

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

June 3, 2008
Tuesday 7:30 p.m.

Non-Public Session RSA 91A:II (c)

Staff Present: Chief Klauber, Frank Childs, Janice Mobsby, and Tom Carrier

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

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

Consent Agenda

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- 08-79** Acceptance of Non-Public Minutes – May 20, 2008
- 08-80** Acceptance of Minutes – May 20, 2008
- 08-81** Schedule Public Hearing – June 17, 2008 – Amend Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section 150-5 Limited Parking – Two Hour Parking – Franklin St East – Entire length between East Broadway and Pearl St
- 08-84** Schedule (3) Consecutive Public Hearings – June 17, 2008 - Community Development Block Grant application proposal for - (1) Proposed application to Community Development Finance Authority for up to \$250,000 in Community Development Block Grant funds toward the cost of rehabilitation of the Vintage Grace Facility; (2) The Housing & Community Development Plan; (3) Residential Anti-displacement & Relocation Assistance Plan
- 08-86** Schedule Public Hearing – June 17, 2008 – Supplemental Appropriation of \$8,700 from Taylor Library Capital Reserve Fund Balance for engineering and consulting services related to Taylor Library Building Expansion Project incurred in FY08
- 08-87** Request for Interest to be Waived

Addition to Agenda: **08-90** Schedule Public Hearing – June 17, 2008 – Manning St Ext Capital Project Fund

Correction: Public Minutes of May 20, 2008 – Item #08-67 misspelled Eleanor McCooey

Consent Agenda Approved with addition of Public Hearings and correction. Vote: 7-0-0

Chairman's Report – Chairman Metts thanked Bernie Resnick, Mark Brassard, Eric Bodenrader and his staff for the Memorial Day events and the unveiling of the Iraq/Afghanistan Monument. He also thanked the Veterans and the families who attended. He presented to Town Administrator Stenhouse the Commendation from Governor Lynch and the Resolution from the NH State Senate. On Thursday Senator Judd Gregg held a work session at the Frost Farm. There is \$200,000 in Federal Funds for its restoration. There is a new State Office for Historical Buildings. The Derry Rotary and Derry Garden club attended for painting and planting of the site.

Administrator's Report – Town Administrator Stenhouse reviewed the summer meeting schedule as July 15th and August 19th. NIMS training for Senior Management will be held on June 17th from 10 – 2 in the Emergency Management Center. He requested the Chairman and Chair Pro Tem attend. One of the components of this training is a 1 – 2 hr online training. Town Council goals and Staff Goals update was included in the packages. He suggested to follow Russ Marcoux's format where he'd meet with Senior Staff regarding their goals and then Town Council in a goal session. Economic Development goals are still at the forefront.

Councilor Carney would like to have the meeting early enough in the year so that the goals can be reflected in the budget.

Public Forum

Marge Bisson, Cole Rd – Thanked Town Administrator Stenhouse for his assistance with the gas station not in compliance with the ADA. She has a son whose name appears on the monument and he couldn't attend so he called the Recreation Department and was thanked for serving. The cemetery was outstanding and it looked great.

John O'Connor, Arrowhead Rd - Would like to add to the list of Thank You for the Memorial Day Event. Thanks to the Town Council for their support of the Monument Committee and the Citizens of Derry. He was a Vietnam Vet and this was the most heartfelt appreciation he's received since returning. Also Mark Brassard and the Committee.

Public Hearing

Town Administrator Stenhouse asked that the PH 08-82 be moved as Doug Rathburn had not arrived as yet for his presentation.

- 08-83** Establish an Emergency Notification System Capital Project and establish a budget of \$15,000 funded by a budgetary transfer

Janice Mobsby gave an explanation of the budgetary transfer request.
Chief Klauber gave a brief background statement regarding what he would like to accomplish with this transfer in regards to Permanent Signage and portable signage.

Open Public Hearing 7-0-0

No Public Input

Close Public Hearing 7-0-0

Council discussion:

The Councilors asked questions and discussed the portable sign purchase for FY08, the elderly residents, permanent signage, the AM radio station, and how the survey was obtained. From the discussions it appeared there was consensus that the Town move ahead and purchase a D.O.T. portable sign as originally budgeted in FY 08 and staff stated that if the motion were defeated Council's desire to move forward and purchase the portable D.O.T. sign prior to June 30 would be accomplished.

**Move to establish a Capital Project fund entitled "Emergency Notification System" for the purpose of consulting, designing, purchasing and installing permanent signage for communication emergency and safety information to the public.
Funds not expended or obligated as of June 30, 2009 will lapse to General Fund Balance.
Further move to establish a budget of \$15,000 in the Emergency Notification System Capital Project funded by the following transfer within the Emergency Management Department:**

	Increase	Decrease
Acct: 930 Transfer to Capital Project	\$15,000	
Acct: 740 Capital Equipment		\$15,000

Moved by: Councilor Fairbanks, seconded by Councilor Chirichiello. Vote: 2-5-0 (Wetherbee, Fairbanks, Carney, Coyle, Benson) Motion *Failed*

- 08-85 Water Commissioners** - Establish a Scobie Pond Water High Area Capital Project and establish a budget of \$220,000 funded by a budgetary transfer

Move to convene as Town Council and reconvene as Water Commissioners. Vote: 7-0-0

Janice Mobsby gave an explanation of the budgetary transfer request.

Tom Carrier gave the background on this annual budgetary transfer and explained the phase I project.

Open the Public Hearing 7-0-0

Al Dimmock, High St – questioned why the Town Council had to approve this transfer as the monies are from the users of the system not the entire Town.

Town Administrator Stenhouse explained that under the Town Charter, Section 9, the Town Council has this authority and is obliged to follow the appropriate sections of the Charter.

Close the Public Hearing 7-0-0

Move to establish a Water Division Capital Project Fund entitled “ Scobie Pond Water High Service Area” for the purpose of consulting, designing, purchasing and installing water infrastructure improvements to the high service area from Scobie Pond to the By-pass 28/Eastgate Road area.

Funds not expended or obligated as of June 30, 2010 will lapse to Water Fund Balance.

Further move to establish a budget of \$220,000 in the Scobie Pond Water High Service Area Capital Project funded by the following transfer within the Water Department:

	Increase	Decrease
Acct: 930 Transfer to Capital Project	\$220,000	
Acct: 730 Water Infrastructure		\$220,000

Moved by: Councilor Carney, seconded by Councilor Wetherbee. Vote: 7-0-0

Motion to convene as Water Commissioner and reconvene as Town Council Vote: 7-0-0

- 08-82** Establish a Network Infrastructure Capital Project and establish a budget of \$20,000 funded by a budgetary transfer

Janice Mobsby gave an explanation of the budgetary transfer request as a consolidation of FY08 & FY 09 fund for this project.

Doug Rathburn explained this was for Fiber Optic line between the DMC, PD & FD

Move to establish a Capital Project Fund entitled “Network Infrastructure Capital Project” for the purpose of consulting, designing, purchasing and installing computer network integration between municipal facilities.

Funds not expended or obligated as of June 30, 2009 will lapse to General Fund Balance.

Further move to establish a budget of \$20,000 in the Network Infrastructure Capital Project funded by the following transfer within the Information Technology activity center:

	Increase	Decrease
Acct: 930 Transfer to Capital Project	\$20,000	
Acct: 740 Capital Equipment		\$20,000

Motion by: Councilor Benson, seconded by Councilor Carney. Vote: 7-0-0

Old Business

- 08-41** Acceptance of Off Highway Recreational Vehicles Grant from New Hampshire Fish & Game – FY09 Budget

Town Administrator Stenhouse explained that he had been given authorization to apply for this grant item however the language was not properly executed and the authorization for him to accept the grant was not included in the earlier motion.

Move to grant the authority to the Town Administrator Gary Stenhouse to accept on behalf of the Town grant funds associated with the State of NH OHRV Enforcement Grant from the period of July 1, 2008 – June 30th, 2009 and to execute on behalf of the Town all contracts or documents associated.

Moved by: Councilor Carney, seconded by Councilor Benson. Vote: 7-0-0

Councilor Fairbanks would like to have the Police Department provide logs for the activity on the OHRV trails.

08-78 Acceptance of Fire Dispatch Contracts

Chief Klauber there are some answers to questions asked in his report that he would respectfully ask the Town Council to go into Non-Public to discuss. Some of the answers have to do with negotiation tactics.

Councilors asked why it should be discussed in Non-Public and what 91A request this would fall under.

Town Administrator Stenhouse clarified that the contracts were Public Information. However what will be discussed is how the contracts themselves are established.

Councilor Fairbanks disagreed, she felt the tax payers have a right to know how these figures were calculated.

Councilor Coyle stated he doesn't believe this pertains to RSA 91A and the Town has nothing to hide.

Councilor Chirichiello moved to go into Non-Public under RSA 91A,II-d, seconded by Councilor Benson. Vote: 4-3-0 (Fairbanks, Carney, and Coyle.) Meeting Recessed.

Meeting reconvened at 8:55 p.m.

Councilor Coyle asked Chief Klauber if we were not to have 45% of the total call volume from other towns is it your belief still that we would require the same number of personnel. Chief Klauber replied, "Yes". The reason is because of the way our facility is located especially during the daytime hours and there is no administrative offices where dispatch is done. Having only one person on duty would not allow this dispatcher any time for normal customary needs.

Councilor Coyle reviewed the costs per call received and stated Derry is paying more than the other Town we handle.

Councilor Fairbanks asked what would be the disadvantage of any town going to Rockingham County Dispatch.

Chief Klauber replied, "Level of Service". He believes that these towns have to come to us because of the level of service they received from that organization and that they were willing to pay us.

Move that the Town Council authorize the Town Administrator to enter into the Intermunicipal Agreements for dispatch services with Hampstead, Auburn, Chester and Windham for FY 09, 10 and 11, Motion by: Councilor Benson, Seconded by Councilor Chirichiello. Vote: 4-3-0 (Fairbanks, Carney, and Coyle)

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New Business

08-88 Town Elections – September Primary / November Presidential

Margaret Ives, Town Moderator – Gave pertinent information for the need of multiple election polling places: parking, traffic control and same day voter registration and handicap accessibility.

Recommendations included: promoting voter registration days prior to elections, posting signage in public places. Designate parking places for campaigners and provide 3 voting places for the Presidential/State elections in November. Hood School: District 4, Pinkerton Academy: District 1 & 3 and Calvary Bible Church: District 2.

The two sites for the State Primary will be: Hood School: Districts 1 & 4 WRBS: Districts 2 & 3.

There was discussion with Town Council that Calvary Bible was acceptable, questioned the reasoning for not just using Pinkerton, concern that everyone has been at Pinkerton and if someone should go to the wrong polling place would they be sent to the correct polling place.

Margaret Ives explained that the only time district matters was for the School/Town Elections. The concern of voter fraud could be handled and coordinated.

Denise Neale, Town Clerk, explained that the procedures were already in place with the use of listings made and cell phone calls to other polling places to avoid voter fraud. In regards to putting three districts at Pinkerton the flow of a polling place is very important especially with voter registration blocking voter's access. This would put 15,000 people into one building.

Move that three polling places be provided for the State/Presidential Elections in November 2008, Hood School – District 4, Pinkerton Academy – District 1 & 3 and Calvary Christian Bible School – District 2. Motion by: Councilor Coyle, seconded by Councilor Benson. Vote: 7-0-0

08-89 FY08 Budgetary Transfers

Janice Mobsby – gave the background information on these budgetary reclassifications. Several items proposed are to properly fund account categories to facilitate the encumbrance of money at year end.

Councilor Coyle questioned why the monies were coming out of the Human Service budget instead of the Fire Department Budget. Janice Mobsby gave her reasoning due to year end expenses in the Fire Department budget regarding possible ratification of union contracts prior to September 2008.

Councilor Coyle asked that the appropriations be taken one at a time.

For the purposes identified below, move to transfer the following appropriations in the FY 08 Budget:

Activity Center	Account Description	Acct/Object	Increase	Decrease
1. Fund Thermal Imaging Camera-Fire Dept				
Fire	Capital Equipment	740	\$14,000	
Fire	Contract Repair & Maintenance	430		\$14,000

Moved by: Councilor Benson seconded by Councilor Carney. Vote: 7-0-0

2. Transfer to correct budgetary account classification error				
Fire	Capital less than \$10,000	690	\$22,000	
Fire	Supplies	610		
\$22,000				

Moved by: Councilor Benson seconded by Councilor Carney. Vote: 7-0-0

Councilor Benson asked if these types of transfers were standard. Janice Mobsby and Frank Childs gave an overview of how these types of transfers come about annually at year end.

3. Fund Compensated Absences Non-retirement earned time distributions				
Fire	Earned Time Pay	190	\$56,000	
Human Services	Direct Assistance	810		\$56,000

Moved by: Councilor Benson seconded by Councilor Chirichiello. Vote: 5-2-0 (Fairbanks, Coyle)

Councilor Benson asked how the FY08 budget was looking for FY08 year end. Janice Mobsby stated we are at 84% of budget YTD, although we should be at 91% if all the bills were in today. Revenues will have some increase but we are cautious to give an amount at this time due to the unknowns.

Public Forum – non agenda items

Al Dimmock, High St – Again questioned the Town Council's authority in regards to the Water/Sewer funds.

Council Requests/open discussion **None**

10:00 p.m. Adjournment

Town Clerk

Date

Recording Clerk: Denise Neale, Town Clerk
Reviewed by: Gary Stenhouse, Town Administrator