

## TOWN OF DERRY

Town Council Meeting  
Derry Municipal Center

June 7, 2011  
Tuesday - 7:00 p.m.

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**Consultation with Legal Counsel @ 7:00 p.m.**

### **New England Institute for Medical Technology Joint Press Announcement**

Jack Roache of NEIMT has finalized a lease agreement for 6 W. Broadway and has obtained funding. It is anticipated they will admit students beginning on 9/7/11. The school will have an open house on August 4 & 10, 2011. The first year course of study will be Surgical Technology. The second year course of study in 2012 will be Anesthesia Technology. The school is in the process of being licensed by State of NH and is beginning the accreditation process.

The student capacity is 24 for both day and evening classes. Tuition is \$10,800 for each year's program. For full-time, the program can be completed in 12 months, part-time 16 months. First partnership hospital is Parkland Medical Center. He needs to find 24 operating rooms and will need five hospitals for internships in this area. Ribbon cutting will be in the fall. Mr. Roache thanked the Downtown Committee, the Town and everyone for their assistance and welcoming into the Derry Downtown.

### **Call to order: 7:45 p.m.**

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

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

### **Consent Agenda - Accepted**

- 11-58** Acceptance of Minutes – May 19, 2011
- 11-59** Approve Elderly Exemptions & Improvements to Assist Persons With Disabilities (IAPD)
- 11-60** Schedule Public Hearing – June 21, 2011 – Approve additional funding of Public Health Network grant for in-school immunization program
- 11-61** Schedule Public Hearing – June 21, 2011 – Derry Community Fund Donation to Human Services

### **Chairman's Report –**

Summer Schedule – July 12, 2011 & August 16, 2011 - all agreed.  
Thanked Councilor Milz for attending the Memorial Day Services. Chairman Benson announced the Retirement of Gary Williams FF and welcomed the New England Medical Technology School.

### **Administrator's Report –**

Mr. Anderson handed out the notice of the closing for Drew Rd and South Ave. Bridge Projects. All notices will be sent out to the homeowners and residents of those areas. Drew Road will take three weeks. Work on South Avenue will begin at the end of the school year and completion will be before school begins in the fall.

Also passed out a memo from Mr. Fowler of the roads to be paved in FY2012.

In regards to the RFP for the Economic Development services for downtown area, the committee has made a selection and we are in contract negotiations with a new vendor.

Mr. Anderson and Jack Lahey has been successful in choosing an intern for a summer position. Mr. Jeremy Bourgeois has accepted the position. Mr. Bourgeois will be required to provide 400-600 hours of service and will begin on 6/27/11.

Mike Fowler has worked on the non-functioning clock in the Pocket Park. It has been fixed for less than \$100.00 by Parks staff and they will continue to watch it to make sure it functions.

Mr. Anderson gave the Town Council a memo of his findings regarding the EDVIS Meals on Wheels issue. Deb Perue stated that Councilor Fairbanks never stated to her that she was speaking for the Town of Derry. Councilor Fairbanks shared her experiences and conversation with our citizens who currently get Meals on Wheels at the Marion Gerrish Center. (Attachment A)

Mayor of Cherepovets arrives in Manchester this evening and will be here till Thursday after lunch.

\*\*\*\*\* 3<sup>rd</sup> Quarter Financial Report

Frank Childs – The financial picture overall has improved since the end of the prior quarter. MV revenues now appear to be on track to meet the budgeted amount and interest on taxes have exceeded their projection in the budget. It is very likely that we will exceed the budget on collection of taxes.

Ms. Mobsby – Cash remains strong with \$34M on hand as of 3/31/11 which is ½ million lower than 3/31/10. However, Capital Assets have been increased by \$4M. This was done through grants, collection on receivables and use of the cash. In general the balance sheet is looking good across the board, the tax and general receivable payments are coming in, and receivable balances are decreasing. Capital investments are primarily in the Rte. 28 roadway, land acquisitions and engineering costs, bridges and a fire pumper truck and fire sprinkler systems.

Fund Balance was anticipated at the end of the 3<sup>rd</sup> quarter to be \$9.4M. It is estimated that the general fund balance with transfers will increase to \$10.4M by year end.

Frank Childs - The sale at auction of Town-owned property was held on May 21<sup>st</sup>. The 15 tax deeded properties, of the 18 properties sold, and should be closed by year-end, with the other 3 parcels likely to close later this summer. Sales of property were budgeted for \$460,000 in FY11 and actually brought in just under \$300,000. There is one major parcel that has yet to be brought to auction again; possibly in the fall. Interest income is still running below budget as the rates are low. An RFP was issued looking for improved interest rates. To date, \$17 million has been invested in federally insured programs with two other banks. While these new rates are below 1%, they are at least a ten-fold increase over the return the Town has been earning. Legal fees continue to run ahead of budget. Interest income collections on taxes are estimated \$150,000 over budget, while it appears ambulance revenue is running about \$100,000-\$130,000 above budget.

**Public Forum – Non Agenda Items**

**Open Public Forum 7-0-0**

**Al Dimmock, High St – Now that budget season has wrapped up. The Councilors need to be more civil towards one another and support each other. Mr. Benson runs one of the best meetings.**

**Close Public Forum 7-0-0**

**Public Hearing**

**11-55** Apply for and accept grant from the NH Highway Safety Agency for Red Light Enforcement

Chief Garone highlighted the use of these funds. The only cost to the Town would be gas for the police cruisers.

**Move to grant authority to Town Administrator John Anderson to apply for and accept on behalf of the Town, grant funds associated with the NH Highway Safety project titled, "Derry Red Light Running" project number 11-03, 12 and to execute on behalf of the Town all contracts or documents associated. Motion by: Wetherbee, seconded by Milz**

**Vote: 7-0-0**

**New Business**

**11-62** Appointment to Energy/Environmental Advisory Committee

Chairman Benson moved to appoint Jim Ricker as an alternate member of the Energy/Environmental Committee, seconded by Milz.

**Vote: 7-0-0**

**11-63** FY 2011 Year End Budget Adjustments

Ms. Mobsby read the items in the list for the Town Council.

**Motion: By Councilor Wetherbee**

- 1) Move to transfer \$916,876.32 from various state bridge aid reimbursements accumulated in the South Ave Bridge Project to the General Fund to replenish funds previously appropriated for bridge work.
- 2) Move to transfer \$8,500 to Town Clerk Benefits, account 200, to fund health insurance premium plan changes, from Fire Department Salaries, account 110.
- 3) Move to transfer \$82,000 to Finance Department's Other Municipal Obligations, account 190, to fund retiree earned time payments and associated benefits, from Public Works-Parks salaries account 110, \$24,000, Fire Salaries, account 110, \$32,000, Fire Other Professional Services, account 390, \$7,500, Fire EMS supplies, account 610, \$5,000, Fire maintenance supplies, account 630, \$8,000, Fire non-capital, account 690, \$2000 and Fire Debt Service, account 980, \$3,500.
- 4) As Derry Water Commissioners, Move to transfer \$47,000 from Water Infrastructure Improvements, account 730, to Capital Project Fund, account 930 increasing the budget to \$167,000 in the Water System Capital Improvements Fund for the purpose of completing the Linlew Drive water line interconnection. Any funds remaining at the completion of the project shall be returned to the Water Division.

**Seconded by: Councilor Milz**

**Vote: 7-0-0**

**11-64** RSA 79E (Community Revitalization Tax Relief Incentive) – Schedule for Future Workshop Discussion (see attached)

This was put into the packet for future discussion and review at a workshop. There is specific language and there needs to be understanding as there is a possible tax implication involved on the growth of re-evaluations of a renovated project.

**11-65** Ratify Tax Deeds

(Councilor Coyle recused himself)

Mr. Anderson explained the process by which tax deeded properties are auctioned off and the need to affirm the Emergency Preamble this evening in order to close on these properties. There are three properties that are coming off the attached list as they are non-tax deeded properties – 1 Beacon Hill Rd, 37 Gaita Dr, and 30 Brook St. The amount collected for the properties sold is

\$297,250 which is under what had been anticipated. However the Featherbed Lane property was removed from the auction and it is anticipated that the Featherbed Lane property might bring at least \$100,000.

**Open Public Hearing 7-0-0**

No public Input

**Close Public Hearing 7-0-0**

**TOWN OF DERRY**

**EMERGENCY PREAMBLE**

**WHEREAS:** RSA 80:42 and RSA 80:80 authorize the transfer of tax deeded property, by majority vote of the governing body; and,

**WHEREAS:** By its vote of May 18, 2010 adopting the 2011 budget, and as reflected in the minutes of prior meetings leading up to the budget vote, the Derry Town Council authorized the sale of the tax deeded lots listed below and attached hereto; and,

**WHEREAS:** The Town held an auction on May 21, 2011 and entered into various contracts with the successful bidders requiring closing during the month of June 2011; and

**WHEREAS:** Because the Council's vote implicitly but not explicitly authorized the sale and transfer of the tax deeded lots by the Town Administrator, an explicit ratifying vote to authorize the Town Administrator to execute deeds transferring the properties is deemed advisable;

**NOW, THEREFORE BE IT ORDAINED** that an emergency exists for the passage of the following resolution, at this first presentation:

**BE IT RESOLVED:** To authorize the Town Administrator to transfer the following properties:

<b>Location</b>	<b>GIS ID</b>
5.5 Tracy Dr.	01015-015
38.5 Old Chester Rd.	09135
Al St.	11050-001 (has not sold as of 6/3/2011)
3 Emerson Dr.	12032-003
5 Emerson Dr.	12032-005
6 Emerson Dr.	12032-006
7 Emerson Dr.	12032-007
8 Emerson Dr.	12032-008
9 Emerson Dr.	12032-009

11 Emerson Dr.	12032-011
13 Emerson Dr.	12032-013
15 Emerson Dr.	12032-015
15 Collettes Grove Rd.	20022
10 Valley St.	26016-001
49 Hillside Ave.	26079
26 Scenic Dr.	54114

all of which sold at auction to the successful bidders and to execute any and all deeds or other documents and to accept any funds for the account of the Town of Derry as shall be required to execute these transfers. This resolution may be recorded in the Rockingham County Registry of Deeds as appropriate and shall remain in force unless expressly repealed or rescinded by a subsequently adopted resolution recorded at said Registry of Deeds.

**Motion by: Councilor Wetherbee, seconded by Councilor Milz**

**Vote: 6-0-0**

#### **Council Requests / Open Discussion**

Councilor Coyle asked Chairman Benson and Councilor Wetherbee if they had attended a meeting with the Attorney for the Woodmont Development in December on 12/6/2101. Chairman Benson replied, He does not recall but will let him know. Councilor Coyle's point was it should be recorded, as the council has dealt with a no record issue in the past over Exit 4A.

Councilor Fairbanks spoke of a recent event called "Taste of Town" in Milford, to support their revitalized of downtown. They had a Fair. She thought the DDC could look at doing something similar.

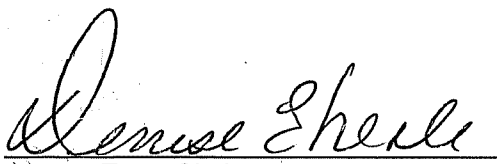
Mr. Anderson announced the Summer Farmers Market will open on 7/6/11 from 3:00-7:00 p.m.

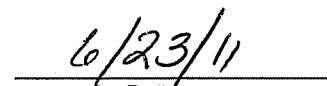
There has been some interest in the Depot Steakhouse property and the lender stated the Auction will be rescheduled soon.

In regards to the Pinkerton Tavern – the local school declined. RFP is moving forward for the Pinkerton Tavern to have it moved to another site.

Councilor Olbricht – What is the end date to deal with the Pinkerton Tavern building? Mr. Anderson will confer with Mike Fowler.

**Adjournment 8:45 p.m.**

  
Town Clerk

  
Date

Recording Clerk: Denise E. Neale, Town Clerk  
Reviewed by: John P. Anderson, Town Administrator  
Frank Childs, CFO (3<sup>rd</sup> Qtr. Report)  
Janice Mobsby, Controller (3<sup>rd</sup> Qtr. Report)

## **MEMORANDUM**

**To:** Derry Town Council

**From:** John P. Anderson  
Town Administrator

**Date:** June 7, 2011

**SUBJ:** Rockingham County Meals on Wheels

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Per your request I contacted Debra Perou, Executive Director of Rockingham County Nutrition Program (Meals on Wheels) to inquire as to how Councilor Fairbanks presented herself to the meeting they had.

Ms. Perou stated: "Councilor Fairbanks never represented in the meeting she had with us that she was speaking for the Town of Derry." Ms. Perou further stated that Councilor Fairbanks, shared her experiences and conversations with our citizens who currently use the Gerrish Center to get Meals on Wheels.

When I spoke with Councilor Fairbanks about this issue, she also stated that she had only represented herself as a member of the Town Council.

Ms. Perou stated that MOW had spent close to 90-100 staff and board hours reviewing all the options for Derry's MOW program. The conversation with the EDVIS Board and Councilor Fairbanks were part of those 90 – 100 hours of review that they spent on this issue.