

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

November 3, 2009
Tuesday 7:30 p.m.

Non-Public Session – Consultation with Town Counsel

Call to order

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

Roll Call:

Consent Agenda

- 09-143** Acceptance of Non Public Minutes – October 27, 2009
- 09-144** Acceptance of Minutes – October 27, 2009
- 09-145** Schedule 3 Consecutive Public Hearings – December 1, 2009 –
 - 1) Progress with the Town of Derry's \$100,000 Housing Community Development Block Grant Award. Town received a Grant of \$100,000 for the purpose of making renovations to the Vintage Grace Housing Facility, which is owned and managed by the Derry Housing and Redevelopment Authority. Of the total CDBG award, \$86,461 is designated for rehabilitation of Vintage Grace. Balance is being used for CDBG Administration;
 - 2) Status of CDBG Grant and improvements to Vintage Grace;
 - 3) Other matters relating to the CDBG Award

Approved

Chairman's Report – Chairman Metts

- Congratulations to the Citizens of the Year: Margaret Ives, Elizabeth Ives and Marion Willis
- Congratulations to the Business of the Year: LaCarretta's Restaurant
- Veteran's Day 11/11 Ceremony at MacGregor Park 10:30 a.m.
- Hazardous Waste Day 11/14 in Londonderry
- Derry Star Spangled Banner Parade 11/28
- Board & Commission meeting & 12/15 Town Council meeting

******* Liaison Reports**

Chirichiello – Planning Board working on 3 major components, the Master Plan Update, rezoning for landowners and rezoning of the Robert Frost Farm to a historical district.

Carney – Taylor Library reading hours going well. Maintenance and clean up being done by the Town is going well. The library has dedicated \$10,000 for energy upgrades to the building. Derry Housing Authority Vintage Grace project has come along. (Financial Statement for year end handed out to Town Council). Thanked Robert Fleig for what they are doing. There is a 3 year waiting period for subsidized housing in Derry. Energy & Environmental Advisory Committee will hold its organizational meeting on 11/12 @ 7p.m.

Fairbanks - Heritage Commission has a display at the museum of an original post office box and sorting table. They have expanded their Alan Shepard memorabilia with a report card and picture of him at three yrs old. At Pinkerton Academy, they are working on a display of Pinkerton's most famous alumni. Rick Holmes of the Heritage Commission presented the award for the Citizen's of the Year Award to the Ives's sisters at the recent Chamber of Commerce dinner. Thanked the

Daughter's of the Revolution and the Derry Garden Club for the work at the cemetery gate. The Heritage Commission has planned for next year to clean the Civil War Statue.

Wetherbee – DPL is looking to reorganize the 1st floor. They are planning for the future and doing field trips to other libraries to see what may or may not work for the library. They have a patron and online surveys for ideas for the future. The DPL is now on facebook.

Conservation – The dam at Cole Marsh has been replaced. This past Spring, Broadview Farm area had volunteers removing brush and trees to expand to 41 garden plots. This fall the Derry Pathfinders & Conservation Commission worked to clean up Weber Forest from vandalism. Please report any suspicious activity at our conservation areas. The Conservation and the Planning Board held meetings and approved to incorporate into the Master Plan an Open Space plan and the Beaver Lake Conservation plan. Conservation has formed a subcommittee, Community Education & Outreach, first meeting is on 11/5 in room 207 @ 7pm. This group's goal is to educate the public on Conservation and natural resources.

Coyle -Finance Committee okay. DEDC is not operating. Bike Path has generated more use. However, there are still wetlands and other permit issues for the continuation of the Bike Path. Mike Fowler and staff are working to resolve these issues.

Benson- Safety and legislative none

Metts – Southern New Hampshire Hazmat is funded by towns and grant money. They have a hurdle to find permanent storage space as at present equipment is stored among the various towns. .

Derry School District enrollment is down but kindergarten enrollment is up. School has prepared for flu season. As of yet they have not gotten hit as hard with flu season as other schools. Pinkerton Academy is moving ahead with construction of a freshman building. The Legislature is lobbying about a funding mechanism. There are 25 languages spoken at the school and some students do not speak English.

Administrator's Report – Gary Stenhouse

***** Goals Update

Town Council was given packet with updates

- Upper Village Hall meeting with Attorney Keith at 10 a.m. tomorrow. There is a roof leak that EDVIS would like to fix before winter.
- He is sending out an RFP for Historic society. There are historic artifacts that aren't appraised and need to be for insurance purposes.

Introduced Lt. Doyle - this is the first time in 126 years that a Strategic Plan has been drafted. The Strategic Plan Draft has 10 priorities assigned to initiative groups. They are asking Town Council & the citizens to attend a feedback meeting on 12/10/09 @ 7pm DMC. Copies of the plan can be viewed on the Town Website, Fire Website, and DPL & Taylor Library also in the Town Clerks office.

Councilor Wetherbee stated as part of Citizens friendly service – people who had revaluation meetings received no outcome or acknowledgement of decisions for their meeting. The Town Administrator will look into this.

Public Forum – Non Agenda Items

Open Public Forum 7-0-0

John Burtis, Lorri Rd – He thought that the flu shot clinic held at West Running Brook last week was handled well. He wanted to commend Robin Respaut of the Nutfield News for the superb job she had done as the Derry Reporter and wished her luck on her new venture. Purpose he was here was to restate his comments from the prior meeting as he felt they were misinterpreted. The

point he was trying to make was with the tax increase and what is coming down the road how is the town going to handle the financial situation it's going to find itself in.

Theresa Labo, Association of Carriage House Estates – wanted the Town Council to know that they do not believe they live on a private road.

Al Dimmock, High St – questioned why the last Town Council meeting date was changed. Feels Exit 4A is a raw deal.

Close Public Forum 7-0-0

New Business

09-142 Private Roads – Winter Maintenance

Mike Fowler explained that 4 roads have come off the list as they did not file a petition. (Jenny Dickey Hill Rd, Country Rd (east), Brewster Rd, Chase St and Field Rd) Petitions for Ezekiel Dr, Clyde Rd, & Tobacco Rd were filed; however, they have never had winter maintenance.

Council asked questions of Attorney Boutin.

Move into non-public to “Consult with Counsel”. Wetherbee/Benson Vote: 5-2-0 (Fairbanks and Coyle)

Meeting reconvened at 9:07 pm

The Town Council declares the following roads as “Winter Maintenance Roads: Escumbuit Rd/ Emergency Lane, Kenro Way, Lake Ave, Rockey Rd, Pebble Lane, Mundy Lane, Sharon Ave / Emergency Lane, and Worthley Rd, for winter 2009-2010 which will permit DPW to perform winter operations limited to plowing, sanding, and salting consistent with operations on Town accepted roads. Motion by: Benson/Carney Vote: 5-1-1 (Coyle) (Wetherbee abstained)

Old Business

09-62 Private Roads – Petitions

Move to forward all private roads petitions to the Planning Board.

Benson/Carney Vote: 6-0-1 (Coyle)

New Business (Continued)

09-146 Motion Seeking “Declaratory Judgment” regarding Exit 4-A Financial Obligation

Moved to table until January 5, 2010 Coyle/Benson Vote: 7-0-0

09-147 Petition under RSA 231:8 for layout of a portion of Manchester Road (Route 28) by expansion of the Right of Way On the following parcels:

28 Manchester Road, #08285	22 Manchester Road, #08286	10 Ashleigh Drive, #08280
4 Ashleigh Drive, #08280-003	2 Ashleigh Drive, #08280-001	35 Manchester Road, # 08280-002
19 Manchester Road, #08276	17 Manchester Road, #08275	13 Manchester Road, #08274
11 Manchester Road, #08273	7 Manchester Road, #08272	3 Manchester Road, #08269
61 Crystal Avenue, #36018	57 Crystal Avenue, #36017-001	1 Municipal Drive, #35014-002
55 Crystal Avenue, #36017	72 Crystal Avenue, #35016	

Town Administrator Stenhouse explained the Town Council needs to schedule a public hearing. This hearing must allow for a minimum within 30 days from the date the layout petition is

accepted. The layout is for a public purpose to expand the existing public road. There is a 24 item procedure for outlying a road. .

Move to accept the petition for highway lay out on the following parcels:

28 Manchester Road, #08285	22 Manchester Road, #08286	10 Ashleigh Drive, #08280
4 Ashleigh Drive, #08280-003	2 Ashleigh Drive, #08280-001	35 Manchester Road, # 08280-002
19 Manchester Road, #08276	17 Manchester Road, #08275	13 Manchester Road, #08274
11 Manchester Road, #08273	7 Manchester Road, #08272	3 Manchester Road, #08269
61 Crystal Avenue, #36018	57 Crystal Avenue, #36017-001	1 Municipal Drive, #35014-002
55 Crystal Avenue, #36017	72 Crystal Avenue, #35016	

Coyle/Wetherbee Vote: 4-1-1 (Fairbanks) (Coyle abstained) (Chirichiello absent)

Council Requests / Open Discussion

Councilor Fairbanks asked the status of the trees to be planted at old landfill.

Town Administrator Stenhouse will have staff look into records to determine what may have been planned when the old landfill was capped a number of years ago.

She questioned in regards to the person who purchased the Featherbed Lane property at auction and since it has fallen through who provides the refund. Town Administrator Stenhouse stated that any refund would come from the auction company as the purchaser had made out the check directly to the company. She is concerned about the bike path as she has seen a hunter walking the path and going into the fields. Is there any way the state can post no hunting signs or can the Town do something.

Councilor Wetherbee read in LCG publication that they can do a comprehensive wage salary and benefit study that can be individualized for your town. He would like to see a comparable size town. (Local Government Center publications 10/2009)

Town Administrator Stenhouse stated he would find out the cost if any.

9:25 p.m. Adjournment

Town Clerk

Date

Reviewed by Town Administrator Stenhouse
Recording Town Clerk, Denise Neale