

TOWN OF DERRY
Town Council Meeting (Continued from 11/1)
Derry Municipal Center

November 15, 2011
Tuesday - 8:30 PM

WORKSHOP

8:15 PM

Non-Public Session RSA 91A:3 II (a) – The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted

Call to order 8:30 p.m.

Pledge of Allegiance, Warning of Fire Exits, Handicap Access, turn off all Cell Phones & Pagers

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

Continued from November 1, 2011 Meeting

11-83 VOTE - WATER COMMISSIONERS - FY 2012 Municipal Water System Improvements/Expansion: Zone 3 – Route 28 Supplemental Appropriation for Route 28 Phase only in the amount of \$1,050,000 in the FY 2012 Water Division Budget (for a total FY 2012 appropriation of \$1,968,500) and Vote on a Bond Resolution in the amount of \$1,968,500

Councilor Fairbanks asked to table this item until next meeting as Councilor Coyle was absent from the meeting. Chairman Benson polled the Council to take up item #11-83 and 11-84.

Councilor Wetherbee - it's time to get it done

Councilor Milz- we need to be fair to townspeople. This is the 3rd or 4th time on these items have been on the agenda.

Councilor Chirichiello - either way

Councilor Fairbanks - we waited for Joel to come back and it's a \$4M vote. It's a courtesy to Councilor Coyle.

Chairman Benson – let's move forward.

- (1) RESOLVED that the Derry Town Council, acting as the Water Commissioners, hereby approves a supplemental appropriation in the amount of One Million, Fifty Thousand, Five Hundred Dollars (\$1,050,500) to the FY2012 Water Enterprise Fund Budget (730) for the purpose of completing the FY2012 Municipal Water System Improvements/Expansion: Route 28 project as identified in the Derry Water System Master Plan and Town of Derry Master Plan as areas to be serviced by municipal water and that said appropriation is to be funded through municipal bonds issued by the Town Council under and in compliance with the Municipal Finance Act, RSA 33, as amended.**

Discussion: Councilor Chirichiello asked if this was going to affect the rate payers at this time. Tom Carrier, replied "no".

Resolution by: Wetherbee Seconded by: Milz

Vote: 5- 1- 0 (Fairbanks)

TOWN OF DERRY, NEW HAMPSHIRE (the "Town")

BOND RESOLUTION (Water Improvements)

November 15, 2011

WHEREAS, The Town Council of the Town of Derry, New Hampshire (the "Town Council"), who also act as the Water Commissioners for the Town, has appropriated the sum of One Million, Nine Hundred, Sixty-Eight Thousand, Five Hundred Dollars (\$1,968,500) in the Derry FY2012 Water Enterprise Fund Budget for the purpose of completing the FY2012 Municipal Water System Improvements/Expansion: Route 28 project as identified in the Derry Water System Master Plan and Town of Derry Master Plan as future areas to be serviced by municipal water;

NOW THEREFORE BE IT RESOLVED: That the Town Council authorizes that \$1,968,500 of the aforesaid appropriation be raised through the issuance of bonds or notes (the "Bonds") under and in compliance with the Municipal Finance Act, RSA 33, as amended;

RESOLVED: That the Town Council hereby appropriates up to \$35,000 of interest or other earnings on the invested Bond proceeds for the purpose of the aforesaid Project;

RESOLVED: That the Town Council determines that the useful life of the water design improvements for which these funds have been appropriated is at least twenty years;

RESOLVED: That all acts heretofore taken consistent with the foregoing are hereby ratified and confirmed.

**Resolution by: Wetherbee, Seconded by: Milz
Vote: 5-1-0 (Fairbanks)**

COST RECOVERY:

The Derry Town Council, acting as water commissioners, moves to approve the following cost recovery method for the approved FY2012 Route 28 Water System Improvements Project:

All properties in the Water System Master Plan Zone 1 improvements area (Route 28 By-Pass north and Route 28 west of Island Pond Rd.) shall pay existing Derry water connection fees in accordance with the Code of the Town of Derry: Water Use Ordinance.

All properties in the Water System Master Plan Zone 3 improvements area (Route 28 south of Island Pond Road) shall be assessed at the time of the notice of availability their calculated share of the gross costs for Zone 3 improvements. Said assessments shall be calculated based on the parcel area for commercially zoned properties or in the case of residentially zoned properties, the number of living units.

For existing buildings, assessments shall become payable at the time of connection of the building to the public water system. For properties which may be redeveloped, assessments may be applied as an offsite improvement by the

Planning Board as a condition of approval and therefore become payable at the time of redevelopment whether or not connection to the public water system is made.

Discussion: Questions were asked regarding who should be contacted for the cost of hook-up and if a schedule has be laid out.

**Motion by Wetherbee, seconded by Milz
Vote: 6-0-0**

11-84 VOTE - SEWER COMMISSIONERS - FY 2012 Municipal Wastewater System Improvements/Expansion: Route 28, Sunset Acres, Maple Hills – Supplemental Appropriation for Route 28 Phase only in the amount \$805,500 in the FY 2012 Sewer Division Budget (for a total FY 2012 appropriation of \$1,975,500) and Vote on a Bond Resolution in the amount of \$1,975,500

(1) RESOLVED that the Derry Town Council, acting as the Sewer Commissioners, hereby approves a supplemental appropriation in the amount of Eight Hundred, Five Thousand, Five Hundred Dollars (\$805,500) to the FY2012 Wastewater Enterprise Fund Budget (730) for the purpose of completing the FY2012 Municipal Sewer System Improvements/Expansion: Route 28 project as identified in the Derry Sewer System Master Plan and Town of Derry Master Plan as areas to be serviced by municipal Sewer and that said appropriation is to be funded through municipal bonds issued by the Town Council under and in compliance with the Municipal Finance Act, RSA 33, as amended.

**Resolution by: Milz, Seconded by: Wetherbee
Vote: 5-1-0 (Fairbanks)**

TOWN OF DERRY, NEW HAMPSHIRE (the "Town")

BOND RESOLUTION (Sewer Improvements)

November 15, 2011

WHEREAS, The Town Council of the Town of Derry, New Hampshire (the "Town Council"), who also act as the Sewer Commissioners for the Town, has appropriated the sum of One Million, Nine Hundred, Seventy-Five Thousand, Five Hundred Dollars (\$1,975,500) in the Derry FY2012 Wastewater Enterprise Fund Budget for the purpose of completing the 2012 Municipal Wastewater System Improvements/Expansion: Route 28 Project identified in the Derry Wastewater System Master Plan and Town of Derry Master Plan as future areas to be serviced by municipal sewer;

NOW THEREFORE BE IT RESOLVED: That that the Town Council authorizes \$1,975,500 of the aforesaid appropriation be raised through the issuance of bonds or notes (the "Bonds") under and in compliance with the Municipal Finance Act, RSA 33, as amended;

RESOLVED: That the Town Council hereby appropriates up to \$35,000 of interest or other earnings on the invested Bond proceeds for the purpose of the aforesaid Project;

RESOLVED: That the Town Council determines that the useful life of the sewer design improvements for which these funds have been appropriated is at least twenty years;

RESOLVED: That all acts heretofore taken consistent with the foregoing are hereby ratified and confirmed;
Resolution by: Milz, Seconded by Wetherbee
Vote: 5-1-0 (Fairbanks)

The Derry Town Council, acting as sewer commissioners, moves to approve the following cost recovery method for the approved FY2012 Route 28 Sewer System Improvements Project:

All abutting properties to the newly constructed sewers shall be assessed upon the notice of availability of the new public sewer, in accordance with the Town of Derry Sewer Betterment Policy. Said assessments shall be based on the parcel area for commercially zoned properties or in the case of residentially zoned properties, the number of living units. For existing buildings, assessments shall become payable at the time of connection of the building to the public sewer. For properties which may be redeveloped, assessments may be applied as an offsite improvement by the Planning Board as a condition of approval and therefore become payable at the time of redevelopment whether or not connection to the public sewer is made.

Moved by: Milz, Seconded by Wetherbee

Vote: 6-0-0

11-96 Charter Amendment Discussion

Chairman Benson asked since this was a request of Councilor Coyle should they await his return. Councilor Fairbanks replied table it.
Chairman Benson will discuss it will Councilor Coyle – not discussed

New Business –

11-112 Southern New Hampshire Planning Commission Appointment

**Chairman Benson moved to appoint Annemarie Alongi to SNHPC,
Wetherbee Vote: 6-0-0**

Moved to adjourn to meeting and go into Workshop 8:50 p.m.

WORKSHOP

Frank Childs, David Gomez, Barbara Chapman, David Cornell, Assistant Director of the Property Appraisal Division of DRA, Present

Please see Assessing Plan Report attached herewith as reference. This is the document was presented at the workshop.

Mr. Childs made some brief comments having looked at the operation of the department and the bottom line from a cost standpoint.
There are costs that can be reduced. Derry and the City of Keene have a strong program are the only ones in the state.

David Gomez gave explanation and history of town's assessing office since he has been here from 1981 to present. The goal since the mid 1980's has been to keep assessments up to date based on the realization that property taxes in the State are the single most import source of revenue. The BTLA was clear they wanted a definitive plan to be presented that would reduce the number of abatement filings. The BTLA ordered a reassessment of all properties to take place effective 4/1/93. The order was lifted on 7/1994. Mr. Gomez enlisted the assistance and advice

of the City of Keene on efforts to assess all properties each and every year. The Keene plan had been in existence since the late 1970's. In order for the Derry office to maintain yearly or biennial assessments three things needed to happen

1. The database computerized
2. Staffing needed to increase
3. More space was needed for the department

In 1999 Derry launched cycled inspections.

In 2003 state wide standards finally came into play. The DRA began annual reviews of local assessing practices.

In 2006 working with then Town Administrator Marcoux and CFO Childs an RFP was developed and VISION Appraisal was chosen to do inspections for complete interior and exterior measurements and list properties.

Note: on pages 8 – 12 of Assessing Division Report of Operations & Budget dated 11/15/2011 "Cost Consideration" There are reported changes to the operation and savings of the department.

David Gomez stated the goal is now to go out every two years as the market remains in poor condition. As the real estate market changes Assessing will keep the Council informed and the plan may change so that they can go out as often as is necessary.

Council Rules (picking up from last discussion)-No Discussion

Adjournment 10:05 p.m.

Recording Clerk, Denise Neale Town Clerk
Reviewed by: John P Anderson, Town Administrator
David Gomez, Town Assessor