for the purpose of building the new Highway Garage by Councilor Fairbanks, seconded by Councilor Chirichiello. Vote 6-1-0 (Councilor Coyle-wants to keep property)

Discussed Bond resolution for \$600,000 for new Highway Garage. It was previously voted upon and approved.

Chairman's Report

Chairman Bulkley discussed the recent newspaper article regarding the Ambulance Contracts. The Town's Legal Counsel under the Charter has reviewed these contracts. He feels that Councilor Coyle should apologize to Chief Klauber and ATA Moody for this article, as there is nothing to back up these accusations. He allowed Councilor Coyle to respond.

Councilor Coyle did not approach the newspaper they contacted him. Everyone knew that he was interested in these contracts for the ambulance since FY07 budget session last year. He did it in public. The Fire Chief did know that he was extremely interested and former TA Marcoux did as well. However ATA Moody may not have known but clearly the Fire Chief did because he had the request directly to him. He did not attack the character of anybody so he does not have anything to apologize for. He was upset he did not get the opportunity to discuss this.

Councilor Metts asked if he could second the request to have this discussion. Chairman Bulkley replied, "Yes, we will do that".

Councilor Fairbanks asked for information in an email from Chairman Bulkley regarding what this costs the town, and would like to have this information before there is a discussion.

Chairman Bulkley replied that this information has already been gathered and the Town Administrator has that.

Councilor Metts stated that the Town receives the money from the contract and the patient is also charged which we receive.

Chairman Bulkley agreed that this discussion should go forward at another time.

Councilor Carney feels that the legal opinion does not refer to Section 7.2 of the Charter. Maybe another legal opinion should be used.

Councilor Coyle motion for a Public Forum, seconded by Councilor Fairbanks. Councilor Metts asked for an amendment of 15 minutes. Chairman Bulkley stated that since everyone was in agreement there was no need to vote.

Public Hearing

Eddy Boyco, Jewell Lane – Questioned vendor licensing for street vendors, specifically ice cream vendors. He has inquired at the PD and on the website for information regarding these vendors to no avail. He would like direction to obtain answers to his questions on policies, ordinances and background checks.

Chairman Bulkley asked Chief Garone who was present to meet with Mr. Boyco in the back of the room to answer these questions for him.

Al Dimmock, High St – Discussed the paving of Manning St and the use of outbuildings without Town permission or consent by a certain party who has complained about opening this street.

Close the Public Hearing Vote: 7-0-0

Motion to Adjourn Town Council Meeting at 8:30 p.m.

Denise E. Neale, Town Clerk