

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

April 1, 2008
Tuesday 7:30 p.m.

Non-Public Session RSA 91-A:2 I (b) (c) and 91-A:3 II (c)

Staff Present: Larry Budreau, Acting Town Administrator, Frank Childs, David Gomez,

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

Row Call: Wetherbee, Fairbanks, Carney, Coyle, Benson, Chairman Metts
(Chirichiello absent)

Consent Agenda

- 08-43** Acceptance of Non-Public Minutes – March 18, 2008
- 08-44** Acceptance of Minutes – March 18, 2008
- 08-45** Approval of Elderly Exemptions / Veterans' Credits / Blind Exemptions
- 08-46** Tax Abatements

Amendments: Minutes of March 18th, 2008 amend page 2 Motion by Councilor Fairbanks
Consent Agenda – Approved with amendment Vote: 6-0-0

Administrator's Report ***** Taylor Library Presentation

Marge Palmer and Hisham Ashkouri gave a presentation on the expansion of the Taylor Library with an overview of site conditions, building plans and construction and referenced the Master Plan of 2002.

Chairman's Report ***** Adding the Public Forum after Administrator's Report and Before the Public Hearings

Chairman Metts

Motion by Councilor Fairbanks: to move the Public Forum after the Administrator's Report and before the Public Hearing for a fifteen minute period with an extension for another five minutes then suspend the rules if needed. Seconded by Councilor Coyle Vote: 6-0-0

Public Forum

Stephanie Hooten, 14 ½ Windham Depot Rd - did not receive their abutters notice for a Zoning Board meeting which was recently held on 12/07/02007. It appeared that the notice was returned for no postage and not resent to them. They were informed that policy is not to resend returned mail. This policy needs to be changed. They have spoken to Code Enforcement and were told they have no recourse as the thirty day time limit has expired for their abutters appeal.

Chairman Metts will have the Town Administrator look into this for them.

Public Hearing

08-40 Fire Act Grant – Authorize application for and receipt of funds for the installation of sprinklers in Fire Stations

Chief Klauber gave an explanation of the Grant for the installation of sprinklers in Fire Stations.

Motion to Open the Public Hearing 6-0-0
Motion to Close the Public Hearing 6-0-0

Move that the Town apply for and receive “The Assistance to Firefighters Grants (AFG)” for the purpose of installing fire protection sprinklers in the fire stations. Motion by: Councilor Fairbanks, Seconded by Councilor Benson. Vote: 6-0-0

08-41 Authorization to Execute Contract with the State of NH Fish & Game Department – FY2009 – for Off Highway Road Vehicle Patrols

Chief Garone stated that this was the same item brought to the Town Council at the last meeting but it was for FY09. The Town Council must provide authority to apply for the grant and execute a contract with the State for this purpose.

Motion to Open the Public Hearing 6-0-0

Motion to Close the Public Hearing 6-0-0

Move that the Town Council authorize the Derry Police to apply for the State of NH Fish & Game Grant for Off Highway Road Vehicle Patrols for FY2009 and execute a contract with the State for this purpose. Motion by: Councilor Fairbanks, Seconded by Councilor Coyle. Vote: 6-0-0

New Business

08-47 Certificate of Authority to enter into contract with NHDES to hold Household Hazardous Waste Collection Event

Craig Durrett, Environmental Engineer, PW explained the necessary procedure for this contract and the benefits of hosting the “Hazardous Waste Day” for the citizens of Derry and Londonderry.

The Derry Town Council moves to enter into a grant agreement with the State of NHDES to receive funds and hold a household hazardous waste collection event in FY09. Motion by Councilor Carney, Seconded by Councilor Benson Vote: 6-0-0

Council agreed to move item 08-49 before item 08-48 Appointments of Boards and Commissions

08-49 Ratification of Cost Items – Town and new Derry Public Works Association Teamsters Local 633 – Collective Bargaining Unit

Councilor Fairbanks – does have an issue with buyback. The contracts are asking for benefits that the private sector don’t receive.

Councilor Coyle – agrees with Councilor Fairbanks. These are benefits that even he as a Town employee doesn’t receive. The primary goal of the increase was met by the contract. These items should be considered when negotiating future contracts. He is supporting the contract but not happily.

Councilor Carney – feels the Town needs to do a better job with the benefits portion of the contracts. He also is supporting the contract but still there is a need to go farther with changes.

Councilor Fairbanks – wanted to state that she does not have an issue with the performance of the Town Employees there is nothing against them personally. It’s simply representing the Derry Tax payer and does not feel that this contract is in the best interest of the Derry tax payer. We need to be conscious in today’s economy.

Chairman Metts – The negotiations discussions that the Council has had in private, and will continue to have, are going to bring an understanding of where we are going with all the contracts. It’s not employees we have a problem with; it’s what has been put into these contracts.

Move that the Derry Town Council approve the Collective Bargaining agreement between the Town and the Teamsters Local 633 New Derry Public Works Association from July 1, 2007 – June 30, 2010 as negotiated and ratified by the bargaining unit and authorize the Town Administrator to sign the agreement on behalf of the Town of Derry. Motion by: Councilor Carney, Seconded by Councilor Coyle. Vote: 4-1-1 (Fairbanks) (Wetherbee)

08-48 Appointments to Boards and Commissions

Interviews were held for those applicants present. Votes took place after interviews.

Housing & Redevelopment Authority

(Present) Sandra Amabello

Nomination: Sandra Amabello Seconded by Carney 6-0-0

Heritage Commission

Present: Rebecca Rutter & Frank Santiago

Nomination: Rebecca Rutter (Member)

Seconded by Coyle 6-0-0

Nomination: Bill Petch (Member)

Seconded by Benson 5-1-0 (Carney)

Nomination: Karen Blandford-Anderson (Alternate) **Seconded by Carney 6-0-0**

Highway Safety

Present: Albert Dimmock & Randall Chase. Mike Fairbanks-withdrew

At-Large Members

1. Nomination: Mike Houghton

Seconded by Coyle 4-0-2 (Fairbanks, Metts)

2. Nomination: Grant Benson Jr.

Seconded by Coyle 4-0-2 (Benson, Fairbanks)

3. Nomination: Albert Dimmock

Seconded by Carney 5-1-0 (Benson)

4. Nomination: Steven Wallack

Seconded by Benson 3-1-2(Benson)(Fairbanks, Metts)

5. Nomination: Tom Caron

Seconded by Coyle 4-0-2 (Fairbanks, Metts)

6. Nomination: Randall Chase

Seconded by Coyle 6-0-0

Nomination: John Gleason

Seconded by Benson 0-6-0

Nomination #4 was a reconsidered vote

Conservation

Present: Marianne Page, Eleanor Sarcione, William Hoyt, Riccardo Buzzanga, Aaron Chapple

Mark Cooper-withdrew

Move that Marianne Page an alternate member of the Derry Conservation Commission be appointed to fill an unexpired member's term ending in 2010. Vote: 3-3-0 (Fairbanks, Carney, Coyle)

Nomination: Eleanor Sarcione (Member 2010)

Seconded by Fairbanks 5-1-0(Wetherbee)

Nomination: Bill Hoyt (Alt 2010)

Seconded by Coyle 6-0-0

Nomination: Beverly Ferrante (Member)

Seconded by Coyle 5-1-0(Fairbanks)

Nomination: Riccardo Buzzanga (Member)

Seconded by Carney 6-0-0

Nomination: Aaron Chapple (Alt)

Seconded by Carney 5-0-1 (Coyle)

Nomination: Tom Minnon (Alt)

**Seconded by Wetherbee 4-0-2 (Fairbanks
Wetherbee)**

Nomination: Lana Higgins

Seconded by Coyle 0-6-0

Planning

Present: Mark Cooper, Jim MacEachern, John O'Connor, Beverly Ferrante-withdrawn by TC

Nomination: Jan Choiniere (Member)

Seconded by Carney 5-1-0 (Wetherbee)

Nomination: Mark Cooper (Member)

Seconded by Carney 4-1-1 (Wetherbee)(Fairbanks)

Nomination: Maureen Heard (Alt)

Seconded by Carney 5-0-1 (Fairbanks)

Nomination: Phil Picillo (Alt 2009)

Seconded by Fairbanks 5-1-0 (Fairbanks)

Nomination: John O'Connor (Alt 2010)

Seconded by Carney 6-0-0

Nomination: Richard Tripp

Seconded by Fairbank 1-5-0 (Wetherbee, Carney, Coyle, Benson, Metts)

Nomination: Jim MacEachern -

Withdrew upon Nomination as Alternate Member

Nomination: David McPherson

Seconded by Benson 0-6-0

Councilor Coyle moved to extend until 10:20 pm seconded by Carney 6-0-0

Zoning

Present: Allan Virr, Cecile Cormier, Andrew Meyers, George Chaloux, Mike Fairbanks, Ernest Osborn

and John O'Connor-withdrawn by TC

Nomination: Allan Virr (Member)
Nomination: Cecile Cormier (Member)
Nomination: George Chaloux (Alt)
Nomination: Mike Fairbanks (Alt)
Nomination: Ernest Osborn (Alt 2010)
Vacancy: Alt 2009

Seconded by Carney 6-0-0
Seconded by Fairbanks 4-2-0 (Coyle, Carney)
Seconded by Wetherbee 6-0-0
Seconded by Carney 5-0-1 (Fairbanks)
Seconded by Coyle 6-0-0

Nomination: Andrew Meyers –Withdrew upon Nomination as Alternate Member
Nomination: James Webb
Seconded by Carney 2-0-4 (Wetherbee, Fairbanks, Coyle, Metts)

Public Forum – non agenda items

Al Dimmock – Thanked council for appointing him to the Highway Safety Committee

Council Requests/open discussion

Councilor Fairbanks - discussed one of her goals was to have a code of ethics. She is looking for consensus on the Council to support a Code of Ethics and possibly having a workshop.

Chairman Metts - stated that there is a Code of Ethics in the bylaws. But after budget sessions are over they can schedule something.

Councilor Benson – management goals of 2007 would like to have update.

Councilor Wetherbee – Derry Clean Up day is April 19th.

Chairman Metts – will make sure it is on Cable TV and Website

Councilor Carney – Thanked Town Clerk for helping to facilitate the board appointments, online applications and publicity.

Councilor Wetherbee – Has received letters from the Rainbow Lake area in regards to the situation that is up there right now. He would like follow up from Public Works.

Councilor Coyle – asked about the Budget schedule for the 10th April reschedule the time.

Councilor Fairbanks – Tuesday the 8th could be an issue.

Chairman Metts – gave the option of sending concerns of those sections of the budget for which Council members could not attend.

Motion to Adjourn 10:20 p.m.

Town Clerk

Date