

## TOWN OF DERRY

Town Council  
Derry Municipal Center

May 1, 2012  
Tuesday - 6:30 PM

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### 6:30 PM Public Hearing on the FY 2013 Budget & Capital Improvement Plan

Motion to open Public Hearing 7-0-0

Lee Maloney, Executive Director of CART – She thanked the Town Council for maintaining their budget. There will be a route deviation service in Derry. CART is tweaking it to add in random senior housing locations for pick up.

Janet Conroy, High St – Spoke in regards to flagging the Cable budget and she is concerned. She pays a cable franchise fee and it was always her understanding that the franchise fee ran the operations of the Cable Department. If the request by the department head is practical and needed, then it should be approved. Cable fees should not be used for Town Services.

Kevin Coyle, North Shore Rd – Administration has proposed a budget that has \$500,000 for employee benefits. His second issue is the PD parking lot being repaved. It is not in terrible condition and does not need to be repaved at this time and doesn't feel bonding is necessary. The school tax is going to be higher and he asked the Town Council to take that into consideration.

Shaun Zajac, Linlew Dr. – Reiterated the issue of Cable funding in regards to flagging the personnel budget.

Janet Fairbanks, Rose Ave – asked questions regarding the Transfer Station. She asked why the meeting was at 6:30 instead of 7:30.

Close Public Hearing 7-0-0

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**Non-Public Session 91A:3 II (a) Move into Non-Public all in favor.  
(6:45 p.m. - 7:30 p.m.)**

**Non-Public Session 91A:3 II (c) Move into Non-Public all in favor.  
(7:30 p.m. – 7:40 p.m.)**

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**7:40 PM** Call to order

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

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

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**Consent Agenda**

**12-47** Approve Budget Review Minutes – April 24, 2012

**12-48** Approve Minutes – April 24, 2012

**12-49** Approve Elderly & Disabled Tax Deferrals

**Approved as written**

**Chairman's Report – Chairman Benson**

**The Chairman had no comments**

**Town Administrator's Report – John P Anderson**

Sabatinos will be opening on Sunday May 6<sup>th</sup>. There has been some interest in their former location. The Low and Moderate Income Tax Relief Application for property taxes is available and information will be on the website. Income limits are \$20,000 single homestead, \$40,000 for more than a single homestead. The deadline to apply is 6/30/12.

The Supervisors of the Checklist office is moving into its new quarters Thursday.

Human Service Office renovation project has begun and should take about three weeks. The annual Loyalty Day event will take place on Sunday, May 6<sup>th</sup> at 2PM at the VFW. Councilor Milz will read a proclamation. We have received an announcement from the Alexander Eastman Foundation, they have a scholarship of \$2500.00 for anyone interested in the healthcare profession. The deadline is 6/18/12.

Councilor Katsakiores announced the National Foundation of Women Legislature has a \$3000 scholarship for high school senior students. The winner will receive a trip to the convention and \$3000.00

**Public Forum – Non Agenda Items**

Al Dimmock, High St- Stated he found under RSA 673:13 regarding Boards and Committees that if someone doesn't fulfill their appointment there are grounds for dismissal.

Chairman Benson stated we will be addressing this later this evening.

Janet Fairbanks, Rose Ave – She had sent an email to the Town Administrator regarding information that was generated when she was sitting on the Town Council. It was a letter that was from Ed Boutin on Martin St. She would like to know that since she is a citizen if she could receive a copy of it. It was an email

forwarded to Chairman Benson dated 4/29 and pertained to Martin St. If it is a letter and not an opinion it should be public record and she would like a copy of it.

Chairman Benson replied we will get answers to those questions.

**Public Hearing –**

**12-36** Authorize the acceptance of 2012 Justice Assistance Grant funds in the amount of \$20,475

Chief Garone – explained the type of equipment that would be purchased with these funds as follows: Rockingham County receives a 5% administration fee, purchase a cell bright universal forensic extraction device for \$14600 including three years of maintenance fees, and drug usage and criminal activity covert surveillance equipment for \$4,851 = Net of \$19451.

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

No Public Input

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

**Move to grant authority to the Town Administrator John Anderson to accept, on behalf of the Town, grant funds associated with the 2012 Justice Assistance Grant program.**

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

**Vote: 7-0-0**

**Old Business –**

**12-36** 2<sup>nd</sup> Reading - Town Council Rules

Second reading of the Town Council Rules, as per Section 17 of the Town Council Rules

**Move to adoption the revised Derry Town Council Rules as amended on 5/1/2012. Councilor Wetherbee, seconded by Councilor Milz**

**Vote: 7-0-0**

**New Business –**

**12-50** Appointments to Boards & Commissions

**Move to appoint Lori Davison as an Alternate Member of the Planning Board term to expire on 3/31/13.**

**Motion by Chairman Benson, seconded by Councilor Wetherbee**

**Vote: 6-0-1 (Milz)**

**Move to appoint Rosemary Fesh as an Alternate Member of the Heritage Commission term to expire on 3/31/15.**

**Motion by Chairman Benson seconded by Councilor Katsakiores**

**Vote: 7-0-0**

## **12-44 Discussion on Health Ordinance – Chapter 55**

Mr. Budreau gave an overview of the changes and a detailed explanation of the changes of Type 1; seating capacity of 200 or more seats and Supermarkets that service more than three types of food on site.

Revised order reviewed by State Dept of Health and Human Services and Attorney Boutin's Office. This is posted on the web and a letter will be sent to those establishments regarding the proposed increase.

Councilor Wetherbee asked to add to letter the costs in other towns.

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

Councilor Katsakiores – Read letter in regards to Rick Holmes, Town Historian, and how helpful he was in assisting a couple in Derry regarding their heritage. She also praised the Recreation Booklet for Senior Citizens.


Councilor Fairbanks – asked to have mile markers put in on the new bike path. He also asked about putting trash barrels on the bike trail at either end.

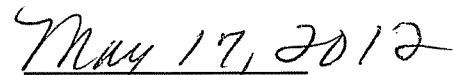
Mr. Anderson stated the Rail Trail Committee is working on these issues.

He passed on a request of stop sign at South Range and wondered about the status.

Councilor Olbricht – The Derry News had coverage of the Derry Little League. On Wednesday, the Chamber of Commerce will hold its Wine and Food Tasting event at Promises to Keep. It's exciting the activity around the TIF District; at the Chamber breakfast last month Senator Sheehan brought her staff and we discussed the infrastructure. On May 11<sup>th</sup> some of the senator's staff will be back.

**Adjournment 8:20 p.m.**

  
Denise E. Neale, Town Clerk

  
Date

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