

TOWN OF DERRY

Town Council
Derry Municipal Center
REVISED

January 3, 2012
Tuesday - 7:30 PM

Non-Public Session RSA 91A:3 II (d) – Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

7:30 PM Call to Order

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

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

Consent Agenda –

- 12-01** Approve Non-Public Minutes – December 20, 2011
- 12-02** Approve Minutes – December 20, 2011
- 12-03** Schedule Public Hearing – January 17, 2012 – Amend the Code of the Town of Derry, Zoning Ordinance Article VII, Floodplain Development District and Article IX, Conservation Corridor Overlay District

Approved with notation: Councilor Chirichiello abstained from the approval for 12-01 and 12-02 as he was not present at these meetings.

Chairman's Report – Brad Benson

Stated he hoped everyone had a safe and happy holiday

Administrator's Report – John Anderson

- The CAFR has been filed with the GFOA. We are awaiting the final audit.
- Tuesday, is the Presidential Primary and the Town Clerk will give you an update. Town Clerk Neale gave an overview of the three Polling Places, Democrat, Republican, and Undeclared voters and procedures, Voter registration and change back of undeclared voter information.
- Frost Festival will be held 2/10/12 – 2/12/12.
- Pinkerton Tavern is no longer standing.

Public Forum – Non-Agenda Items

Al Dimmock, High St – Welcomed the board with a Happy New Year.

Public Hearing

- 11-121** Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Section 150-13 – Speed Limits – Overledge Drive Extension

Chief Garone gave an overview of the situation brought before the Highway Safety Committee and reviewed the request. The Highway Safety Committee recommends this change. Council asked Chief Garone questions regarding the area.

Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Section §150-13 – Speed Limits to read:

The Speed limit on Overledge Drive Extension from house #65 to Hemlock Springs Road will be posted as 30 miles per hour.

Motion by Wetherbee, seconded by Milz
Vote: 7-0-0

New Business

12-04 NHDES Household Hazardous Waste Agreement

Craig Durrett gave an overview of the agreement which is done annually and shared with Londonderry for "Hazardous Waste Day". Councilors asked various questions.

The Derry Town Council moves to authorize John Anderson, Town Administrator, to sign applications and contracts on behalf of the Town with respect to grant contracts with the State of New Hampshire Department of Environmental Services to receive funds and hold a household Hazardous waste collection event in FY13.

Motion by: Wetherbee, seconded by Milz.
Vote: 7-0-0

12-05 Proposed Charter Amendments

Larry Budreau explained how these four amendments were chosen by the staff and made the most sense to revise in the Town Charter first. They are as follows: Quarterly Budget, Purchasing Procedure, Deputy Town Treasurer and Independent Audit selections. Frank Childs stated that he had brought this before the Charter Commission in order to bring everything into compliance with the Administrative Regulations, Town Code, and Town Charter.

Ms. Fairbanks questioned Auditing #1. There was discussion regarding the reasoning and what would be accomplished.

Mr. Olbricht gave an explanation on the auditing standards of today. He also questioned why it stated the Town Administrator and Council Chair, why not the Town Council.

Mr. Anderson replied that he could not waive his own budget. There was more discussion on why these changes were chosen. It was explained that four more questions would be reviewed and placed on the ballot in September 2012 for a special election to coincide with the State Primary.

Mr. Olbricht asked if they could have a workshop before the next four were chosen.

Mr. Coyle disagrees with how this is being handled as Town Council had agreed earlier this year it was all or nothing for changes. He believes a new Charter Commission would have made the changes easier.

Discussion continued on different aspects of how to further handle these changes and how to choose the changes made by the prior Charter Commission recommendations and that also there shouldn't be changes to the already recommended changes.

Move that the Derry Town Council initiates the process today to order that the four attached amendment to Sections 9.5(D), 9.10, 9.16, and 9.18 of the Derry Town Charter be placed on the ballot of the next regular municipal election on March 2012, to include accepting the recommended amendments today, holding a public hearing on January 12 or 13th and voting immediately thereafter to order the proposed amendments be placed on the ballot.

Motion by: Wetherbee, amended by Milz to add date March 13, 2012 and seconded.
Vote 4-2-0 (Coyle Fairbanks)

12-06 Ambulance Fees

Chief Klauber and Chuck Hemeon explained the increases being asked for in the EMS service. They provided statistics of calls and surrounding communities pricing. There has not been an increase since 2008. This is information which is being provided to the Town Council for discussion before the FY13 budget is created.

Town Council asked questions and reviewed present costs vs. private ambulance costs and discussed benefits to budget and citizens.

Tabled until January 17th meeting.

Council Requests/Open Discussion

Councilor Wetherbee asked about scheduling the public hearing for the charter amendments? Mr. Budreau explained it should be held on the 1/12/12 and a vote would need to be taken that evening.

Chairman Benson polled the Council and set the date for the special meeting to be held on Thursday, 1/12/12.

Councilor Wetherbee stated he received an email regarding a joint meeting between Councilors and Selectman in Chester and wasn't sure why.

Councilor Chirichiello explained that it is to get everyone together because of what is going on at the State level.

Councilor Wetherbee has read about the DOT funding cuts and is wondering if the Town has received money from the projects that have already been done.

Mr. Anderson gave a review of what the town has been reimbursed for to date.

Councilor Chirichiello wanted to advise everyone that the filing period for the Town Elections are January 25th – February 3rd.

Town Clerk Neale reviewed a list of the openings for office: Town Moderator, Trustee of the Trust Funds, Supervisor of the Checklist, 2 for Derry Public Library Trustees, Taylor Library Trustee in addition to the District #1 and Councilor At Large seats.

Adjourned 8:38 p.m.

Town Clerk

Date

Recording Clerk, Denise Neale, Town Clerk
Reviewed by, John P Anderson, Town Administrator