

**TOWN OF DERRY**

**Town Council Meeting**  
Derry Municipal Center

**February 2, 2008**  
Saturday, 4:00 PM

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**Special Meeting**

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**Guests: Attorney Brenda Keith, Capt. George Feole, and Senator Letourneau**

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

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

- **Opening of Meeting**

Chairman Bulkley stated the purpose of this meeting is to educate and inform through the speakers that are present. You may access the DPD Website for more information. He also stated this meeting was a way for the Town Council to obtain information and data to help formulate an Ordinance for Sexual Predators.

- **Police Department Presentation**

Captain Feole read the following Press Release dated February 2, 2008:

The Derry Police Department has been made aware that Douglas Simmons, DOB 12-7-1960, has decided to relocate back to Connecticut.

On Saturday February 2, 2008, Mr. Simmons called the Derry Police Department and indicated that he moved from Derry on Thursday, January 31<sup>st</sup> and he no longer is living at 71 East Broadway, Derry, NH and he will be re-establishing residence in Connecticut.

Mr. Simmons continues to meet all of the requirements of the State of NH statues regulating registered offenders against children.

There were steps taken to by Chief Garone. He met with the Derry Montessori School Teachers and Parents also the Derry Public Library.

- **Say "NO" to Strangers- Stranger Awareness**

Detective Ken Richard gave a slide presentation which is shown at the Public Schools to children in the first and third grades. This presentation can be viewed at [www.derrynhpolice.com](http://www.derrynhpolice.com) this can be used as a tool for parent to start a discussion with their children.

- **Superintendent of Schools**

Mary Ellen Hannon spoke on the role the school department played after notification of this person. They contacted the parents of the Grinnell School and worked with parents to take safety measures. The students were reminded of say "NO" to strangers and practice lockdowns. All teachers now wear badges and have pass keys to enter the schools. The doors are now locked to the schools and you need to be buzzed in. This is a community issue everyone is reminded to talk to their children about the danger of strangers or anyone who makes a child feel uncomfortable. They need to talk to someone they trust like a parent.

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## Senator Robert Letourneau

Congratulated the Derry Police Department for their quick action. He contacted the Commission of Safety, Jill Rocky, and they had already heard from the Derry PD. He spoke on the 2005 legislature on the Silent Child Predator act. There is a new bill in Senate now Child Internet Safety Act and HB1640 which increases the offensive requirements for the registry to include murder.

There will be a meeting at the Derry Public Library on Tuesday February 5, 2008 at 6:30 pm. Presenters will be: Jill Rocky, Amanda Grady-Coalition for sexual violence. What levels mean (1, 2, 3).

## Brenda Keith - Town Counsel

Questioned whether municipalities can adopt an ordinance under RSA31:39. This RSA may need to be amended at the state level. The municipalities know their communities the best. If an ordinance can be done it would have to contain equal protection and be narrowly drawn up and the area need to be mapped out by the GIS.

Councilor Metts – the state database (licensing, registration, etc) these people may not be able to go underground.

Councilor Coyle – would prefer a state statute rather than an ordinance to have “teeth” in it to define an ordinance for municipalities.

Citizens need to write and call their representatives in Concord regarding HB 1640 to make the law stronger. This bill will be discussed next week. Go to [www.nh.gov](http://www.nh.gov) for details.

## Public Input

Daniel Love, Bryan Ave – Thanked the Town Council and the community. He would like to see an ordinance enacted and restrictions placed on residency.

Julie Hesketh, Dexter St - The law is too lenient and it needs to have the highest level of deterrence with both the local and state law.

Dan Sylvia, E. Broadway – Questioned why NH has not had these laws in place? (Senator Letourneau gave a synopsis of the protocol for bill to be sent through Concord.)

Michelle Goodwin, Brook St – Assumed these laws were already in place when she moved to NH. She would like to see a town ordinance.

Brandon Walsh, Bryant Ave- It is the communities civic responsibility to watch out for children or have suspicions and report them. His street has three sex offenders on it. He also would like to see an ordinance passed.

Lloyd Williams, Tigertail Circle- Questioned how the town is prepared if Mr. Simmons comes back to visit his friend. (Capt Feole explained they wouldn't know unless someone called the PD. The law as presently written only requires offenders to register after 5 days)

Tracy Love, Bryant Ave – Addressed the audience. Neighborhoods need to organize Community Safety Watch Program. Parents are responsible for their children, they are the first line of defense. We all need to email and write letters to make things change.

Falene Schwalgreo, Londonderry – Her children attend Montessori School and she was the one who posted everywhere the article regarding Mr. Simmons.

Kerran Vigroux Hall Ave – Thanked the School Department & PD for the tools and for sending home the notices regarding Mr. Simmons. It provided her family an opportunity to discuss the situation.

Dr Salbachara, Lawrence Rd – Questioned if NH had an Amber Alert. (Capt Feole explained that all schools have an “Emergency Action Plan” in place and that these violations occur with 7% strangers and 93% people known to the child.)

Anita Anthony, Dexter St – Questioned a registered “Homeless” sex offender in Derry. (Capt Feole explained he has to register by law that he is in Derry. He did what he was required to do.)

Kathryn Prudhome-O’Brien, - Explained that Senator Letourneau has helped her through her experience in putting together legislation. Believes the State Law is below where it needs to be.

Julie Hesketh, Dexter St – Suggested current law should be changed to Lifetime in NH. There should be limits on social time to those individuals to visit.

Pam Coonan, Brewster Rd – Questioned sex offenders 13 yrs and up who don’t show on the list. (Capt Feole - they are on a list)

Kim Hodgden, Broadway- Questioned what happens if a sex offender fails to register. (Capt Feole- under RSA651 it’s a Class A misdemeanor and punishable up to 1 year in prison and a \$200 fine.)

Paul Reiki, Principal of St. Thomas Aquinas School – He has worked in the prison system. It’s a problem for all communities and he is concerned about offenders.

Faylene Schwalegro, Londonderry – Would like to see the 5 day registration requirement be lowered to 3 days.

David Mosher, High St – Doesn’t feel legislature works. It needs to be a community effort with schools. State tends to under regulate. He encourages neighbors to know neighbors. He cautions over regulating.

Kimberley Bavarro, Upper Room Resource Center, Executive Director – The Upper Room offers support for parents. We need to educate ourselves to know how to talk to our children. Two sources of information: [www.meghanslaw.com](http://www.meghanslaw.com) and [www.urteachers.org](http://www.urteachers.org).

Chairman Bulkley – Asked if you would all call 5 friends and give them the information that you learned today when you go home. Get the word out.

Linda Reid, Highland Ave – Public needs to know what the levels 1, 2, 3 mean. The information needs to be clearer as what these offenders have done.

Jerry St. Louis, Stonegate Lane – This area had a child pornographer in it. The community pushed to make this person leave their area. Parents need to be aware and PD will help with information on how to talk to your children.

Shawn Dufresne, Whitmore Dr – classifications have to be expanded upon, 5 day rule needs to be changed.

Dave Spurdione, E Broadway – Educate, children need to know about these people. This needs to be acted upon at the state level.

### Town Council Discussion

Councilor Fairbanks – As a community we need to look out for everyone else. If something doesn’t appear right, don’t hesitate to call the PD. This Town Council is sometimes referred to as a fractious board; but I commend this board for coming together for the safety of the children of Derry. Thanked everyone for coming.

Councilor Carney – Agreed the State of NH needs to handle this, the question is how long will it take. He also believes that a local ordinance has to come together with a narrow definition; he

doesn't want to wait for the state. When the State has one the town will adjust this ordinance to the State of NH. Thanked everyone.

Councilor Metts – Thanked parents for coming to the meeting. Stated that it starts with us in the home, parents, and grandparents. Thanked audience for letting the Town Council know how they felt. The Town Council is also part of this community. The Council will develop a local ordinance very narrowly defined.

Councilor Chirichiello – We need to concentrate on the level of offenses and mirror Massachusetts 1, 2, 3 levels. Sex offenders of 1960-1970's didn't have to register so we should be aware of this.

Councilor Coyle agreed with Councilor Fairbanks that they are often known as a fractious board but did come together for this important subject. We are in the process of drafting an ordinance now for violators who are considered the most dangerous. Thanked everyone.

Councilor Ferrante – I am aware of how as a Community we can work together to help each other. We need to work together on HB1640, email representatives to create strength to follow behind this bill. Keep in touch with the Town Council regarding this ordinance.

Chairman Bulkley – Thanked all the presenters with resources that came today and everyone who was present. There will be a public hearing on the ordinance. He encourages emails and phone calls to the Town Council.

Adjourned at 5:45 p.m.

Recording:

Denise Neale, Town Clerk

(Spelling of names verified where available)