

TOWN OF DERRY

Town Council Meeting
Derry Municipal Center

September 7, 2010
Tuesday 7:30 p.m.

6:30 p.m.

Consultation with Legal Counsel

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

Roll Call: Councilors Milz, Wetherbee, Olbricht, Wetherbee, Coyle, Fairbanks, Chirichiello and Chairman Benson

Consent Agenda

- 10-115** Acceptance of Non-Public Minutes – Session I & II – August 3, 2010
- 10-116** Acceptance of Minutes – August 3, 2010
- 10-117** Schedule Public Hearing – September 21, 2010 – Approve Application for and acceptance of Medical Reserve Corps Grant in the amount of \$5,000
- 10-118** Schedule Public Hearing – September 21, 2010 – Accept Brandy Rock Road as a Class V Roadway
- 10-119** Schedule Public Hearing – September 21, 2010 – Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article II, Section 150-7C – Restricted Use – Right turn only From Birch Street Municipal Parking Lot onto Birch Street
- 10-120** Schedule Public Hearing – September 21, 2010 – Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article II, Section 150-13 – Speed Limits – Speed limit on Gamache Road will be posted as 30 miles per hour
- 10-121** Schedule Public Hearing – September 21, 2010 – Layout and Condemnation of Route 28 Properties (Manchester Road and Crystal Avenue)

Consent agenda: Council Coyle did not want to vote on 10-115 as he was not present at the sessions.

Consent agenda accepted.

Chairman's Report – Chairman Benson

- Derryfest on 9/18 10 am – 4pm with an additional Farmer's Market at its usual location
- Voting September 14, 2010 primary & charter vote. Town Clerk to email Town councilors duties & schedule for that day.
- Farmer's market is ongoing and appears to be successful
- Downtown Development Group is meeting on 9/16 @ 7 pm DMC
- Update on Mundy Lane waiting for signature from one of the Trustees.
- Update on CLD work in Council packet
- Update on TIF district was passed out to Town Councilors.
- Council to form Audit Committee with Councilors Olbricht and Coyle who would meet independently with the Town Auditors -All councilors agreed
- Create a Policy for attendance of boards. Would like a councilor to take that. Councilor Milz to head this.

- November 2, 2010 is the General Election the Town Council meeting will be moved to November 3, 2010, Wednesday.
- Audit Committee (Councilors Olbricht and Coyle) – Councilor Olbricht stated this committee would review internal controls and risk management. The Councilors would oversee report from auditors. They will receive the report on internal control and management issues before going to management.

***** Presentation of 2009-2010 Charter Commission Report

John O'Connor Charter Commission Vice – Chair, on the Derry Town website the Final Charter Report may be viewed, also in the Town Clerk's office as well as the Library. Mr. O'Connor gave a PowerPoint presentation on the revisions made to sections of the Town Charter.

10-124 Appointment of Town Administrator

Move that the Derry Town Council approves the hiring of John P. Anderson as Derry's Town Administrator, effective October 25, 2010, and authorizes the Council Chair to execute the attached Employment Agreement with Mr. Anderson. Motion by: Councilor Wetherbee, seconded by Councilor Milz. Vote: 7-0-0

Chairman Benson thanked MRI and Mr. Budreau for the great job done in this matter.

10-29 Senior Citizens Center

Dr. Moody called and asked this to be tabled. Councilor Wetherbee suggested a workshop with the members in regards to the Derry Senior Citizens Center to discuss funding, function, purpose, locations.

Chairman Benson would like the Downtown Committee group involved in this workshop. Schedule an Open Public workshop. Town Administrator Stenhouse to schedule for the second week in October.

Councilor Wetherbee moved to table until after a workshop is held in October. seconded by Councilor Coyle 7-0-0

Administrator's Report – Mr. Stenhouse

n/a

Public Forum – Non Agenda Items

Open the Public Forum 7-0-0

Roberta Robie, Chester Rd – Ms. Robie asked the Chairman prior to the meeting if she could speak at the public forum on the Senior Center and he replied no". She said she would take the Chairman to task on this as he has allowed others to speak on Agenda items at the Public Forum before. Ms. Robie asked that this statement be included in the minutes. Spoke in regards to the "Meals on wheels" program being moved from the Marion Gerrish Center. The seniors do not want it changed from Marion Gerrish Center to the Upper Village Hall. Seniors are comfortable where they are and want it kept downtown.

Ms. Robie wanted to thank, Mike Fowler Tom Carrier, Mark L'Heureux, Sam Palmer and Clint Havens who were in charge of putting the waterlines in front of her house. She graciously thanked them.

Albert Dimmock, High St – Reminded citizens in an election every vote counts. It's your responsibility as well as your right. Challenge to vote. He is against the new Town Charter revisions.

John O'Connor – clarified the part of the Charter Revision that Mr. Dimmock spoke of.

Close the Public Forum 7-0-0

Public Hearing

- 10-112** Apply for and receive Emergency Management Performance Grant funds from the State of New Hampshire – Bureau of Emergency Management for the purpose of purchase and installation of a generator transfer switch at Pinkerton Academy Hackler Gym

Chief Klauber – The Derry Bureau of Emergency Management requests to apply for the a Emergency Management Performance Grant offered through the ST of NH and to utilize these funds to purchase and install a generator transfer switch at the PA Hackler Gymnasium to supply heat to this facility in the event of a power loss event. This will allow Derry Emergency Management to use this site as a shelter for the residents of Derry and potentially a regional shelter during a large scale emergency.

Open Public Hearing 7-0-0

n/a

Close Public Hearing 7-0-0

Move that the Town Council allow the Town Administrator to apply for and receive and expend EMPG grant funds from the St of NH Bureau of Emergency Management specifically for the purpose of purchase and installation of a generator transfer switch at the Pinkerton Academy Hackler Gymnasium. Motion by: Councilor Wetherbee, seconded by Councilor Milz Vote: 7-0-0

- 10-113** Declare Chase Street as an Emergency Lane pursuant to RSA 231:59a

Alan Cote, Chase Street has been previously maintained as a "Winter Maintenance" road by annual Town Council vote. Chase Street serves as access to Beaver Lake Boat ramp managed by the NH Dept of Economic Resources. It is believed the right-of-way is owned by the State of NH.

Councilor Coyle requested that abutters and the State of NH be notified prior to holding a public hearing as is required by RSA..

Council coyle then moved to table the matter to the first meeting in October 5, 2010 by Councilor Coyle, seconded by Councilor Wetherbee Vote: 7-0-0

Old Business

- 10-102** Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section 150-4 Prohibited Parking, to read – Collette's Grove Road – both sides the entire length between Sanborn Rd and Lane 10 - Collette's Grove Rd

Alan Cote and Chief Klauber gave an overview of the Highway Safety report regarding this item.

**Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article 1, Section 150-4 Prohibited parking to read:
Collette's Grove Rd -Both Sides -Entire length between Sanborn Rd and Lane 10-Collette's Grove. Motion by Councilor Wetherbee, seconded by Councilor Coyle
Vote: 7-0-0**

- 10-103** Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article II, Section 150-10B Yield Signs to read – Yield Sign – Sanborn Rd @ Collette's Grove Rd

Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article II, Section 150-10B yield Signs to read: Sanborn Rd @ Collette's Grove Rd. Motion by: Councilor Wetherbee, seconded by Councilor Coyle Vote: 7-0-0

New Business

10-122 Appointment to Derry Housing & Redevelopment Authority
Chairman Benson moved to appoint Lt. Christopher Williams to the Derry Housing and Redevelopment Authority for a two year term to expire March 31, 2012, seconded by Councilor Wetherbee.

Councilor Coyle asked if this was posted and open to everyone. Town Administrator Stenhouse stated he did know if it had. Mr. Stenhouse will post to website again.

This will be revisited at the September 21st meeting.

10-123 Authorization to Apply for S.A.F.E.R. Grant
Councilor asked why there was not a public hearing held on this grant.
Mr. Stenhouse explained that on 8/18/10 the town was notified that there was a one month opportunity to apply for this grant. It has been done with the PD before with the understanding that if the grant is received then there will be hearing to decide whether to accept or not.

Chief Klauber – DFD requests permission to apply for fund through the Federal Dept of Homeland Security and FEMA for the SAFER program. This grant supports five (5) firefighters to increase the effectiveness of our firefighting and emergency response operation. Notification of the grant selection will not be known for six months to one year.

Council had discussion on the positive and negative outcome of this grant as it would affect the budget later on and whether or not to just apply for it.

Move that the Town Council allow the Town Administrator to apply for grant funds for the Staffing for Adequate Fire and Emergency Response (SAFER) program and specifically for the purpose of hiring five (5) firefighters to replace the firefighters that were eliminated from the FY2010. Motion by: Councilor Wetherbee, seconded by Councilor Milz. Vote: 3-4-0 (Wetherbee, Coyle, Fairbanks and Benson) failed

10-125 Discussion of Open Positions

Town Administrator Stenhouse stated the open positions are: 1 Parks person, 1 Recreation Secretary and 1 Entry level Police officer. He is planning to fill. Mr. Stenhouse stated that if an upper level position became available he would not fill that position as it should be the prerogative of the new Town Administrator.

Councilors asked questions regarding filling positions, the CPI and the need to look at open positions due to attrition as well projecting future budget needs including possible layoffs.

The Town Council would like an update at its bi-monthly meetings.

Council Requests / Open Discussion

Councilor Olbricht – Business Group letters have been sent out for people to join the "Move Derry Forward" Committee.

Boards Chairman, Samina, Enterprise Bank, Derry Internal Medicine, LaCarretta's, Arthur Karas, Cedarpoint, Ralph Valentine, G4 Technology, and a few other people. First meeting is to identify things that happen in Economic Development. First meeting will be Thursday, September 16th 7:30 – 11:30 @ Samina is hosting. Cedarpoint is hosting the last one. They are looking for someplace to meet on October 21st. He will keep the Town Council up to date at each Council meeting.

Councilor Fairbanks – has been informed that Raymond has a phone system that alerts neighbors of a break-in, in their area. It was questioned if this system is available in Derry and Chief Klauber related we currently have this system in place .

Councilor Milz – wanted to give kudos's to the Emergency Management System in Derry, due to the presumption that Hurricane Earl was coming. They put in a lot of hours.

Councilor Wetherbee – wanted to thank the folks who helped clean up the Broadview Farm after it was vandalized.


Councilor Fairbanks – spoke regarding the conservation map of the Orchard Drive land. How does one access it? Is there any indication where the entrance is to this?

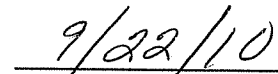
Councilor Wetherbee stated it is accessed via Faith Drive. There is the Doolittle parcel then the Orchard Drive parce and as they abut each other are shown as one parcel on our maps.

Councilor Coyle – wanted to speak regarding the Voting on Tuesday to vote on the Charter question.

Councilor Olbricht – has seen that the Fordway Bridge is done. He noticed the Drew Bridge isn't repaired yet. Questioned the TIF 28 memo that showed that all parcel owners have not agreed to sign on to voluntary sales of their properties. The T.A. stated that staff is working to bring these owners on board but the town will most likely need to take 3-5 properties by eminent domain.

Adjournment 9:15 p.m.


Town Clerk


Date

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