

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

April 24, 2008
Thursday 7:00 p.m.

Staff Present: Chief Garone, Captain Feole, Captain Thomas, David Gomez, Jill McLaughlin, Frank Childs, Janice Mobsby, Mark Fleicher
Town Administrator Stenhouse and Town Clerk Denise Neale-recording

Roll Call: Chairman Metts, Councilors Coyle, Fairbanks, Benson, Carney, and Wetherbee, Chirichiello

Notice of Fire Exits & Handicap Access, turn off cell phones and pagers

BUDGET REVIEW

Frank Childs, we need to work through the list of flagged items and then there are three items that were raised at the public hearing in respect to funding. A request from DPL asked for a portion of the funds to be put back in, issue of RCA program and Taylor Library addition.

Police

Line item 110 – Permanent Positions-Wages

Town Administrator Stenhouse questioned the custodial position that's available and would like to fill the position.

Councilor Chirichiello asked if this was an additional position.

TA Stenhouse stated it was not.

Moved by - Councilor Coyle to allow the Town Administrator to fill the vacant custodial position at the PD seconded by Councilor Coyle. Vote: 7-0-0

Chief Garone gave an overview of reduction in Policeman as suggested on April 8th. Since the last Council session there is another position vacant in the department.

Councilor Chirichiello asked the Chief, when was the last time an additional sworn position was authorized. Chief Garone replied seven years ago.

Councilor Coyle stated his position it doesn't make any sense to fill up this line or any other line to have to potentially lay people off in the coming years. It's not appropriate. He felt with 58 we provide a decent service. He asked if they could fill one of the two openings.

Moved by – Councilor Coyle to only fill one of the positions that are open and removed the salary and benefits for the second position which has not been filled in two years, seconded by Councilor Fairbanks. *Withdrawn*

There was discussion between Town Council similar to the evening of April 8th and the opinions regarding personnel and filling these positions. Chief Garone gave statics of this past year.

Moved by – Councilor Coyle to authorize the Town Administrator to fill one of the two positions and that no funding is withdrawn and that second position be filled only after a vote of this council, seconded by Councilor Carney Vote: 1-6-0 (Wetherbee, Fairbanks, Carney, Chirichiello, Benson, Metts) *Failed*

Chief Garone stated he would adjust his budget as required however he would not reduce a Patrolman's position.

There was more discussion between Town Council and Chief Garone and Town Administrator Stenhouse regarding patrolmen and the vacant positions.

Moved by – Councilor Chirichiello to allow the Police Chief and Town Administrator to hire two Patrolmen to fill the vacant positions, seconded by Councilor Benson. Vote: 5-2-0 (Coyle, Fairbanks)

Moved by – Councilor Coyle to reduce line item 110 – 292 by \$50,000 including Salary and Roll ups, seconded by Councilor Fairbanks. Vote: 3-4-0 (Wetherbee, Chirichiello, Benson and Metts) *Failed*

Moved by – Councilor Coyle to hire an Attorney Prosecutor for one of the two vacant positions, seconded by Councilor Fairbanks. Vote: 3-4-0 (Wetherbee, Chirichiello, Benson, and Metts) *Failed*

There was much discussion in regards to the pros and cons of the Attorney Prosecutor between Town Council and Chief Garone and Town Administrator Stenhouse. Neither of these two vacant positions is for a prosecutor.

Line item 610, 110 & 200 – no further action taken

Animal Control

- Town Administrator recommended that this position not be eliminated but will discuss with Chief Garone that a scheduling change might be appropriate.

Capt Thomas spoke to this in regards to looking into other Towns regarding their Animal Control. He submitted a grid on how other agencies handle their Animal Control Departments in the surrounding area.

Town Council reviewed the grid and asked questions regarding the surrounding Towns.

Moved by - Councilor Carney FY09 line item 110 stays the same then to reduce line item 110 one staff person prior to the start of FY2010, seconded by Councilor Coyle. *Withdrawn*

Moved by – Councilor Carney prior to the end of FY09 staff must be reduced by one person, seconded by Councilor Coyle. Vote: 3-4-0 (Wetherbee, Chirichiello, Benson, and Metts) *Failed*.

Discussion ensued on what was discussed on the plans as follows, first is to eliminate any unfilled position, second to retiring positions, and third forced layoffs. Councilor Fairbanks said they did not vote on this plan.

Moved by – Councilor Coyle to reduce line item 110 by ½ personnel in this current fiscal year removing the benefits for the second person and half of the salary that is there, intent is to have one person work days and the second work weekends, amended that the benefits be kept in for the second person seconded by Councilor Fairbanks. *Withdrawn*

Moved by – Councilor Coyle to reduce this position to 32 hours per week and leave the benefits and this person would work weekends, seconded by Councilor Carney Vote: 3-4-0 (Wetherbee, Chirichiello, Benson, and Metts)

There was discussion with Larry Budreau regarding the position being eligible for benefits. Larry replied this would give Health Benefits but does not make the person eligible for the NH Retirement system.

Move the Animal Control bottom line of \$132,658 by Councilor Chirichiello, seconded by Councilor Benson. Vote: 4-3-0 (Coyle, Fairbanks, and Carney)

Tax Collector

- Awaiting feed back in May

Human Services

Moved by – Councilor Coyle to the Review Committees recommendation for CART of \$42,250.00, seconded by Councilor Carney. Vote: 7-0-0

Other Municipal Obligations

Frank Childs reiterated that the committee is working on the TIF district report and will have a preliminary report in early May and anticipated a detailed response in the summer.

Moved by – Councilor Carney that Council leaves Debt Service under MOM as is, seconded by Councilor Coyle. Vote: 7-0-0

Prevention & Emergency Services

Regarding the Thermal Imaging Camera - no further action taken

Administration

In regards to fees for copies, amusement licenses, etc for revenue. It will be reviewed after the budget sessions with information from other communities submitted to the Town Administrator for Town Council.

Health

Kerran Vigroux and Larry Budreau addressed the memo sent to Town Council.

Town Council asked questions regarding Regional and Town of Derry Health Department. There was discussion on how the department was formed and prior year costs to the Town.

Janice Mobsby explained how the grant awards are handled for bookkeeping purposes and because of State laws.

Frank Childs stated excluding Mosquito Control the cost to the Town is \$72, 503 this is an increase of \$11,660 over FY08.

Moved by – Councilor Coyle to reduce line items 110-292 by \$8,000 to \$78,671 which is a 5% increase over FY08, seconded by Councilor Fairbanks. Vote: 7-0-0

Move the Health Department bottom line of \$157,773 by Councilor Coyle, seconded by Councilor Chirichiello. Vote: 6-1-0 (Fairbanks)

Buildings & Grounds

Frank Childs spoke in regards to the transfer of a vehicle from Buildings & Grounds to the Health Inspector for restaurant inspections.

Buildings for HVAC controls at DMC, Alan Cote had done research and gave his recommendations after discussion with the company who makes the controls. Pre-buying is not an option as the company wants to make the limited number of replacement controls available to all their customers.

Move the Buildings & Grounds bottom line of \$790,799 by Councilor Chirichiello, seconded by Councilor Carney. Vote: 7-0-0 (note: increase of \$100,000 is for the DPL windows)

Parks

Eric Bodenrader updated the Town Council on the cost sharing with the School District. He spoke with Jane Simard, Financial Officer for the School District. There will be open dialog when they start their budget process this summer. Setting aside \$50,000 now as this will be an ongoing project. The rest will be funded over the next two to three fiscal years.

This was an informational update – no further action needed.

Councilor Fairbanks made a motion to revisit PW line item 740 \$222,000 seconded by Councilor Coyle. All agreed.

Councilor Fairbanks discussed the purchase of the new equipment. She asked the Town Council to reconsider that a repair maybe cheaper.

Alan Cote explained what the problem with the excavator was and why now is a good time for trade in. Tom Carrier reiterated the issues and that fact that WW uses this machine also and the cost factor in hiring equipment.

Moved by – Councilor Fairbanks to reduce line item 740 by \$222,000 and all other revenue, lease interest and lease revenue and the trade in seconded by Councilor Coyle.

Vote: 4-3-0 (Wetherbee, Benson and Chirichiello)

Frank Childs explained that the net would be \$43,988.

Councilor Benson wanted to clarify the net amount. Councilor Fairbanks stated it would be for this year and the next five years if they did not purchase the new excavator.

Moved by – Councilor Coyle to increase Repairs & Maintenance line item 660 by \$15,000 seconded by Councilor Carney. Vote: 7-0-0

Frank Childs asked if they would need money in the budget to cover leasing or hiring an excavator if necessary.

Moved by – Councilor Chirichiello to place \$110,000 in the Capital Reserve Fund for a future purchase, seconded by Councilor Benson. Vote: 3-4-0 (Fairbanks, Carney, Coyle, and Metts)

Moved by – Councilor Benson to increase line item 440 by \$9000 in the Highway Department, seconded by Councilor Fairbanks. Vote 5-2-0 (Coyle and Carney)

Councilor Coyle moved to reconsider the purchase of the Excavator in the amount of \$222,000 seconded by Councilor Benson. Vote: 5-2-0 (Chirichiello and Fairbanks)

Councilor Coyle moved the PW budget as originally presented would stand despite the multitude of previous actions, seconded by Councilor Benson. Vote: 6-1-0 (Fairbanks)

Town Administrator Stenhouse reminded Town Council of the three requests for reconsideration by the DPL, RCA and Taylor Library.

1. DPL requested \$12,038 for personnel
2. Rockingham Community Action for \$5000
3. Taylor Library expansion in the FY09 budget

Councilor Coyle motioned to adjourn, seconded by Councilor Fairbanks Vote: 5-2-0 (Fairbanks and Coyle)

Moved by – Councilor Wetherbee to increase the DPL personnel budget by \$12,038, seconded by Councilor Benson. Vote: 1-6-0 (Fairbanks, Carney, Coyle, Chirichiello, Benson and Metts)

Councilor Carney requested the Town Administrator to report back to the Council at a future date. There are a couple of areas that he feels can be consolidated within departments. Consolidating the IT Department and Dispatch Department and contracted IT services as well. To be placed into one department of each. He would like to look at the feasibility and options available.

Councilor Coyle asked TA Stenhouse if the Town Council could have this information by Nov 15th. He replied that they would be available by that time.

Councilor Benson read that the Town of Londonderry is looking at the school district and the town for efficiencies in the budget cycles. Questioned how it could be done in Derry.

There was some discussion over cooperation between the school department and the town.

Councilor Coyle moved to approve the Taylor Library bond of \$1.7M for FY09, seconded by Councilor Carney. Vote: 0-7-0 (Coyle, Chirichiello, Benson, Wetherbee, Fairbanks, Carney and Metts)

Councilor Fairbanks moved to make the legal opinion public.

TA Stenhouse believes that the Chairman of the Conservation Commission made the legal opinion of Attorney Boutin public.

Councilor Fairbanks read the final paragraph of the opinion.

"If the bike path does provide access to any existing conservation commission area this might affect my opinion." She stated that it does, it gives access to the 17 acres off of Tigertail Circle.

TA Stenhouse stated he did not provide Attorney Boutin with the information or request the opinion.

TA Stenhouse will speak to the Chair of the Conservation Commission to find out if the information was submitted to the Attorney. Town Council would like TA Stenhouse to further handle this issue.

Councilor Coyle moved to extend 10 minutes, seconded by Councilor Benson. All agreed.

Councilor Coyle asked if all legal opinions should go through the Town Administrator.

TA Stenhouse replied yes and he will address it with Chairpersons.

TA Stenhouse asked if the Town Council would like to vote the final budget at the May 6th meeting.

Town Council agreed.