

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

May 15, 2007
Tuesday 7: 30 pm

Member Present:

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

Staff Present:

Frank Childs, CFO
Larry Budreau, Dir of HR
Captain Feoli, PD
Chief Klauber, FD
Janice Mobsby, Controller
Mark Fleischer, Finance
Tom Carrier, Dept PW Dir.
David Gomez, Assessor

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

Called to Order at 7:30 pm

Salute to Flag led by Phyllis Katsakoras Notice of Fire Exits & Handicap Access

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

Consent Agenda

07-46Acceptance of Non-Public Minutes – May 1, 2007

07-47Acceptance of Minutes – May 1, 2007

07-48Acceptance of Minutes – May 1, 2007 – Final Budget Workshop

07-51Schedule a Public Hearing – June 5, 2007- Amend the Code of the Town of Derry, Zoning Ordinance – add new definitions and requirements for Access drives and streets Sections 165-5 Definitions, 165-9 Approved Streets/Residential Lot, 165-37 Neighborhood Commercial District, 165-38 Manufactured Housing Park District, 165-49 Traditional Business Overlay District, 165-51 Floodplain District, 165-63 Groundwater Resource District, 165-80, 165-84 and 165-86 Wetlands Overlay Conservation District, 165-103 Sign District.

07-52Schedule a Public Hearing – June 5, 2007 – Amend the Code of the Town of Derry, Zoning Ordinance Article XIX – Independent Adult Community Overlay District, Section 165-149 –Density; Section 165-150 General Development Standards; and Section 165-153 – Other Provisions – 3b&c

07-53Approval of Elderly Exemptions

Motion: To accept Elderly Exemptions by Councilor Chirichiello, seconded by Councilor Ferrante Vote 7-0-0

Consent Agenda Accepted

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Chairman's Report

- Presentation of Chair to Chris Reisdorf & Plaque to Pat Dowling for serving on the Town Council
- Phyllis Katsakories gave a presentation on a National Guard Program – Freedom Calls. Educational piece on drugs for Middle School Students called “Stay on Track – Starts with me”.
Asked Chairman Bulkley, John Moody to join Senator Letourneau, Matt Hanna, and Phyllis in a Black Hawk Helicopter Landing at Hood School to kick off this program for the Students of Derry.

07-55 Nomination of Garry Stenhouse as new Town Administrator pending background check and negotiation a contract. Nomination by Councilor Metts, Seconded by Councilor Ferrante. Vote: 5-2 (Fairbanks, Coyle)

Town Administrator’s Report

- Derry 180th Birthday Celebration next meeting will be held Monday, May 21 at 1:00 p.m. the DPL 1:00 p.m. Looking for more suggestions. They have come up with a Reenactment Celebration. July 18th will be the kick off.

Public Hearing

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 Rd)

Motion to open the Public Hearing by Councilor Metts, Seconded by Councilor Chirichiello. Vote 7-0-0

No public input

Motion to close the Public Hearing by Councilor Chirichiello, Seconded by Councilor Ferrante. Vote 7-0-0

Council Discussion

Seeing no Business Owners or a Highway Safety Committee member present the council decided to postpone their decision until the June 5, 2007 Town Council Meeting

Old Business

07-49Vote – FY2008 Budget

07-50Vote – FY 2008 Capital Improvement Plan

Council decided to complete the budget first to allow Department heads to go home.

Janice Mobsby gave the current FY 08 Budget of \$36,753,647. However there were adjustments made of \$143,504,000 decreasing the appropriations made by Council to \$36,610,143 as the bottom line.

Frank Childs stated the budget was .03 cents below the tax cap.

Councilor Fairbanks wanted to look at the Fire Department budget bottom line. The Prevention and Emergency Management bottom line is \$9,676,165.

Councilor Fairbanks, Motion: to reduce the bottom line of the FD Prevention and Emergency Management by \$50,000, seconded by Councilor Coyle. (The Fire Chief may reduce this amount where he chooses as long as it does not affect services). Vote: 4-3-0 (Chirichiello, Ferrante, Bulkley)

Councilor Fairbanks, Motion: to add revenue of \$100,000 to Building & Grounds from the Land & Building Capital Reserve Fund to fund the designated \$55,000 for the Senior Center and \$45,000 for the Recreation Building in the New Recreation Building Capital Project Fund, seconded by Councilor Ferrante. Vote: 6-1-0 (Bulkley)

Councilor Metts motion to approve the FY 2008, Item 07-49, as follows:

Community Development (Planning)	\$255,291
Emergency Management	\$98,888
Executive	\$1,434,159
Finance	\$7,217,815
<small>(Finance Department-Other Municipal Obligations includes net Appropriation for the Derry Public Library of \$1,096,316 and for the Taylor Library of \$167,529)</small>	
Fire Prevention & Emergency Services	\$10,317,972
Police	\$7,970,387
Public Works	\$9,127,854
Town Clerk & Elections	\$137,777
Total for Town Services	\$36,560,143

Seconded by Councilor Coyle. Vote: 5-2-0 (Carney, Chirichiello)

Councilor Coyle further moved the approval as follows:

Wasterwater	\$2,374,328
Water	\$2,422,420
Cable	\$190,801
Total for Other Services	\$4,997,549

Seconded by Councilor Ferrante. Vote: 7-0-0

Councilor Metts further Motioned that, in conjunction with the approval of the FY08 Budget, the Town Administrator is authorized to enter into Lease Agreements and to take any action relative thereto for vehicles and equipment whose acquisition is provided for in the budget via a Lease, as set forth below in the aggregate amounts shown:

Police (Vehicles)	\$275,988
Public Works-Parks (2 trucks)	\$52,000
Public Works-Cemetery (mini excavator)	\$60,000
Public Works-Highway (loader)	\$168,000

Seconded by Councilor Ferrante. Vote: 5-2-0 (Carney, Coyle)

Councilor Coyle further Motioned that, in accordance with the amounts presented and approved in the FY08 budget for transfer to a Capital Project Fund, the following Capital Project Fund be established:

Recreation Facility Capital Project Fund, for the construction of a new recreation facility to replace Vet's Hall, such transfer in FY08 to include \$55,000 for a Town contribution towards a Senior Center, which may or may not be part of such a recreation facility. This fund shall expire on June 20, 2011 and any unexpended funds shall be transferred to the Land & Buildings Capital Reserve Fund. Seconded by Councilor Carney. Vote: 7-0-0

Councilor Metts Motioned, to transfer \$70,000 to the CIP for FY09 leaving \$10,000 in there to do a traffic study for Manning and Rollins Street. Seconded by Councilor

Ferrante.

Discussion ensued in regards to reasons for a need for a traffic study. Options available for future study without transferring money. Council can direct the Town Administrator to look into cost of a traffic study for this area.

Chairman Bulkley asked to agendaize this for the second meeting in June and asked ATA Moody work with the Public Works Director and put together a staff report regarding what the council's options are.

Councilor Metts and Ferrante withdrew motion.

Councilor Coyle motioned to approve the FY2008 Capital Improvement Plan (CIP), Item 07-50, as set forth in the budget presented to the Town Council on March 28, 2007 and the Public Hearing on April 24, 2007, and as revised by the Council in the amount of \$7,593,942. Seconded by Councilor Ferrante. Vote: 6-1-0 (Chirichiello)

The Town Council voted each section listed above and approved the total budget for FY08 in the amount of, \$41,557,690 for FY08.

Motion to include in the total Finance budget as follows: Other Municipal Obligations includes net Appropriation for the Derry Public Library of \$1,096,316 and for the Taylor Library of \$167,529, by Councilor Coyle, Second by Councilor Metts. Vote: 7-0-0

07-17 Derry Water Supply and Well Installation Regulations

Tom Carrier presented a follow up to this ordinance as Council had requested. Used Windham and Salem for comparisons, which have ordinances.

Reviewed package given to Council with options and amendments to the original proposal. Once the Council has made a decision on each option, the ordinance will be revised accordingly and returned to the Council for a final vote.

Councilor Carney asked to agendaize this to another meeting. Chairman Bulkley suggested the second meeting in June or first meeting in July. Would like this document put on the website for public review.

07-54 Request for "No Littering" Signs (Councilor Request)

Councilor Fairbanks explained she had numerous requests for signage on Windham Rd and Windham Depot Rd. Windham Depot Rd meets Rockingham Rd where the trail begins. Discussion ensued on the Memo from the Highway Safety Committee regarding the State of NH's take on the signs. The State finds the signs are ineffective. Discussed getting people to adopt sections of the roads.

Chairman Bulkley suggested putting a few signs near the Windham Depot Rd area that just state "No Littering" as a trial to see if it works.

Councilor Coyle motioned to experiment in the area of Windham Depot Rd with two "No Littering" signs. Seconded by Councilor Fairbanks. Vote 6-1-0 (Chirichiello)

Public Forum

Diane Fisher, Rose Ave, discussed the Bunker Estates and problems they have experienced. What was stated to be done with the landscaping has not happened. (*Chairman Bulkley*

referred her to the Planning Chair Ginny Roach who was present)

Jared Bell, East Broadway – Questioned if the town had a noise ordinance. He is having issues with restaurant next door. He's talked to Bob Mackey and ATA Moody. (*Chairman Bulkley suggested he contact the PD to see if the noise is louder than it should be.*)

Ray Paradis, Sawyer Ct – questioned Manning St discussions. This is a business district.

Al Dimmock, High St – Agreed this is the Business District of Derry, noted free petition for Manning St. Discussed 180th Birthday plans and ideas.

John Burtis, Lori Rd – Feels it's a good idea for management studies of departments, discussed traffic on Manning St trying to get onto Broadway.

George Chaloux, Karen Ave – Spoke on Private Roads issue. Wanted to let the Residents know there is going to be a cost, even if the Council accepts them as public roads.

Council Requests

None

Motion to Adjourn 9:50 p.m.

Denise E. Neale, Town Clerk

Date