

TOWN OF DERRY

Town Council
Derry Municipal Center
14 Manning Street



Tuesday, August 4, 2026
3rd Floor Meeting Room

MINUTES

7:00 PM Call to order – Chair Spencer

Pledge of Allegiance, warning of fire exits, handicap access, & turn off all cell phones

Roll Call: Councilors Milz, Healey, Webb, Flood, Foote, Chair Spencer

Absent: Councilor Chase

Present: TA Michael Fowler, Town Clerk Tina Guilford

Public Forum - *30 Minutes*

Motion by Councilor Foote to open public forum, seconded by Councilor Flood All Agreed

Steve Trefethan, North Shore Road - I ain't going to be a sad person come December when everybody's tax bills get whacked for whatever they get whacked to. But since I had to do some math for another reason, I thought I'd bring it to you and let you know what's happened, which I've been preaching forever but doesn't help. But I'm just going to give you some numbers. In 2019, we had an assessed value along High Street, Madden Road, and Fulsom Road of \$4.5 million. We were collecting about \$115,000 in taxes. I have actually pulled all the tax cards and did the math, and you should know. The loss of tax revenue up to about 2026 is approximately \$700,000. The assessed value in 2026 would be about 6 million now, with the increases we've had in the reassessments and that revenue. It's about \$170,000 a year, another \$65,000 it would have been. And like I said, I just did the math on this from the tax cards. The properties that are kept now, the assessed value of those properties I own two and Stenson owns one, and the rest are all sucked up by the state. There are no taxes coming in. Total assessment today is about \$700,000, and the taxes you're now collecting are about \$10,000. That's \$8,750 a year. So that's welcome to Exit 4A. We've tried to get the state to agree with a whole bunch of stuff so we can get things going early, go through planning, go through zoning, get approved. It takes two years, and by the time the highway comes, we could be building. That won't happen. So basically, when the highway is done, because the state is unreasonable in every aspect that they can possibly find, including what they did to the rail trail, you don't have to wait for them to finish. I know people have heard 2030 on the main part, 2032. That's probably not true. I was told by the state it's 2027, 2028 still. Probably the town manager, he knows enough to know that at least it's there. The problem with the building part of it is, until it's done and we know what we have, we really can't go in for planning and zoning, which is another year and a half. And then from there, we got to build, which is another year and a half or two. So, it's another \$700,000. So, we're going to lose 1.5 million. We're going to collect about \$8,700 a month for a while, I mean, a year. And that's what we got out of that. So, I just want everybody to know the numbers only because I pulled every single tax card and went through it, and I thought, "Good for you to know". Thank you.

**Motion by Councilor Milz to close public forum, seconded by Councilor Flood
All Agreed**

Consent Agenda

- 26-66** Approve Minutes – July 7, 2026
- 26-67** Ordinance #2026-002 – Amend Chapter 138 of the General Code to adopt the Derry Commercial/Industrial Property Tax Exemption Program
- 26-73** Resolution #2026-044 – Accept unanticipated Revenues in the FY26 Budget to cover Finance Department expenses
- 26-74** Resolution #2026-045 Approve a Supplemental Appropriation and Budget transfer for the FY26 Fire Budget
- 26-75** Resolution #2026-046 – Approve a Supplemental Appropriation and Budget transfer for the FY26 Emergency Management Department Budget

**Councilor Foote moves to approve the Consent Agenda, seconded by Councilor Milz
Roll Call Vote: 6-0-0**

Chair Report – Chair Spencer

Happy Birthday to Councilor Milz, as today is your birthday, and a Happy Belated Birthday to Councilor Flood.

I do want to congratulate Councilor Foote in particular on getting House Bill 1469 signed by the governor in July, which was a lot of effort and a lot of time and hard work that you've put in with others. I just want to congratulate you and also congratulate the state for actually getting that in statute.

Councilor Milz - I'd just like to make a comment. I just came back from a Chicago National Conference where one of the vendors there had saw my badge that I was from New Hampshire and sought me out and thanked me for SB 1469, as New Hampshire being one of the leading states in pursuing this kind of human trafficking. So, it's well noticed, well beyond the bounds of Derry.

Last but not least, I would like to congratulate our town clerk, Tina Guilford. I don't know what goes on in most towns, but I know that she is very committed to the role of being our town clerk, so much so that she has spent the last three years in a program from the New England Municipal Clerks Institute and Academy and just graduated in July from that three-year program. And I just want to say thank you for your engagement with the role and also for continuing to grow and help us be the best we can be. Thank you.

Town Administrator's Report – Town Administrator Michael Fowler

Good evening. So, I have a couple of general items, and then Owen's going to put up a presentation. We'll talk about goals and some economic development items that are on the Town Administrator's report for tonight. So let me start off with some community information. Town staff participated in a meeting on July 21st regarding an upcoming deadline for the determination of census tracts to be selected for Opportunity Zone 2.0. Derry has two eligible census tracts located within the core urban sector of the community. To qualify, the tract has to meet a couple of dynamics in terms of median family income and/or the tract has a poverty rate

of 20% or higher. We have two that qualify, and those will provide tax incentives. So basically, investors are able to shield earnings that they have, and they can defer capital gains and then reinvest in that. The applications are due by August 28th. The Economic Development Director is working on some of the application elements to it, and we'll get that into the governor's office, then the governor is expected to make final selections by the end of September. She will select 25 out of the 53 qualifying census tracts across New Hampshire. If a census tract is selected, the designation is a federal tax incentive program. We're looking forward to that. We'll keep the council updated on that.

Personnel. One of the things that I wanted to announce tonight is that we have currently 22 vacancies within our roles. We've had some recent retirements that I've talked about. Also, just as FYI, the Executive Secretary, Sheila Bodenrader, is going to be retiring on October 1st. I'll go into that a little bit more at our next meeting. But that is going to be a large hole that we're going to have to fill within not only for the council but also for me personally in terms of keeping track of all the stuff that you see here behind the scenes. It all gets done by her. We have a lot of work to do. Human resources are actively seeking candidates for all positions, but I did want to highlight two of them that were kind of most important in our front view. The assistant fire chief position has a closing date of July 31st. As of last week, we had 14 external candidates and one internal candidate. We've had some nationwide interest in it, which is a good thing. The process going forward will be as of next week, we're going to be reviewing applicants between the HR director and a representative of MRI and the fire chief. Then there'll be some initial interviews scheduled for probably the week of August 21st. Hopefully, we'll have the assessment process done by first week of September. Hopefully, final interviews and a conditional offer by mid-September. And then we anticipate that vacancy will be filled by November 1st. That's an ongoing process. Also, building inspector position. There was a closing date, as of 7/22, we had one internal candidate, 13 external candidates. There, we are trying to actively recruit through New Hampshire Municipal Association, New Hampshire building officials. We have some interviews scheduled for this week with some of the candidates, but it's an ongoing and open application process. Again, our hopes are to fill that vacancy in the next 45 days or thereabouts. As we're going to talk about, there's a lot of economic development going on, a lot of permit needs that are being put forward. So that is something that we're targeting.

And with that, I'd like to go into some discussions about the FY27 town council goals and economic development. At the July 7th town council meeting, we had put up the general list of town council goals that were combined from a goals session that was conducted in late June. Since that meeting, councilors were given an opportunity to then rank all of those goals one to five. What we're going to do coming out of tonight's meeting is this is the ranking in frequency. So, I'll just go through those. The list is the same based on order of priority and also the frequency that the number of town councilors had placed priority on. Number one is revisiting and review veterans and elderly tax credits and exemptions. Route 28 South infrastructure improvements. Review health insurance via employees and the town committee. That's on everybody's mind relative to the cost. Continued downtown redevelopment. And then number five was new police facility with construction, hopefully, to begin by fiscal '31. So, you can see that there was a lot of common themes that were put forward in the top five. If you move forward to the ordinal priority, where each one of you weighed one to five, basically, it's the same five goals. But you can see the police facility moved up the list slightly and kind of moved everything else down below that. But the same five goals are shared. Coming out of this, the town administrator will take these goals. I have a staff meeting with senior staff tomorrow, and we're going to start to implement those. Now, many of these goals have already been in place. We have already started to talk about the veterans' credits internally. So that's something that we'll be bringing forth within the next 60 days for some discussions with town council. The police facility, that's an active item. Health insurance, we've talked a lot about. I've been in contact with Catherine St. Ledger, our HR director, in talking about what the next steps are on that. Route 28 South infrastructure, we have design underway. We have an EPA grant. We were just notified

last week that the SRF funding process through the state, we were ranked number one for the rest of that, which would be a low-interest loan. We'll be working our way through that and reporting to council shortly on that. And then finally, continue the downtown redevelopment. Tonight, there'll be some activity with some ordinance changes through the planning board that Liz and staff will present on. But obviously, that's an ongoing effort. We also want to make sure that we remind residents, we remind the town council that we're actively working on a number of efforts that may not be listed as goals, but they're equally as important. There are a number of endeavors that didn't make the top five list, but we are going to continue to work through those are well. There's a lot of infrastructure that's going on. There's a lot of economic development going on. There's a lot of building projects to monitor. So, I think I'm very optimistic about the year that we just had, and I'm looking forward to implementing these goals in FY27.

As we start the new fiscal year, we're already one month into fiscal '27. I think it's important to look at where we're trending on the economic development front. I had asked Beverly Donovan, Economic Development Director, to compile some information related to some of the initiatives and where we stand on some of the things. Looking just generally, our efforts have been multipronged. There's been infrastructure expansion, zoning updates, and attraction of new businesses and new projects. So, looking at some of the infrastructure, as everybody's aware, the DPW had successfully completed the Rand Shepherd interconnection project to connect three community water systems to municipal water. This was primarily a project for residential districts, but it also has some ancillary effects on quality of life and attracting people to our community. Obviously, well-known, the Exit 4A improvements are still underway along Folsom Road. Southern New Hampshire regional water projects, we have some work going on with the Tsienneto Road storage tank and improvements in Londonderry, which were started in FY26. There'll be more information to come. We do have some upcoming meetings with the state, DES, looking at fully funding the Phase 2B, which will be something that we'll bring in front of the council should that be mature to do so. The landfill solar project was completed, and that went online last month. I will come back to the council with a brief report as to how we're doing. But thus far, the production has been pretty good other than a couple of rainy days. Obviously, our fire headquarters were completed and opened January of 2026. And then obviously, last year at this time, we sold the bond, and we have construction underway on our Abbott Court parking garage. So zoning, obviously, planning staff and planning board were heavily involved in defining the gateway zoning district in the Exit 4A corridor. Town council will be presented with some minor changes in the Central Business District at tonight's meeting. Some highlights of some things that have occurred. We have 74 Rockingham Road, the residence at Skye, Crystal Ave. You saw the Common Man and Bangor Savings Bank open recently. 71 Birch Street, Derry Plumbing and Heating. And there's several minor subdivisions, 33 East Derry Road, 84 Island Pond Road, Daniel Road, and Cemetery Road. There's been some new residential development. And then looking at some approved projects with a future build. So ironically, both 12A Street, which is EPSI, conditionally approved. There has been ground broken on that project this week. And then also 43.5 Crystal Ave, the Grindhouse, you do see some construction equipment on that site as well. I believe there was an announcement by the proprietor that that project is starting up. So those are both exciting. 41 Ashleigh Drive, which could potentially be a warehouse. That easement was approved through Conservation Commission and town council. And that was a major hurdle to the future development of that parcel. 123 and 4 Humphrey Road, it's a mixed-use site plan. That was conditionally approved. We're keeping an eye on the process through that. We'll be in front of the council on September 1st to approve easements related to the realignment of Humphrey Road. Abbott Court and LMG, Phase 2 residential is not too far behind us here. So that is a process that's ongoing. And then 18 Crystal Ave, reuse of the right aid with multiple tenants. That is something that is going to likely be coming forward in the next 6 to 12 months. Some growth statistics. Tax year 2025,

our assessments increased by \$55 million. But I also wanted to look as to what just happened, the fiscal '26 building permit stats, 1,375 permits, \$88 million worth of construction costs. Now, some of those are relatively minor additions. They might be electrical permits, but there were some large permits within there as well. 33 new single-family residential permits and 353 residential additions or renovations. So, as we look forward to fiscal '28, when we set the tax rate and look to the FY28 budget, we're anticipating a similar increase year over year of about \$55 million. And again, that helps broaden the tax base. So, you're starting to see where we used to figure \$15 or \$20 million worth of new assessed value, we're seeing multi-year trends of \$55 million or more, which is very, very favorable. I think the trajectory continues to point up. I think the town does a really good job at looking at sustainable projects, projects that don't tax our infrastructure so much that we can't handle the items that are there. I think that's the essence of the report. And then looking at future opportunities, 109 Rockingham Road could be a mixed-use site plan. We also have to reuse a couple of other drug stores, the old Walgreens and the Rite Aid at 52 Rockingham Road. 7 Manchester Road, the old San Mina property. 57 Crystal Ave, Bank of America. You obviously have the opportunities in front of you from the West Running Brook Zone, Downtown Central Business District, and the Gateway District. So, these are all future opportunities. Economic Development is in contact with a number of different stakeholders on those individual properties and also in a general sense to try to attract good development to the community. She's in the audience tonight if you have any questions related to that. But I know she is also instrumental in bringing some of the key players into Derry to try to talk through various questions that they may have, try to guide them to the right people, whether it's on a local basis or a state-level basis to help them maybe with financing, with some of the questions they have for development and of our staff. So that's a quick rundown as to where we stand. But again, overall, it's very, very positive.

26-64

Ordinance #2026-001 – Amend Zoning Ordinance, Chapter 165 –
Planning Director Elizabeth Robidoux presenting.

Good evening, council. Before I get into the meat of this, I wanted to take this opportunity to introduce Abigail Burrell, who is our planning intern this year. You will see the results of all of her very hard work on some more zoning changes that we'll be bringing forward as a result of the legislative session this year. We'll be presenting that to the planning board tomorrow night and then working over the rest of the summer to bring that forward to you. Between Caroline and Abby, we've been able to keep track of the increasing number of applications that are coming through our office. So I've been glad to have her.

For this evening, the planning board has been reviewing proposed changes to the Central Business District in various definitions since January of this year. The board held five workshops and conducted one on-site walk to review the district. We actually walked almost the entire CBD early in the spring. The changes include redefining parking lot and adding a definition for a multi-level parking facility to differentiate between ground-level parking and a parking structure. And the definition for front lot line has been amended to clarify which lot line is actually the front when a lot has frontage on more than one street. We were running into issues where if it was a corner lot like that, trying to make the dimensions work, and we had to keep sending people to the zoning board, and that just wasn't an efficient use of anybody's time and effort. So, we've worked on that. There's been an ongoing goal to maximize growth and economic development opportunities in the core of our downtown. The proposed changes recognize the changing landscape of Southern New Hampshire, where increased housing density, the height of buildings, and commercial market trends require some form of adaptation to create opportunities for economic growth and development while still maintaining the historical character of our Central Business District. The proposed changes recognize that the smaller lot sizes and land-use patterns that have emerged in the district need to continue. Pursuant to RSA

675-7, as we're not changing a district boundary or there's more than 100 lots, we didn't have to individually notice every member or every lot that was affected by this in the district. So, the notification requirements were met per the RSA. So rather than going through each of the changes line by line, I'll just provide a summary for you. The proposed changes include an amendment to the purpose of requirements in the district, increases the density for multi-unit mixed-use residential from 12 units an acre to 24 units, decreases the minimum unit size from 800 square feet to 400 square feet. It removes the limit number of bedrooms required. It removes the restriction on where commercial space shall be located in mixed-use buildings while defining the percentage of commercial space that will be required in the building. For that one, currently, we say no residential below the second floor. We've taken that away so that there can be some creative adaptive reuse of some buildings so that the commercial can be a percentage anywhere in the building as opposed to on the first floor. We added medical offices of permitted use in the district and removed the prior-term parking facilities, replacing it with multi-level parking. And we also added a requirement to connect to municipal sewer conversions and new developments. Changes to enhance and protect the streetscape include amending the maximum front yard depth to vary in terms of the lot width. So, you're set back based on how wide you are. For lots that are 75 feet or less wide, the front yard depth would be 8 feet or the average 400 feet in every direction. And for lots that are over 76 feet, maximum yard depth would be 25 or the average for 200 feet. Structure height was increased up to 425 feet above sea level. And the prohibited use section was amended to delete the list of prohibited uses as we are a permissive zoning ordinance. So, we don't need to list what we don't allow. If it's not there, it's not permitted. Off-street parking was clarified to ensure that parking is not situated in a manner that requires a vehicle to back out into the town roadway and to also prohibit parking or storage of vehicles in the front setback. And we also removed the special exception uses as they were no longer relevant to the zone. So, I do want to say the board spent a considerable amount of time reviewing and analyzing the front setbacks and the implications of any changes to the zoning district based on those changes. For fiscal impact, the town would see reinvestment in the downtown, hopefully, which will generate new and additional revenues and higher assessed values. And it's recommended that you would approve the amendments to the zoning district.

Motion by Councilor Webb to open public hearing, seconded by Councilor Milz

Roll Call Vote: 6-0-0

David Provencher, Miltimore Road - I've been a Derry resident for most of my life. Most of that's been at my current address, but I did spend a year on Railroad Ave, which is right in the middle of downtown. And I just wanted to say this all sounds absolutely wonderful, and I fully support it. And I think anything to get more people into our downtown, more life in there would be an improvement for the town overall.

Steve Trefethen, North Shore Road - just two questions. Number one, I've only watched one of those meetings. I know you've had a few, so I didn't get a chance to sit in on those. But where the traditional business is an overlay to the central business, so those properties, they are not affected?

Planning Director Robidoux - They're not affected.

Trefethen - And then the only other comment I would say that could be an issue because I have some properties that are like that, especially with the small back side streets along the back of Broadway and certain things where people can't there is no other way but to back out into an alley, even though it's considered a street. And really, there may not be no traffic. That happens quite a bit. I know mostly every street and every building in Derry. So, is there a provision for that, or does that just mean what do they do if they can't? If they pull in and then they have to

back out. And a lot of times, it's not a main street. It's just something. It may not even be used that much.

Planning Director Robidoux - Well, our hope is that people aren't backing out into Birch Street or Broadway.

Trefethen - Right. But does that provision mean they're stuck with it everywhere?

Planning Director Robidoux - It doesn't mean that you can't. The way we have it written is if you're redeveloping the lot that we are asking people to take that into consideration when they're planning redevelopment. So, if a building is razed and you're putting up a new structure to plan your parking so that that is no longer applicable.

Trefethen - Okay. So that's for new construction, not existing.

Planning Director Robidoux - Correct. We can't say that. We can't, in the zoning, police the streets.

Trefethen - Okay. The only reason why I mention that is because when they okay this, maybe that should be part of maybe that should be clarified for that reason. I don't have that property in the central business that has that, but I do have some traditional business that have that. And there's just a lot of buildings. And I bet you I can think of 30 where they have to back out into something that's hardly ever used, but it is considered a street.

Motion by Councilor Milz to close public hearing, seconded by Councilor Flood

Roll Call Vote: 6-0-0

Councilor Milz MOVES THAT THE TOWN COUNCIL adopt Ordinance #2026-001 which reads as follows [Read the Resolution], seconded by Councilor Foote

Roll Call Vote: 6-0-0

New Business

26-68 Resolution #2026-039 – Withdraw funds from the Capital Reserve Fund for Mold Remediation at the Derry Public Library – *Derry Public Library Director Kathleen Niemiec presenting.*

Good evening. So back in March, the staff noticed that there was some staining on the ceiling in a couple of different areas of the building. There was also some mold appearing on the walls of our air handler room in the lower level. So, I contacted a company called Indoor Doctor to request mold testing, where they found levels of mold in the various areas to be either above normal or very high/severe. I contacted three different companies to provide estimates for mold remediation work. The companies were Enviro Vantage, ABS Environmental, and Household Environmental. I presented these quotes to the library's board of trustees during their meeting on June 22nd of this year. And after some discussion, they decided to go with the estimate from Household Environmental. Their quote was \$13,850. They also recommended post-clearance testing just to make sure that the work had been thoroughly completed. So, with the estimate of their work plus that testing, I am requesting \$15,350 from our Capital Reserve Fund.

Councilor Milz MOVES THAT THE TOWN COUNCIL adopt Resolution #2026-039 which reads as follows [Read the Resolution], seconded by Councilor Healey

Roll Call Vote: 6-0-0

Resolution Attached

26-69

Resolution #2026-040 – Fund Expenses from the Compensated Absences Capital Reserve Account – *Town Administrator Michael Fowler presenting.*

The next three items under new business are all end-of-fiscal '26 housekeeping matters. So, CFO Mark Fleischer has prepared the staff reports. And basically, the first of the three is relative to the Compensated Absence Capital Reserve Fund. So essentially, within the OMO, other municipal obligations, budget, it was included \$354,254 for earned time payouts. And sometimes when you go through that process, we've had years where we've hit the mark, and there have been other years where there have been some unanticipated retirements or payouts because an individual leaves us and we weren't aware of that. We try to project it the best we can, but the mechanism to deal with those variations has been money that's been set aside in the capital reserve fund. So, we have a really healthy balance on that. It's upwards of \$1.6 million. So tonight, because the expenses in FY26 were \$704,000, we're going to be requesting a transfer of \$350,495 to cover these payments.

And essentially, when this is completed, we will still have \$1.6 million in that fund. One of the things that we will talk about as we take a look at the capital funds that we have available to us, the unassigned fund balance, you may choose to send some money in the direction of this Compensated Absence Fund. But Mark and I both believe that we're in a really healthy spot, and we're able to continue to cover these sorts of expenses as we move forward. I would say one of the trends that as we keep talking about some of our more senior employees retiring, I think the reliance on the funds and these large buyouts, I think, are going to continue to diminish because we just don't have as many employees who have large accrued earned time balances that would be due to them upon retirement or separation from the community. So, with that, you have a recommendation to move forward with this.

**Councilor Milz MOVES THAT THE TOWN COUNCIL adopt Resolution #2026-040 which reads as follows [Read the Resolution], seconded by Councilor Healey
Roll Call Vote: 6-0-0
Resolution Attached**

26-70

Resolution #2026-041 – Transfer funds for the Transfer Station Solar Project – *Town Administrator Michael Fowler presenting.*

Seven years ago, the town purchased 10 solar trackers that you see on the hill adjacent to the transfer station. This was our first foray into solar production. And that roughly generates about 150,000 kilowatt-hours annually that is distributed within the Transfer Station campus. The funding mechanism at the time was to use the Public Works Capital Reserve Fund as opposed to taking it to a bond or any other funding mechanism. And the idea was that the savings in each of the individual departments, because the solar is offsetting the needs to come from the grid, those savings would be transferred back to the capital reserve fund over the course of a 10-year period. So, we've reached the seventh year on that for fiscal '26. The amount reimbursed back to the general fund is going to be \$26,522.23.

It's broken into three segments, mostly from the wastewater treatment plant. That's the largest amount, at \$17,289, but also the Transfer Station building itself, and then also a very little bit from the vehicle maintenance budget. So, we have three more years on this, but this has been an ongoing process, a very successful project. And obviously, once we get beyond year 10, there'll be no other need to do any transfers of this nature. So, with that, you have Resolution 2026-041 for your consideration.

Councilor Milz MOVES THAT THE TOWN COUNCIL adopt Resolution #2026-041 which reads as follows [Read the Resolution], seconded by Councilor Webb

Roll Call Vote: 6-0-0

Resolution Attached

26-71 Resolution #2026-042 – Transfer funds to the Derry Economic Development Expendable Trust Fund – *Town Administrator Michael Fowler presenting.*

So, the last of the three items on the financial agenda tonight is relative to the Economic Development Expendable Trust Fund. When the Phase One water project connects Manchester through Derry down to Salem, the town takes in what we call a wheeling charge. And so that wheeling charge is basically a toll for the water to pass through Derry's borders. And eventually, whatever the meter reads, we collect a dollar for every 100 cubic feet of water that's transferred down to Points South. So essentially, there was legislation that was put into place that the funds that came from that particular instance can be shared with the general fund. So, this is the water fund being a separate enterprise fund from the general fund. So, over the past, I think it's five years, we have gone through and done an end-of-year budget transfer of 50% of those proceeds.

For fiscal '26, we would be looking for the total wheeling revenue to be \$277,591, and 50% of that would be transferred to the Derry Economic Development Expendable Trust, \$138,795.50. So, with that, you have Resolution 2026-042 to adopt, and then that will be taken care of internally as a finance mechanism. That fund, as of this transfer, would be at a balance of \$667,834, which reflects the prior year balances and revenues that have come in as a result of the wheeling charge.

Councilor Milz MOVES THAT THE TOWN COUNCIL adopt Resolution #2026-042 which reads as follows [Read the Resolution], seconded by Councilor Webb

Roll Call Vote: 6-0-0

Resolution Attached

26-72 Resolution #2026-043 – Authorize the Town Administrator to accept and expend a grant from the US Alliance for Election Excellence – *Town Clerk Tina Guilford presenting.*

I'm in front of you to try to move forward with a grant. This grant is from the US Alliance for Election Excellence. They found something else that we can do for election offices, we can get our offices certified in election excellence. There are currently 26 standards. They've opened up applications for 11 of them so far. Four of them, I've already completed and submitted the

application for that as we obviously are already doing those things. This is for a grant for one of the biggest things we have in an election. So that's our poll workers. This is for a web-based application, and it's for making it accessible to our poll workers for training, video training, in-person training, tracking, scheduling of shifts. I don't know if people realize we hired 154 people for the November 2024 election. That means that 154 people were juggled on a spreadsheet by two people. It is extremely difficult. And then you get last-minute emails. People suddenly can't work a shift. Now you have got to try to find people to fill a shift. And it's also exhausting. So, this program would allow us to be able to send out shifts to people who are not already scheduled to work if they want to pick it up. It will allow us to make training available. The Secretary of State's office is going to be putting out various videos that we'll be able to make available to our poll workers. Now, we've sent it to them in the past, but we have no way of knowing if they actually watch them. This way, we can actually incorporate a quiz, have them watch them. They would click through, answer the questions. We know whether or not they passed. They understood. It's a way of knowing if people have actually taken the time to train because they come in person, and it's great. And in-person training is great. But sometimes after the September election and the November election, asking people to come in again in March is a little exhausting. So, this would be a tool that we could use to track that and keep people engaged and know that they've taken the refresher. Also, they wouldn't be able to sign up for shifts in jobs they have not trained for. If all you've done is ballot clerk, you can't really be an assistant moderator without going through assistant moderator training. And right now, again, we're keeping track of that on spreadsheets for over 200 poll workers that we currently have on the roster. It's a long and exhaustive process. And obviously, we've been pre-approved for a \$9,000 grant. It's all tied to our voter roll and our citizen population. So, what I've done is I've done some deep work. There are not a lot of companies in this space. And this company delivers probably the best - I don't know - bang for the buck, shall we say. They have automatic notifications. They have online training. They have the portal that each poll worker is going to go in and set up. And the only information they really need to give is their name, address, and email address in order to sign up. Well, their name and address is already on the public checklist. So, they don't have to put their phone numbers on it unless they want to get alerts by text rather than email. There are automatic shift reminders, automatic reminders for when we're going to have training. There's even a check-in, check-out system. I know some of you have been there at the end of the night, and everybody's scrambling to find the sign-out sheet at 11:30 at night that somebody already put in a box. So, it would prevent a lot of that. And it has just all the things that we need and probably some stuff that we don't. However, there was legislation that was passed this year. And towards the end of the year, the Secretary of State will be putting out some information. And as a council, you'll need to decide, are we going to stay with one polling place? Are we going to go to multiple polling places? And this has venue management because there are requirements when you have multiple polling places about who can work in what polling place based on where they live. So those are all things we would need to keep track of, and those are all things that we can do with this software. And yes, we're doing it with a spreadsheet. And then there are times that somebody's double-scheduled, and there are times that nobody's scheduled, and we're shorthanded. And the idea is to try to prevent that. So, do you have any questions?

Councilor Milz - So if I understood you correctly, you're telling me that you're and first of all, congratulations to everybody that comes out to volunteer these poll workers. But as you're saying, they come out and they work during the primary, then they work during the general election, and then they come back in March. Do they have to be requalified each and every time they come back for this? Or is the qualification good for six months, eight months?

Town Clerk Guilford - So, September and November tend to be once they're trained in September, they work in November, and everything's copacetic. The issue we have is that the legislators up in Concord like to pass legislation that suddenly takes effect on January 1. Surprise. And then all of a sudden, we need to change the process for the March election, and now everybody's back in training. So, we pride ourselves on it when the Secretary of State and the Attorney General's office come in that they don't find any issues and they don't find any problems. And we're doing things the right way by statute. The only way you can do that is to make sure everybody's taken the training in some way, shape, or form.

Councilor Milz - And is everybody qualified then at that point?

Town Clerk Guilford - Yes.

Councilor Webb - When I first saw this on the agenda, I used my follow-up to Tina, with questions on data security and data privacy. I just want to thank you for answering those. And it alleviated my concerns that this was a product that protected privacy, had good data security, and retained ownership of data to the town of Derry.

Town Clerk Guilford - Correct.

Councilor Milz MOVES THAT THE TOWN COUNCIL adopt Resolution #2026-043 which reads as follows [Read the Resolution], seconded by Councilor Webb

Roll Call Vote: 6-0-0

Resolution Attached

Councilor Comments –

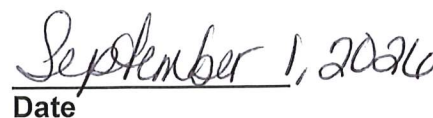
None

**Motion by Councilor Milz to ADJOURN, seconded by Councilor Flood
All Agreed**

Adjourn: 8:07 PM


Town Clerk

Recording & Transcription by: Cristina Guilford, Town Clerk


Date



ORDINANCE

Number 2026-001

Amend Zoning Ordinance Chapter 165

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town, and pursuant to Section 6.1, the Council shall legislate by ordinance; and

WHEREAS, the Planning Board adopted modifications to various land use definitions applicable to all zones; and

WHEREAS, the Planning Board adopted several dimensional and density changes in the Central Business District (CBD); and

NOW, THEREFORE, THE TOWN OF DERRY ORDAINS that the Derry Zoning Ordinance is hereby amended as follows:

To AMEND the Town of Derry Zoning Ordinance, Article II, Word Uses and Definitions, Section 165-5, Definitions to AMEND the definition of "Front Lot Line", and "Parking Facility", and to ADD a definition for "Multi-level Parking Facility".

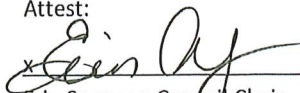
To AMEND the Town of Derry Zoning Ordinance Article VI, District Provisions, Section 165-33, Central Business District to AMEND Subsection A, Purpose; Subsection B, Permitted Uses; Subsection C (1 through 6) Area and Dimensional requirements to include minimum lot area, front yard depth, and building height; to AMEND Subsection F, Prohibited Uses; Subsection G, Parking.

To DELETE the Town of Derry Zoning Ordinance Article VI, District Provisions, Section 165-33, Central Business District, Subsection H, Special Exception Uses.

This Ordinance shall take effect thirty days after its adoption.

Adopted: August 4, 2026

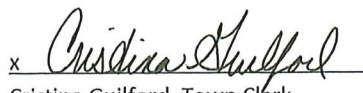
Attest:

x 

Erin Spencer, Council Chair

Date: August 4, 2026

Archival Ref: Agenda Item #26-64

x 

Cristina Guilford, Town Clerk

Date: August 4, 2026



RESOLUTION

Number 2026-039

To Withdraw Funds from the DPL Capital Reserve Fund for Mold
Remediation at Derry Public Library

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town; and

WHEREAS, staff have identified some areas of concern requiring mold remediation; and

WHEREAS, a Capital Reserve Fund was established in 2004 for the maintenance of the Derry Public Library; and

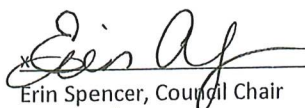
WHEREAS, the Library Board of Trustees has requested authorization to utilize a portion of the fund for this purpose; and

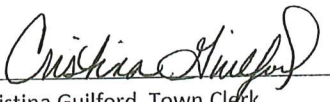
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL, as Agents to Expend, that the sum of Fifteen Thousand Three Hundred and Fifty Dollars (\$15,350) shall be appropriated from the Derry Public Library Capital Reserve Fund to finance the mold remediation.

This Resolution shall take effect immediately upon its passage.

Adopted: August 4, 2026.

Attest:


Erin Spencer, Council Chair
Date: August 4, 2026


Cristina Guilford, Town Clerk
Date: August 4, 2026

Archival Ref: TC agenda item #26-68



RESOLUTION

Number 2026-040

To Fund Expenses from the Compensated Absences Capital Reserve Fund

WHEREAS, the Town Council created a Compensated Absences Capital Reserve Fund in 1997;
and,

WHEREAS, the purpose of the fund is to pay for the Town's obligation to its employees for
vested accumulated leave upon separation and for any earned time payouts in excess of
budget; and,

WHEREAS, several long-tenured employees retired in FY26; and,

WHEREAS, transfer of funds from Compensated Absences Capital Reserve Fund will stabilize
the impact of end-of-service payments on the Town's General Fund;

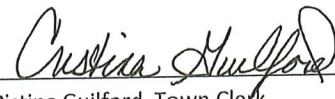
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council, as agents to expend,
herby authorizes the withdrawal of Three Hundred Fifty-Five Thousand Four Hundred Ninety-
Five Dollars (\$350,495) from the Compensated Absences Capital Reserve Fund to fund
accumulated leave obligations.

This Resolution shall take effect immediately upon its passage.

Adopted August 4, 2026

Attest:

x 
Erin Spencer, Council Chair
Date: August 4, 2026

x 
Christina Guilford, Town Clerk
Date: August 4, 2026

Archival Ref: TC agenda item #26-69



RESOLUTION

Number 2026-041

Transfer Funds for the Transfer Station Solar Project

WHEREAS, Section 9.7 of the Town Charter empowers the Town Council to transfer any unencumbered appropriation balance; and,

WHEREAS, the Town Council approved the use of Public Works Capital Reserve Funds to fund the construction of the solar array at the Transfer Station; and,

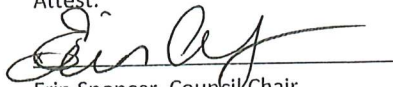
WHEREAS, a year-end transfer is required for the annual reimbursement to the Capital Reserve Fund;

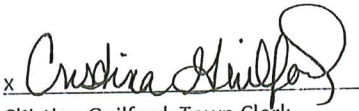
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is authorized to transfer the sum of \$26,522.23 from the Transfer Station budget (\$8,519.38), from the Vehicle Maintenance budget (\$713.05) and from the Wastewater Fund (\$17,289.80) to the PW Capital Reserve Fund.

This Resolution shall take effect immediately upon its passage.

Adopted August 4, 2026

Attest:


Erin Spencer, Council Chair
Date: August 4, 2026

x 
Christina Guilford, Town Clerk
Date: August 4, 2026

Archival Ref: TC agenda item #26-70



RESOLUTION

Number 2026-042

Transfer Funds to the Derry Economic Development Expendable Trust Fund

WHEREAS, Section 9.7 of the Town Charter empowers the Town Council to transfer any unencumbered appropriation balance; and,

WHEREAS, the Town Council previously authorized participation in the Southern New Hampshire Regional Water Interconnection Project; and,

WHEREAS, participation included receiving wheeling charges from users of the Derry system within the project; and,

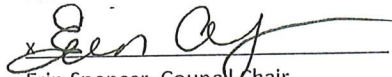
WHEREAS, the Town advocated to the Legislature to amend the statute to allow a portion of the revenues to be utilized for economic development purposes;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is authorized to transfer the sum of \$138,795.50 from the Water Division Wheeling Revenue account to the Derry Economic Development Expendable Trust Fund.

This Resolution shall take effect immediately upon its passage.

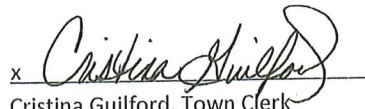
Adopted August 4, 2026

Attest:

x 

Erin Spencer, Council Chair

Date: August 4, 2026

x 

Cristina Guilford, Town Clerk

Date: August 4, 2026

Archival Ref: TC agenda item #26-71



RESOLUTION

Number 2026-043

To Accept Grant Funding From the US Alliance for Election Excellence

WHEREAS, the Section 9.15 of the Town Charter authorizes the Town Council to apply for, accept and expend funds received from outside agencies; and

WHEREAS, the Town Clerk has identified an opportunity to enhance election efficiency through acquisition of poll worker software; and

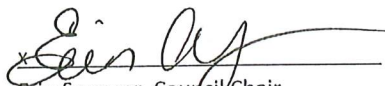
WHEREAS, the Town Clerk seeks to access these funds to purchase the software to support upcoming elections;

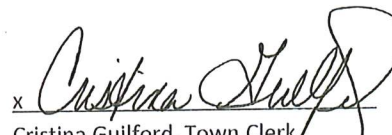
NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby authorized to sign a grant agreement with the US Alliance for Election Excellence in the amount of Nine Thousand (\$9,000) Dollars and expend said funds.

This Resolution shall take effect immediately upon its passage.

Adopted: August 4, 2026

Attest:

x 
Erin Spencer, Council Chair
Date: August 4, 2026

x 
Cristina Guilford, Town Clerk
Date: August 4, 2026

Archival Ref: TC agenda item #26-72