

## TOWN OF DERRY

**Town Council Meeting**  
Derry Municipal Center

**September 2, 2008**  
Tuesday 7:30 p.m.

### AGENDA

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#### **Non-Public Session RSA 91-A:3 III (c)**

Staff Present: Pat Milone, Janice Mobsby, Frank Childs, Tom Carrier, Craig Durrett,  
Chuck Hemeon, Chief Klauber and Todd Donovan

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

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

#### **Consent Agenda**

**08-119** Acceptance of Non-Public Minutes – August 19, 2008

**08-120** Acceptance of Minutes – August 19, 2008

**Approved 7-0-0**

#### **Chairman's Report –**

Chief Klauber met with Medico regarding replacing one of the Fire Station's heating units.

#### **Administrator's Report –**

Presentation Government Finance Officers Association CAFR Award for 2007

Accepting the award on behalf of the Finance Department was Frank Childs, CFO and Janice Mobsby, Controller.

SENHMMAD Open House 9/18 Candia Fire & Rescue Dept 11 Deerfield Rd. All Town Council is invited 5-6 pm

#### **Public Forum – non agenda items**

##### **Motion to Open**

*No public input*

##### **Motion to Close**

#### **Public Hearings**

#### **Motion to convene as Water/Sewer Commission. Vote; 7-0-0**

##### **08-111 Water/Sewer Commissioners – Amendments to Sewer Use Ordinance**

Tom Carrier and Craig Durrett gave an over view of the amendments as required by the EPA.

##### **Motion to Open the Public Hearing Vote; 7-0-0**

No Public input

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

Councilor Carney questioned the process and compliance of these amendments since they were brought into effect by government in 2005.

**The Derry Town Council acting as Water/Sewer Commissioner moves to approve the amendments and revision to the Sewer Use Ordinance as presented. Motion by: Councilor Coyle, Seconded by Councilor Carney. Vote: 7-0-0**

**08-112 Water/Sewer Commissioners – State Aid Grant Application for Sewage Treatment Works**

Tom Carrier gave an overview of the grant and requirements of Town Council. The grant is being given under the NHDES for Sewage Treatment Works under RSA 486:1/III

**Motion to Open the Public Hearing Vote: 7-0-0**

*No public input*

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

**The Derry Town Council, acting as Water/Sewer Commissioners, moves to authorize Gary Stenhouse, Town Administrator of the Town of Derry to act on behalf of the Town of Derry, NH in negotiating for and accepting any and all State Aid in connection with Derry's sewage disposal facilities in Derry, Londonderry and Litchfield, NH. Motion by: Councilor Carney, Seconded by Councilor Coyle. Vote: 7-0-0**

**Motion to adjourn as Water/Sewer Commissioners and reconvene as Town Council. Vote: 7-0-0**

**08-113 Ambulance Transport Fee Increase**

Chuck Hemeon and Todd Donovan gave an overview of the study they conducted with Londonderry, Salem, Concord and Portsmouth to compare Ambulance Transport Fees. They are recommending a 10% increase in fees.

**Motion to Open the Public Hearing Vote: 7-0-0**

*No public input*

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

Councilor Carney questioned the procedure of the Hardship Committee and its process before being presented to the Town Council.

Chuck Hemeon stated the Hardship Committee meets the 3<sup>rd</sup> Wednesday of every month to make recommendations. He advises the citizens to apply for hardships if they are unable to pay their Ambulance fee.

Councilor Coyle stated he would be voting against the increase.

Councilor Fairbanks stated she would also vote no as the Town presently has a contract with three other Towns that are being undercharged.

**Move that the Town Council accept the recommendation of the Fire Department to increase the ambulance transport fees as shown in this report commencing on October 1, 2008. Motion by: Councilor Fairbanks, Seconded by Councilor Benson. Vote: 4-3-0 (Fairbanks, Carney, Coyle)**

**08-114 Municipal Agent Fee Increase**

Pat Milone, Municipal Agent/Tax Collector gave an explanation of the increase under a revised RSA.

**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 an increase in the Municipal Agent fee, in accordance with RSA 261:74-d from the current \$2.50 to \$3.00, effective October 1, 2008. Motion by: Councilor Wetherbee, Seconded by Councilor Carney. Vote: 7-0-0**

**08-115 Medical Reserve Corps Grant**

Larry Budreau related the background on this grant for the Regional Public Health Emergency planning activities.

**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 Derry Town Council approve the application for, and authorize the Town Administrator to accept and expend the 2008-2009 medical Reserve Corps Capacity Building Award grant, in the amount of \$5000.00. Motion by: Councilor Carney, Seconded by Councilor Fairbanks. Vote: 7-0-0**

**Old Business**

**08-93 Matteuzzi Farm Conservation Easement – Subordination Agreement**

Town Administrator Stenhouse reviewed the subordination agreement and it has been reviewed by Attorney Steve Clark. This agreement was a request by Councilor Coyle after the Town Council reviewed the information provided and then tabled at the July 15<sup>th</sup> meeting.

**The Derry Town Council moves to authorize the Derry Conservation Commission to accept a conservation easement deed dated August 4, 2008 from the Beaver Lake Development LLC pursuant to RSA 36-A:4 for an approximate 9.6 acre section of Matteuzzi Farm. Motion by: Councilor Wetherbee, Seconded by Councilor Benson. Vote: 4-0-3 (abstained: Chirichiello, Carney, Fairbanks)**

**New Business**

**08-121 Approve Grant Request for Carbon Monoxide Monitoring Device for Fire Department**

Chuck Hemeon explained the grant request for the Carbon Monoxide (CO) monitoring device from the Professional Firefighters of New Hampshire.

**Move that the Town Council allows the Town Administrator to apply for, receive and expend the funds from the professional Fire Fighters of New Hampshire Grant for the RAD-57c CO-Oximeter. Motion by: Councilor Coyle, Seconded by Councilor Chirichiello. Vote: 7-0-0**

**08-122 Appointments - Southern New Hampshire Planning Commission**

The Planning Board placed a public announcement requesting any interested parties contact the Planning Office, in writing, prior to August 13, 2008 to be placed as a member for consideration to the Southern New Hampshire Planning Commission. There were no other responses.

The Planning Board moved to recommend David N. Gomez, Joel Olbright, John P. Dowd and Beverly Ferrante as full members and Brian Chirichiello as Alternate.

**The Derry Town Council moved to appoint David N. Gomez, Joel Olbright, John P. Dowd and Beverly Ferrante as full members and Brian Chirichiello as alternate. Motion by: Councilor Wetherbee, Seconded by Councilor Coyle. Vote: 4-2-1 (Fairbanks & Carney) (abstained: Chirichiello)**

**Public Forum – non agenda item**

Al Dimmock, High St – Didn't feel the public had the opportunity to apply for consideration to the SNHPC. Not enough advertisement.

John O'Connor, Planning Board Member – stated it was announced at the Planning Board meeting and in the newspapers.

Al Dimmock, High St – Still doesn't feel enough opportunity was given as not everyone watches the Planning Board meetings or read the newspaper.

**Motion to Close the Public Forum Vote: 7-0-0**

**Council Requests/open discussion**

Councilor Fairbanks asked Town Administrator Stenhouse the status of the Conservation maps and address of the Conservation land.

TA Stenhouse replied that the maps in the GIS system cannot clearing indicate the areas. He will work with Doug Rathburn on this and get back to Councilor Fairbanks.

Councilor Carney – Thanked the "Mom's Club" of Derry for painting the fence at the Taylor Library.

Councilor Benson asked if they still needed assistance on painting.

Chairman Metts thanked Mr. Mead from Beaver Lake LLC for the donation of the easement on the Matteuzzi land.

**Adjournment 8:35 pm**

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Town Clerk

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Date

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