

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

January 15, 2008
Tuesday 7:30 p.m.

Presentation of CFOD Certificate to Battalion Chief Mike Gagnon
Swearing in of new Firefighters James Kersten and Jay Guzofski

Salute to the Flag, Warning of Fire Exits, Handicap Access, Turn off all Cell Phones and Pagers.

Staff Present: Frank Childs, David Gomez, and George Sioras

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

Consent Agenda

- 08-01 **Acceptance of Non-Public Minutes – December 4, 2007**
- 08-02 **Acceptance of Minutes - December 4, 2007**
- 08-03 **Acceptance of Non-Public Minutes Part I & II December 11, 2007**
- 08-04 **Acceptance of Minutes – December 18, 2007**
- 08-05 **Schedule Public Hearing – January 29, 2008 – Pandemic Influenza Phase III Grant (Health Dept)**
- 08-06 **Schedule Public Hearing – January 29, 2008 – Cities Readiness Initiative Phase III Grant (Health Dept)**
- 08-07 **Schedule Public Hearing – January 29, 2008 – Citizens Corps Council Grant (Health Dept)**
- 08-08 **Schedule Public Hearing – January 29, 2008 – Medical Reserve Corps Grant (Health Dept)**
- 08-09 **Schedule Public Hearing – January 29, 2008 – Supplemental Appropriation of \$59,648 – Police Department Computer Lease**
- 08-10 **Schedule Public Hearing – January 29, 2008 – Private Roads Ordinance**

Consent Agenda accepted Vote 7-0-0

Councilor Coyle requested the Members of the Bike Path be agendized.

Chairman Bulkley asked to agendize this under Old Business for the February 5th meeting.

Chairman's Report

- Congratulations to Mike Gagnon for his award.
- Thank you to the Supervisors of the Checklist, Moderator and Volunteers for the job that was done at the recent Presidential Primary.
- January 30th is the joint meeting with the Planning Board, Conservation Commission and the Town Council at 7pm.

Administrators Report

- Pat Milone the Town's Tax Collector has issued her report regarding the Wednesday evening hours for the office. The hours have been very successful and should continue for another year.
- Public Works "Snow Budget", FY08 budget was \$515,000 and so far due to the heavy winter, the budget has already expended \$371,000. We still have a reserve available if needed.

Public Hearing

07-102 Amend the Town of Derry Land Development Control Regulations – Fees and Costs.

George Sioras gave an overview of the past fiscal years over-expended line item for Planning Board engineering reviews. Staff reviewed the current fee structure. The proposed fee increase is a more accurate representation of the time required to review the increasingly more technical and complex development plans.

Motion to open the Public Hearing - Vote: 7-0-0

No Public input

Motion to close the Public Hearing - Vote: 7-0-0

Move that the Town Council approve the revised Planning Board engineering plan review fees as stated in 07-102 dated 12-04-07. Motion by: Councilor Carney, Seconded by Councilor Chirichiello. Vote: 7-0-0

07-104 Elderly Exemptions

Motion to open the Public Hearing - Vote: 7-0-0

Howard Lund and Doug Newell gave a power point presentation from the Alliance of the Derry Taxpayers, Campaign for Derry's Elderly.

The elderly are one of Derry's greatest assets. Presented lowering the elderly tax burden by making it easier to qualify, raising the income limits and providing a larger Elderly Exemption for age categories 65-75, 75-80 and 80+.

Frank Childs, CFO and David Gomez, Town Assessor – as a result of Councilor Coyle's proposal to increase eligibility and exemptions levels for the elderly have accumulated and developed a significant amount of data for the Town Council's consideration. Frank then reviewed the exemption rate history from 1997 – 2007.

The Assessor's Association has asked the DRA to put their direction into writing regarding Reverse Mortgages.

Public Input

John Burtis, Lori Rd – The elderly are a healthy part of Derry's local economics.

Al Dimmock, High St – Referred to a newspaper article where one of the Town Councilor's gave his reasoning against the increase of Elderly Exemptions.

Joe DiChiaro, Humphrey Rd – Also referenced the newspaper article and made references toward the Councilor. (Chairman Bulkley gave Mr. DiChiaro a warning and then asked him to step down when he continued his line of questioning)

Howard Lund, English Range Rd – Spoke in regards to a proposal for Legislature regarding uniformed elderly exemptions throughout the state for all municipalities which wish to offer elderly exemptions. He has spoken to Phil Blaisos, commissioner of the DRA, and asked if a Reverse Mortgage or a loan against the primary residence is considered income for purposes of determining eligibility for "elderly exemption"? He stated that the Commissioner replied, "absolutely not at the either the state or federal level at the IRS."

Al Dimmock, High St – questioned why Mr. DiChiaro was asked not to speak. Felt it was unfair.

Councilor Coyle motioned to have Joe DiChiaro return to speak, seconded by Councilor Fairbanks. Vote: 5-2-0 (Fairbanks and Coyle)

Doug Newell, English Range Rd – feels the Town needs to start looking at the people not property of the elderly. The Town needs to start figuring out how many elderly it has and also needs an information system in place.

Councilor Chirichiello stated that an indicator would be school enrollment numbers for Pinkerton

increasing.

Chairman Bulkley stated that all we have is the State Census, which is now 8 years old.
John Burtis, Lori Rd – Gave examples of economic advantages the elderly have in the south.

Doug Newell, English Range Rd – Asked if the elderly are fleeing Derry because of high taxes and are the numbers presented tonight correct showing that the elderly can move to any number of surrounding communities and save money.

Motion to Close the Public Hearing Vote: 7-0-0

Council Discussion

Councilor Coyle – Thanked Frank Childs and David Gomez for their work on the reports. He discussed with Frank Childs the Elderly Exemption Rate History and decreases in lost revenue.
Councilor Coyle has redrafted an ordinance for the elderly exemption, which he passed out to the Council.

Councilor Chirichiello asked if he was removing his original ordinance.
Councilor Coyle stated, no he had amended it due to the staff report.

Chairman Bulkley said this would require another public hearing. Schedule a public hearing for February 5th.

Councilor Coyle didn't believe a public hearing was done for the last change of the exemptions.
Chairman Bulkley stated he would like the staff to review Councilor Coyle's ordinance first.

Councilor Carney – questioned the verbal opinion the DRA gave to the Town regarding the Reverse Mortgage. (Frank Childs, the money should be generally treated as income; some communities do not treat it as income but assets.)

Councilor Fairbanks – questioned if we knew of any towns that do not consider it income.
(David Gomez, Town of Conway is looking at it as an asset not income but that was the only town that had committed to that. Two people had applied in 2007 and were turned down because of the Reversed Mortgage was considered as income.)

Councilor Metts –asked how the value is calculated for use as an exemption?

Councilors asked various other questions and calculations based on the elderly exemptions. Chairman Bulkley spoke in regard to the effect on the budget by changing exemptions and income to qualify. Also the Council should wait for answer from the DRA.

TA Stenhouse asked that a public service announcement be put on Cable 17 in regards to applying for Exemptions.

Councilor Carney stated there are people in this town with need and as a role of representatives the Town Council needs to address these needs.

Chairman Bulkley asked that this be brought back as Old Business on February 5th for a Public Hearing.
Councilor Coyle requested that anyone on the Council that would like changes to his ordinance email him by Tuesday, January 22nd.

Move to reconsider the appointment of Beth Thompson as the Economic Development Coordinator. Motion by: Councilor Coyle, Seconded by Councilor Chirichiello. Vote 7-0-0
Move to except the appointment of Beth Thompson as the Economic Development Coordinator to allow one member who abstained from the vote. Motion by: Councilor Coyle, Seconded by Councilor Chirichiello. Vote: 7-0-0 (Councilor Fairbanks abstained on the last vote due to not receiving the email to meet with Ms Thompson)

Public Forum

John Burtis, Lori Rd - Was concerned with WRB polling place, traffic, parking and general flow of the polling place. He believes that registered voters were unable to vote due to long traffic lines. Suggested advanced planning for the November Election.

Al Dimmock, High St – Gave his opinion of the Town Council and their procedures.

Joe DiChiaro, Humphrey Rd- spoke on the TIF and not receiving direct benefit for a period of years, Exit 4A, Elderly Exemptions. Questioned Chairman Bulkley as the liaison to DEDC what his responsibility to the Town Council is and where their money is going. (Chairman Bulkley stated that he should go to the DEDC and meet with them)

Tom Souhlaris, Forrest St – asked if he could sell his sausages & hot dogs outside the Transfer Station. He was directed by Mike Fowler, Public Works Director, to come before the Council.

Councilor Metts – explained the scenario regarding this particular incident.

Chairman Bulkley asked TA Stenhouse to look into this for the Council.

Al Dimmock, High St – commented on Mr. Souhlaris's dilemma.

Council Request

Chairman Bulkley – Anyone interested in being on one of the Boards or Commissions - after the Town Elections, there will be a form to apply for these positions. It will be available online and at the Derry Municipal Center.

Councilor Fairbanks – Heritage Commission and they are looking for someone to volunteer to create a website for them.

Council Carney – Elections - wanted to thank the people who worked there. There was an issue with traffic getting out of WRB and the long lines waiting to register at the poll. How we can improve down the road?

Chairman Bulkley – Spoke with the Town Clerk on Wednesday morning and discussed some of the issues that came from the Presidential Primary. One issue is that we may need to have four polling places for State and National Elections. The issue is that Town Elections don't draw the voters. There could be more confusion on where to vote. The Town Clerk, Moderator and Supervisors of the Checklist will be meeting to develop a plan for the larger elections. The National Election will likely be at Pinkerton Academy.

Councilor Coyle – That Pursuant to Section 3.3 of The Derry Town Charter, he is requesting to be placed on the ballot a non-binding referendum in regards to Exit 4A. He asked for input from the Councilors to state this correctly.

Chairman Bulkley – Would like it on the agenda for February 5th.

Motion to adjourn 9:40 p.m.

Town Clerk

Date

Recording Town Clerk