

TOWN OF DERRY

Town Council
Derry Municipal Center

June 19, 2012
Tuesday - 7:30 PM

7:00 PM

Non-Public Session under RSA 91A:3 II (c) – Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting

Call to order **7:30 PM**

Pledge of Allegiance, Warning of Fire Exits, Handicap Access, turn off all cell phones

Roll Call: Councilors Milz, Olbricht, Fairbanks, Katsakiores, Chirichiello and Chair pro-tem Wetherbee
(Chairman Benson arrived at 7:52 pm)

Consent Agenda

- 12-73** Approve Minutes – June 5, 2012
- 12-74** Approve Non-Public Minutes – June 11, 2012
- 12-75** Approve Minutes – June 11, 2012
- 12-76** Disposal of Tax Deeded Property and Authorize Quit Claim Deed
- 12-77** Intent to Repurchase Property and Authorize Quit Claim Deed
- 12-78** Approve Veterans Credit

Approved with correction to the June 11, 2012 Minutes Roll Call Councilor Katsakiores was present

Chairman's Report – None

Town Administrator's Report –

***** Assessing Update

David Gomez and Frank Childs gave an updated report on the Assessing Division operations and budget. Sales to assessments from the DRA report and study show that we are above market value by 5% on manufactured housing. The residential properties are above by 6%. The next assessment update will be in 2014. There was discussion with the Town Council regarding the Industrial & Business properties.

***** Doug Rathburn, IT Director – iPad Discussion

Doug Rathburn gave a demonstration on the iPad and how to utilize it with our current intranet as an access point. Town Council members asked many pertinent questions on accessing and displaying information. There were also questions on insurance, searching GIS or RSA's. The cost for each is \$378.00. The plan is to start with Town Council and then possibly branching out to other boards.

***** Chief Garone – Weber's Forest

Chief Garone was asked to give an update of the damage at Weber's Forest where trees have been shot down. There have been numerous complaints of gun shots over the past few months. This area is in the care of the Conservation Commission and is available for hunting; however, this is clearly vandalism.

***** Summer Food Service Program

- Southern NH Services has a summer food service program. This is a federally funded program that provides healthy meals to low-income children and youth 18 years and

younger during the summer months when they no longer have access for free/reduced priced meals through the National School Breakfast/Lunch Program. These free meals will be served Monday through Friday between June 18th and August 27th. Sites for the meals will be at Hood Park, The Fairway Apartments and Franklin Village Apartments.

Janice Mobsby stated there is no restriction on the free suppers. It is a Federal Program.

- Farmer's Market begins its summer season on Wednesday, June 20th at 3:00 PM on McAllister Ct
- Panera Bread opens Monday
- English Range Fire Station has a small issue relative to septic
- Michele Riley, Public Works, and Lt. Carl Moorehead, Fire Department will both be retiring on June 29th.

Mr. Anderson wanted to address the issue raised regarding the Transfer Station by outlining how many times it had already been discussed. The first discussion began in a workshop December 2011, followed by another workshop in January where Public Works Director, Mike Fowler, and Recycling Coordinator, Joan Cornetta, were present. It was also discussed during the budget workshop and a public hearing on the budget. He was uneasy with the insinuation that it was slipped through.

Public Forum – Non Agenda Items

Bob & Annette Woodbury, Drew Road – Weber Forest is completely surrounded by homes. From their standpoint, this is a safety issue. Mr. Woodbury feels there should be no hunting allowed. Mrs. Woodbury doesn't feel ATV's should be there.

Councilor Wetherbee explained he could contact the Conservation Commission Chair and speak with Ms. Ives.

Chief Garone explained it's currently not unlawful to shoot there.

Chairman Benson suggested inviting the Conservation Chair to attend the next Town Council Meeting.

Al Dimmock, High St - In regards to Weber Forest, he questioned if Fish & Game could possibly come and do something. He also commented on an agenda line item that was vague and should have had more detail.

Janet Fairbanks, Rose Ave – She suggested asking Sheila Bodenrader how much time she spends on putting Town Council packets together. She believes that there should be a waiver signed by Council for the use of the iPad stating that if used for personal use, a councilor's position will be forfeited. Ms. Fairbanks stated that it is an expense to the taxpayers. In regards to workshops the Town Council would discuss at a later time. In regards to the Transfer Station there was a workshop and no discussion and suddenly it appeared in the budget. Going forward she suggested that the tax payers have a separate hearing when spending \$3M

Public Hearings –

- 12-60** Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section 150-4 Prohibited Parking – Rollins Street from Franklin Street to Maple Street

Mike Fowler and Alan Cote were present for any questions. This issue was brought before the Highway Safety Committee

Open Public Hearing 7-0-0

Al Dimmock – uses Rollins St often parking is an issue. It makes it difficult for two way traffic.

Close Public Hearing 7-0-0

Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section §150-4 Prohibited Parking to read:

Rollins Street

Both

From Franklin Street to Maple Street

Moved by Councilor Wetherbee, seconded by Councilor Milz

Vote: 6-0-1 (Chirichiello)

- 12-61** Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section 150-10b Yield Sign - Muzzy Lane @ Drury Lane

Mike Fowler – On April 19, 2012 the Highway Safety Committee considered two requests. They recommended a yield sign.

Open Public Hearing 7-0-0

No public input

Close Public Hearing 7-0-0

Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section §150-10b Yield Sign to read:

Muzzy Lane @ Drury Lane

Moved by Councilor Wetherbee, seconded by Councilor Milz

Vote: 7-0-0

- 12-62** Amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section 150-10a Stop Sign – Drury Lane @ Silver Street

Mike Fowler - On April 19, 2012 the Highway Safety Committee considered the next request to put a stop sign at Drury Lane @ Silver Street and recommended this.

Open Public Hearing 7-0-0

No public input

Close Public Hearing 7-0-0

Move to amend the Code of the Town of Derry, Chapter 150, Traffic Ordinance Article I, Section §150-10a Stop Sign to read:

Drury Lane @ Silver Street

Moved by Councilor Wetherbee, seconded by Councilor Milz

Vote: 7-0-0

- 12-64** Economic Development RSA 162-G:I thru III

Mr. Anderson explained that this is another tool he would like to use for Economic Development and there is a correction to the RSA listed it should be RSA 162-G

Open Public Hearing 7-0-0

No Public Input

Close Public Hearing 7-0-0

Resolution moved by Councilor Wetherbee, seconded by Councilor Milz

Vote: 7-0-0 (see attachment)

- 12-66** Approve and fund Round 2 of Chloride Reduction I-93 Watersheds Municipal Program Grant for \$350,000

Janice Mobsby highlighted the grant and Supplemental Appropriations in FY 2012 and reimbursement from State of NH of \$280,000.

Mike Fowler gave an overview of the trucks purchases from the grant.

Move to Open Public Hearing 7-0-0

No Public Input

Close the Public Hearing 7-0-0

**Move to authorize the Town Administrator to apply for, accept and expend \$350,000 in accordance with the NHDOT Round #2 Implementation – Chloride Reduction 1-93 Watersheds Municipal Program Grant Program without further action of the Town Council. I authorize a budget increase in Highway Vehicles account 760 of \$350,000 derived from a Supplemental Appropriation of \$280,000 from unassigned general fund balance and a Budget Transfer of \$70,000 from Highway Other Professional Services account 490. Reimbursement from the State of NH associated with this grant will be returned to the general fund upon receipt which is anticipated in FY2013. I authorize that the \$350,000 appropriation shall remain non-lapsing until the completion of this grant or June 30, 2013. Moved by Councilor Wetherbee, seconded by Councilor Milz
Vote 7-0-0**

12-67 Amend the Code of the Town of Derry – Article IV – Purchasing Procedure, Section 5-25 – General Requirements

Mr. Anderson stated that this is the change in the Administrative Regulation that was adopted in the Town Council Rules.

Open Public Hearing 7-0-0

No Public Input

Close Public Hearing 7-0-0

Move that Article IV, Section 5-25 (Purchasing Procedure-General requirements) of the Derry Code be amended to read as follows:

In accordance with Section 9.10 (Purchasing Procedure) of the Town Charter, the Town Administrator or designee has the responsibility of purchasing, in accordance with an Administrative Regulation, and implementation of Town Council directives. Purchases of \$3,000 or greater require the signature of the Town Administrator, while purchases greater than \$20,000 require the signature of the Town Council Chair and his/her Council designee.

**Moved by Councilor Wetherbee, seconded by Councilor Milz
Vote: 6-1-0 (Chirichiello)**

12-68 Establish the Recreational Facility Capital Project Fund

Janice Mobsby the goal is to try and use appropriations that exist instead of increasing taxes. This will allow for the upgrading of the Recreation Facility's roof.

Open Public Hearing 7-0-0

No Public Input

Close Public Hearing 7-0-0

- 1. Move to establish a Capital Project Fund entitled "Recreation Facility Capital Project Fund" for the purpose of upgrading the roof of the Veterans Hall building.**

2. **Move to establish a budget of \$60,000 in the Recreational Facility Capital Project Building Improvements account 720 funded by a \$60,000 transfer of appropriation from the Rail Trail Capital Project Land Improvements account 710. Funds not expended or obligated in the Recreation Facility Capital Project Fund as of June 30, 2013 will be transferred to Land and Building Capital Reserve, held in the custody of the Trustee of the Trust Funds.**

Moved by Councilor Wetherbee, seconded by Councilor Milz
Vote: 7-0-0

New Business –

- 12-79** Administrative Support Staff, Local #1801 AFSCME,
Collective Bargaining Agreement

Larry Budreau – gave the background information on this collective bargaining agreement and It is posted on the Town's website. Renegotiation will begin in September 2012 to resolve the other issues that were not settled at this time..

Move that the Derry Town Council approve the collective bargaining agreement between the Town and AFSCME Local #1801 Administrative Support Staff from July 1, 2012 to October 31, 2012 and authorize the Town Administrator to sign the Agreement on behalf of the Town of Derry.

Moved by Councilor Wetherbee, seconded by Councilor Milz
Vote: 7-0-0

- 12-80** Appointments

Move to appoint David Thompson as an Alternate Member to the Zoning Board. Motion by: Chairman Benson, seconded by Councilor Milz
Vote: 6-1-0 (Benson)

- 12-81** Fiscal 2012 Budget Transfer

Janice Mobsby – reviewed the budget transfer and explained the funding reasoning.

Move to transfer \$76,402.56 to Highway Engineering account 310. The source of funding is a transfer of \$63,377.56 from Crystal Avenue/Broadway Capital Project Fund line 730 and \$13,025 from Parks salary line 110.

Moved by Councilor Wetherbee, seconded by Councilor Milz
Vote: 7-0-0

Council Requests / Open Discussion

Mike Fairbanks - Library Trustees meeting June 26th or 29th and a film crew from the Belfast Ireland will be at library to film in the NH room to highlight Presbyterianism.

Discussion on iPads continued

Move to authorize the Town Administrator to purchase of up to 10 iPads.

Motion by: Councilor Wetherbee, seconded by Councilor Milz

Vote: 5-2-0 (Katsakiores & Fairbanks)

Non-Public Session to be rescheduled under 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

Adjournment: 10:02 p.m.

Denise E. Neale
Town Clerk

7/18/12
Date

Recording Clerk, Mark Jesionowski
Transcription, Denise E. Neale, Town Clerk
Reviewed by, John P Anderson, Town Administrator